

RECEIVED

FEB 10 2020

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources  
Eastern Region

## Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions. WOD 1

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
1-136C <span style="color: blue;">OK</span>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
1-313 <span style="color: blue;">OK</span>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Dennis G Hill; Kristine S Hill  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John & Deborah Bender Trust dated May 12, 2005  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 339 Cottonwood Lane Blackfoot ID 83221  
Mailing address City State ZIP  
661-201-7292 janddbender@gmail.com  
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?  
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 2/3/2020
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:  
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.  
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).  
☐ Filing fee (see instructions for further explanation):  
☐ \$25 per *undivided* water right.  
☐ \$100 per *split* water right.  
☐ No fee is required for pending adjudication claims.  
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.  
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: *John Bender* Title, if applicable: 2/10/2020  
Signature of new owner/claimant Date  
Signature: *Deborah Bender* Title, if applicable: 2/10/2020  
Signature of new owner/claimant Date

## For IDWR Office Use Only:

Received by *Ch* Date 2/10/2020 Receipt No. E045624 Receipt Amt. \$50.00  
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐  
 Name on W-9 \_\_\_\_\_ Approved by *JB* Processed by *mp* Date 2-12-20

AFTER RECORDING MAIL TO:

John & Deborah Bender Trust  
29551 Merced Ave  
Shafter, CA 93263

Instrument # 714767  
BINGHAM COUNTY, IDAHO  
2020-02-07 01:51:03 PM No. of Pages: 3  
Recorded for: FIRST AMERICAN TITLE - BLACKFO  
PAMELA W. ECKHARDT Fee: \$15.00  
Ex-Officio Recorder Deputy JPulley  
Index To: WARRANTY DEED  
Electronically Recorded by Simplifile

### SPECIAL WARRANTY DEED

File No.: 873703-B (vb)

Date: February 03, 2020

For Value Received, **Dennis & Kristine Hill Holdings, LLC**, an Idaho limited liability company, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **John T. Bender and Deborah L Bender, Trustees of the John & Deborah Bender Trust dated May 12, 2005**, hereinafter called the Grantee, whose current address is **29551 Merced Ave, Shafter, CA 93263**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

**Tract 1:**

**Township 2 South, Range 35 E.B.M., Bingham County, Idaho**

**Section 12: Lots 5 and 6**

**Section 13: SE $\frac{1}{4}$ ; E $\frac{1}{2}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Lots 1, 2, 3, and 4**

**Section 24: NE $\frac{1}{4}$ ,**

**EXCEPTING:** that portion lying Easterly of the Corbett Slough;

**ALSO EXCEPTING:** that portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$  lying Westerly of the centerline of the Corbett Slough Canal and Southerly of a straight line coincident with the centerline of the Stephens Ditch and extending from the West boundary of the NE $\frac{1}{4}$  to the centerline of the Corbett Slough.

**Tract 2:**

**Township 2 South, Range 36 E.B.M., Bingham County, Idaho**

**Section 7: Lot 3; SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Lots 9, 10, and 11; Lot 6; NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,**

**EXCEPTING:** Beginning at the Southeast corner of said Section 7, and running thence due North along the East line of said Section, 175 feet; thence due West parallel to the South line of said Section, 249 feet; thence due South 175 feet to the South line of said Section; thence due East 249 feet to the point of beginning,

**ALSO EXCEPTING:** Beginning at the Southwest corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 7, and running thence due East 80 rods; thence due North 40 feet; thence due West 80 rods; thence due South 40 feet to the point of beginning, said tract to be used for a road,

**ALSO EXCEPTING:** Beginning at a point 40 feet due North of the SW corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 7, and running thence due East 30 rods; thence due North 32 rods; thence due West 30 rods; thence due South 32 rods to the point of beginning.

**Section 18: Lots 1 and 2; E $\frac{1}{2}$ NW $\frac{1}{4}$ ; Lots 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$  lying West of Corbett Slough; SE $\frac{1}{4}$  lying North of the Corbett Slough; S $\frac{1}{2}$ NE $\frac{1}{4}$ ,**

**EXCEPTING THEREFROM:** the following described tract of land: Beginning at the Southeast corner of NE $\frac{1}{4}$  of said Section 18, and running thence West 22 rods; thence North 7 $\frac{1}{2}$  rods; thence East 22 rods; thence South 7 $\frac{1}{2}$  rods to the place of beginning.

**ALSO EXCEPTING:** Part of Lot 3 of Section 18, Township 2 South, Range 36 E.B.M., Bingham County, Idaho, described as:

Beginning at a point that is N. 00°02'55" W. 1361.01 feet along the section line from the Southwest corner of said Section 18 and running thence N. 00°02'55" W. 697.54 feet along the section line; thence N. 87°19'30" E. 48.95 feet; thence N. 67°19'23" E. 279.60 feet; thence S. 90°00'00" E. 18.87 feet; thence S. 00°29'01" E. 337.11 feet along a fence; thence S. 88°33'43" E. 261.60 feet along a fence to the centerline of an irrigation ditch; thence S. 51°47'49" W. 750.20 feet along the centerline of said irrigation ditch to the point of

**beginning.**

**Tract 3:**

**Part of Lot 3 of Section 18, Township 2 South, Range 36 E.B.M., Bingham County, Idaho, described as:**

**Beginning at a point that is N. 00°02'55" W. 1361.01 feet along the section line from the Southwest corner of said Section 18 and running thence N. 00°02'55" W. 697.54 feet along the section line; thence N. 87°19'30" E. 48.95 feet; thence N. 67°19'23" E. 279.60 feet; thence S. 90°00'00" E. 18.87 feet; thence S. 00°29'01" E. 337.11 feet along a fence; thence S. 88°33'43" E. 261.60 feet along a fence to the centerline of an irrigation ditch; thence S. 51°47'49" W. 750.20 feet along the centerline of said irrigation ditch to the point of beginning.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that they are the owners in fee simple of said premises. The Grantor(s) warrants that said premises are free and clear of all encumbrances suffered or created by the Grantor(s), except such warranty does not apply to all taxes, assessments, and charges to be paid by the Grantee(s) and any lien or encumbrance revived or placed on said premises by, through or under the Grantee(s), his heirs and assigns.

Date: 02/03/2020

Warranty Deed  
- continued

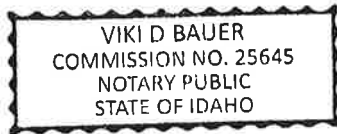
File No.: 873703-B (vb)

Dennis & Kristine Hill Holdings, LLC, an Idaho  
limited liability company

By: Kristine S Hill  
Name: Kristine S Hill  
Title: Manager

STATE OF Idaho )  
SS,  
COUNTY OF Bingham )

On this **Seventh day of February, 2020**, before me, a Notary Public in and for said State, personally appeared **Dennis Hill and Kristine Hill**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Dennis & Kristine Hill Holdings, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.



Viki D Bauer  
Notary Public of Idaho  
Residing at: Blackfoot, ID 83221  
Commission Expires: 3/29/20

Instrument # 689535

BINGHAM COUNTY

8-21-2017 12:39:03 PM No. of Pages: 5

Recorded for : 067433 HOLDEN, KIDWELL, HAHN &

PAMELA W. ECKHARDT

Fee: 15.00

Ex-Officio Recorder Deputy



## QUITCLAIM DEED

THIS INDENTURE is made this 16<sup>th</sup> day of August, 2017, by Dennis G. Hill (aka Dennis George Hill and Dennie Hill) and Kristine S. Hill, husband and wife, referred to collectively as the "Grantor," and Dennis & Kristine Hill Holdings, LLC, an Idaho limited liability company, whose mailing address is 126 W. 450 N., Blackfoot, Idaho, 83221, referred to as the "Grantee."

### WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Grantee, and to Grantee's heirs and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described real estate in the County of Bingham, State of Idaho, to-wit:

See Attached Exhibit "A"

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

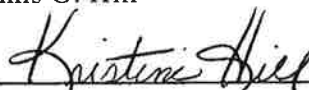
TO HAVE AND TO HOLD the said premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.



Dennis G. Hill



Kristine S. Hill

STATE OF IDAHO                    )  
  )ss.  
County of Bingham                )

On the 16<sup>th</sup> day of August, 2017, before me, the undersigned, a notary public, in and for said State, personally appeared Dennis G. Hill (aka Dennis George Hill and Dennie Hill) and Kristine S. Hill, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

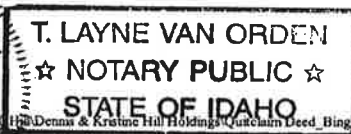
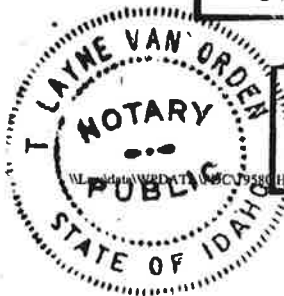
T. Layne Van Orden

Notary Public for Idaho

Residing at: Blackfoot, Idaho

My Commission Expires: Nov 15 2022

(seal)



**EXHIBIT "A"**  
**Legal Description - Bingham County, Idaho**

**Tract 1:**

A portion of the S½NE¼ of Section 11, Township 2 So., Range 35, E.B.M., Bingham County, Idaho, described as:

Commencing at the SE corner of the NE¼ of said Section and running thence due N. 1270 feet to the right of way of American Falls Canal, thence running Southwesterly along said right of way to its intersection with the S. Line of said NE¼, thence running due E. 2515 feet to the place of beginning; EXCEPTING THEREFROM, the following described tract of land, to-wit: Beginning at the point of intersection of the center line of the Aberdeen-Springfield Canal with the S. Line of the NE¼ of said Section, which point is approximately 100 feet E. of the center of said Section 11, and running thence E. 555 feet, thence running N. following a local fence line 214 feet; thence running N. 54°27' E. 142 feet, thence running Northwesterly following a local fence line, 133 feet to the center of the Aberdeen-Springfield Canal; thence running Southwesterly, following the center line of said canal, 757 feet, more or less, to the point of beginning;

Together with 38 shares of New Lavaside Ditch Co., and all ditches and ditch rights of way appurtenant thereto and however the same may be evidenced.

**Tract 2:**

Township 2 South, Range 35 E.B.M., Bingham County, Idaho

Section 12: Lots 5 and 6

Section 13: SE¼, E½NE¼; SW¼NE¼; Lots 1, 2, 3, 4,

Section 24: NE¼, EXCEPTING: that portion lying Easterly of the Corbett Slough; ALSO EXCEPTING: that portion of the S½NE¼ lying Westerly of the centerline of the Corbett Slough Canal and Southerly of a straight line coincident with the centerline of the Stephens Ditch and extending from the West boundary of the NE¼ to the centerline of the Corbett Slough.

**Tract 3:**

Township 2 South, Range 36 E.B.M., Bingham County, Idaho

Section 7: Lot 3, SE¼SW¼; Lots 9, 10, and 11; Lot 6; NW¼SE¼; SE¼SE¼; SW¼SE¼,

EXCEPTING: Beginning at the SE corner of said Section 7, and running thence due N. along the E. line of said Section, 175 feet; thence due W. parallel to the S. Line of said Section, 249 feet; thence due S. 175 feet to the S. Line of said Section; thence due E. 249 feet to the point of beginning,

ALSO EXCEPTING: Beginning at the SW corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 7, and running thence due E. 80 rods; thence due N. 40 feet; thence due W. 80 rods; thence due S. 40 feet to the point of beginning, said tract to be used for a road,

ALSO EXCEPTING: Beginning at a point 40 feet due N. of the SW corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 7, and running thence due E. 30 rods; thence due N. 32 rods; thence due W. 30 rods; thence due S. 32 rods to the point of beginning.

Section 18: Lots 1 and 2; E $\frac{1}{2}$ NW $\frac{1}{4}$ ; Lots 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$  lying West of Corbett Slough; SE $\frac{1}{4}$  lying North of the Corbett Slough; S $\frac{1}{2}$ NE $\frac{1}{4}$ ,

EXCEPTING THEREFROM: the following described tract of land: Beginning at the SE corner of NE $\frac{1}{4}$  of said Section 18, and running thence West 22 rods; thence N. 7 $\frac{1}{2}$  rods; thence E. 22 rods; thence South 7 $\frac{1}{2}$  rods to the place of beginning.

ALSO EXCEPTING: Part of Lot 3 of Section 18, Township 2 South, Range 36 E.B.M., Bingham County, Idaho, described as: Beginning at a point that is N. 00°02'55" W. 1361.01 feet along the section line from the SW corner of said Section 18 and running thence N. 00°02'55" W. 697.54 feet along the section line; thence N. 87°19'30" E. 48.95 feet; thence N. 67°19'23" E. 279.60 feet; thence S. 90°00'00" E. 18.87 feet; thence S. 00°29'01" E. 337.11 feet along a fence; thence S. 88°33'43" E. 261.60 feet along a fence to the centerline of an irrigation ditch; thence S. 51°47'49" W. 750.20 feet along the centerline of said irrigation ditch to the point of beginning.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights including 154.80 shares in the Corbett Slough, 1 18/50 shares in the West Branch Company and 1 18/50 in the Blackfoot Irrigation Company.

**Tract 4:**

Part of Lot 3 of Section 18, Township 2 South, Range 36 E.B.M., Bingham County, Idaho, described as:



Beginning at a point that is N. 00°02'55" W 1361.01 feet along the section line from the SW corner of said Section 18 and running thence N. 00°02'55" W. 697.54 feet along the section line; thence N. 87°19'30" E. 48.95 feet; thence N. 67°19'23" E. 279.60 feet; thence S. 90°00'00" E. 18.87 feet; thence S. 00°29'01" E. 337.11 feet along a fence; thence S. 88°33'43" E. 261.60 feet along a fence to the centerline of an irrigation ditch; thence S. 51°47'49" W. 750.20 feet along the centerline of said irrigation ditch to the point of beginning.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights including 1 share in the Corbett Slough.

**Tract 5:**

The NE¼ of Section 24 in Township 2 South, Range 35 E.B.M., Bingham County, Idaho, lying Easterly of the Corbett Slough Canal.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights including 2 shares in the Corbett Slough.

**689535**



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

February 12, 2020

JOHN & DEBORAH BENDER TRUST  
339 COTTONWOOD LN  
BLACKFOOT ID 83221-5826

Re: Change in Ownership for Water Right No(s): 1-313, 1-136C

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3797.

Sincerely,

Misty Pettis  
Office Specialist 2

Enclosure(s)

Water District 1