

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 29 2019

DEPARTMENT OF
WATER RESOURCES

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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
75-14370	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-14632	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: DAVID & KATHLEEN VAN WAARDENBERG TRUST
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): MICHAEL C. TAPELLA TRUST, DATED APRIL 1, 2016
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1111 OAKBLUFF CT SAN JOSE CA 95131
Mailing address City State ZIP
- (415) 806-7031 MTAPELLA@SBCGLOBAL.NET
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: July 1, 2019
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. (x 2)
 - \$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: Michael C. Tapella 7/22/2019
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 7/29/19 Receipt No. C101294 Receipt Amt. 50

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 _____ Processed by [Signature] Date 7/30/19

Trustee's Deed

For Value Received

David Van Waardenberg and Kathleen Van Waardenberg, Trustees of the The David and Kathleen Van Waardenberg Trust, established February 15, 2007

the grantors, do hereby grant, bargain, sell and convey unto

Michael C Tapella, Trustee of the Michael C. Tapella Trust, dated April 1, 2016

Whose current address is:

**1111 Oakbluff Ct.
San Jose, CA 95131-2835**

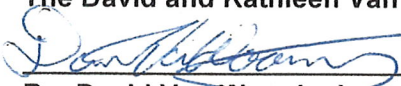
the grantee, the following described premises, to-wit:

Lots Eight (8), Nine (9) and Ten (10) Mountain Glen Estates Subdivision, according to the official plat thereof filed for record in Book 6 of Plats, at Page No. 44, records of Lemhi County, Idaho.

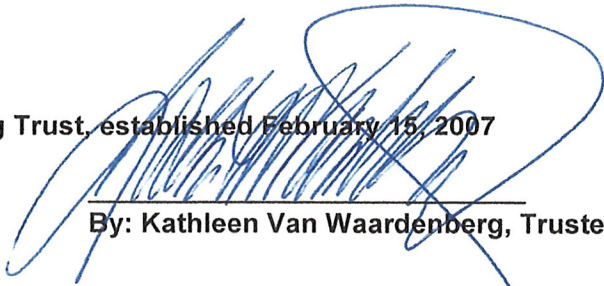
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: June 26, 2019

The David and Kathleen Van Waardenberg Trust, established February 15, 2007

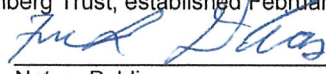

By: **David Van Waardenberg, Trustee**

State of California)
County of Santa Clara) ss


By: **Kathleen Van Waardenberg, Trustee**

On this 26 day of June, 2019 before me a notary public in the above referenced state, personally appeared **David Van Waardenberg and Kathleen Van Waardenberg**, known or identified to me (or proved to me on the oath of _____), to be the person whose name is subscribed to the within instrument as the Trustees of the David and Kathleen Van Waardenberg Trust, established February 15, 2007, and acknowledged to me that they subscribed the name of the David and Kathleen Van Waardenberg Trust, established February 15, 2007 thereto as principal, and their own names as Trustees.

(see attached)


Notary Public
Residing at: San Jose, CA
My Commission Expires: 3/23/2021

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Santa Clara

On June 26, 2019 before me, Frank Matthew Dias, Notary Public

Date

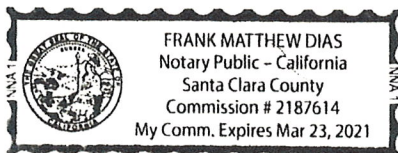
Here Insert Name and Title of the Officer

personally appeared David Van Waardenberg and

Name(s) of Signer(s)

Kathleen Van Waardenberg.

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Frank Matthew Dias

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Trustees Deed

Document Date: 6/26/19

Number of Pages: 1

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual

☐ Attorney in Fact

☐ Trustee

☐ Guardian of Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual

☐ Attorney in Fact

☐ Trustee

☐ Guardian of Conservator

☐ Other: _____

Signer is Representing: _____

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 75-14370

7/19/2019

Owner Type **Name and Address**
Current Owner DAVID & KATHLEEN VAN WAARDENBERG TRUST
4080 WILLIAMS RD
SAN JOSE, CA 95117-2751
(408) 219-2478

Priority Date: 5/15/1898

Basis: Decreed

Status: Active

Source
SHEEP CREEK

Tributary
NORTH FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.180 CFS	
	<u>Total Diversion</u>		0.180 CFS	

Source and Point(s) of Diversion

SHEEP CREEK NENW Sec. 14, Twp 25N, Rge 21E, LEMHI County

Place Of Use

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25N	21E	15	0.5			1.8													2.3

Right Acre Limit: 2.3

POU Total Acres: 2.3

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. This right is a split from former right 75-14368 .

Comments:

1. jhersley 6/4/2018 POU
Place of use is Lot 8, Mountain Glen Estates.

Dates and Other Information

Decreed Date: 11/17/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

North Fork Salmon River

NWNE

NENE

Cameron Dr

15

25N21E

Dr. Sulph Rd

SWNE

SENE

US Hwy 93

93

Lewis and Clark Tr

NWSE

NESE

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

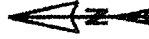
MOUNTAIN GLEN ESTATES SUBDIVISION

LOCATED IN H.E.S. NO. 95, UNSURVEYED SECTION 15, T. 25 N.,

R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO

OWNER AND DEVELOPER: JARED F. & MIRIAM F. FERRELL

TOTAL AREA 35.95 ACRES: 16 LOTS



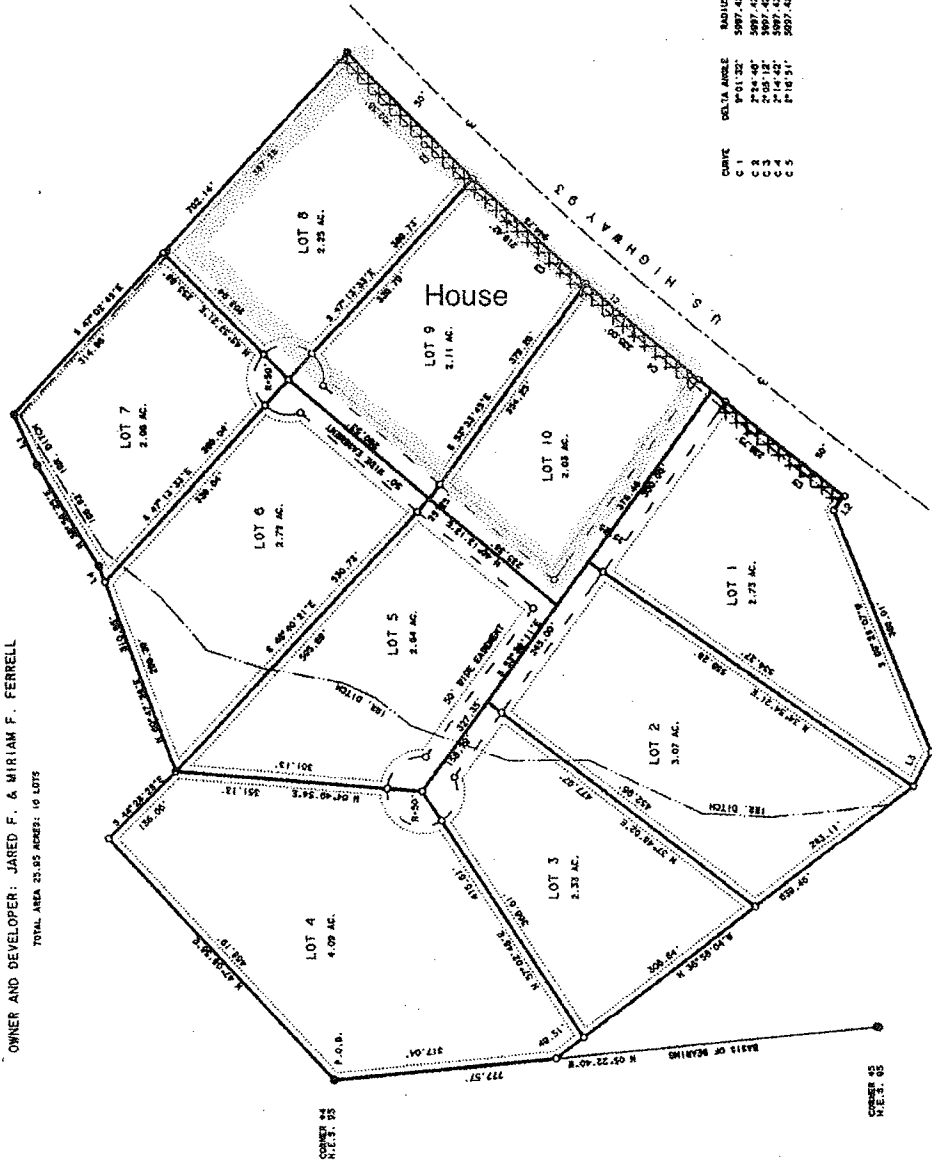
SCALE 1" = 100.00'

LEGEND

- 3 1/2" ALUM. SLM MONUMENT
- 2 1/2" X 3/4" REBAR WITH A PLASTIC CAP
- MARKED WARE PLS 5000
- 2 1/2" REBAR WITH A PLASTIC CAP
- SET BY L.S. 970
- IRRIGATION DITCH
- 10 INCHES OR DEEPER ZONE
- 10 FT. WIDE UTILITY EASEMENT
- P.O.B. POINT OF BEGINNING

LINE	BEARING	DISTANCE
1	N 89° 47' 42" E	78.78'
2	N 52° 29' 10" W	23.06'
3	N 62° 28' 40" W	55.72'
4	N 89° 47' 24" E	24.70'

CURVE	CHORD	ANGLE	RADIUS	ARC	TANGENT	CHORD	BEARING
C 1	943.35'	473.35°	5997.43'	943.35'	943.35'	943.35'	S 42° 01' 32"W
C 2	235.84'	120.30°	5997.43'	235.84'	235.84'	235.84'	S 42° 01' 32"W
C 3	218.41'	108.23°	5997.43'	218.41'	218.41'	218.41'	S 42° 01' 32"W
C 4	235.90'	117.35°	5997.43'	235.90'	235.90'	235.90'	S 42° 01' 32"W
C 5	235.90'	117.35°	5997.43'	235.90'	235.90'	235.90'	S 42° 01' 32"W





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 30, 2019

MICHAEL C TAPELLA TRUST
1111 OAKBLUFF CT
SAN JOSE CA 95131-2835

Re: Change in Ownership for Water Right No(s): 75-14632, 75-14370

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) 287-4802.

Sincerely,

Amanda Veibell
Office Specialist 2

Enclosure(s)