

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

MAY 21 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
36-2604	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: David Maestas and Jean Maestas
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): David Berndt and Jacque Berndt, Trustees of the Berndt Revocable Living Trust dated 9/8/2015
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 3014 National Fish Hatchery Road Hagerman ID 83332
Mailing address City State ZIP
951-532-8451 j_berndt@att.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: _____
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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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: David Berndt, Trustee Title, if applicable Date 5/15/18
Signature of new owner/claimant

Signature: Jacque Berndt, Trustee Title, if applicable Date 5/15/18
Signature of new owner/claimant

For IDWR Office Use Only:

Received by sm Date 5-21-2018 Receipt No. 5036752 Receipt Amt. \$25-

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 _____ Date _____

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:

First American Title Company
301 Main Street
Gooding, ID 83330

Instrument # 261812

GOODING COUNTY, GOODING, IDAHO

06-17-2018 08:16:41 No. of Pages: 2

Recorded for: FIRST AMERICAN TITLE - JEROME

DENISE GILL Fee: \$16.00

Ex-Officio Recorder Deputy: JM

Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **679546GO (smb)**

Date: **April 30, 2018**

For Value Received, **Jean A. Maestas and David P. Maestas, wife and husband**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **David Berndt and Jacque Berndt Trustees of The Berndt Revocable Living Trust dated September 8, 2015**, hereinafter called the Grantee, whose current address is **3014 National Fish Hatchery Road, Hagerman, ID 83332**, the following described premises, situated in **Gooding County, Idaho**, to-wit:

Township 8 South, Range 14, East of the Boise Meridian, Gooding County, Idaho

Section 6: That part of Government Lot 3, described as follows:

**BEGINNING at a point 25 feet North of the Southwest corner of said Lot 3;
Thence Easterly and parallel to the South boundary of said Lot 3 a distance of 250 feet;
Thence North 46°10' East a distance of 452.90 feet to the Brailsford-Owens Ditch;
Thence Northwesterly along the Brailsford-Owens Ditch to the West boundary of said Lot 3;
Thence South along the West boundary of said Lot 3 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.

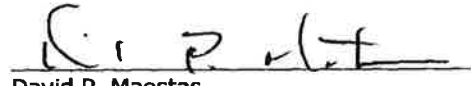
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 04/30/2018

Warranty Deed
- continued

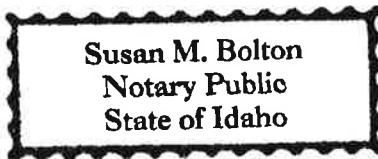
File No.: 67954660 (smb)

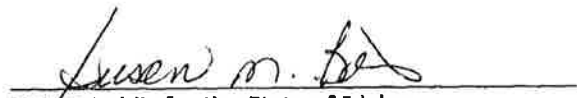

Jean A. Maestas


David P. Maestas

STATE OF Idaho)
COUNTY OF Gooding)
SS.

On this 16th day of May, 2018, before me, a Notary Public in and for said State, personally appeared **Jean A. Maestas and David P. Maestas**, known or identified to me 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.




Notary Public for the State of Idaho
Residing at: Gooding, ID
My Commission Expires: 10-16-2022



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

May 22, 2018

BERNDT REVOCABLE LIVING TRUST
3014 NATIONAL FISH HATCHERY RD
HAGERMAN ID 83332-5850

Re: Change in Ownership for Water Right No(s): 36-2604

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) 736-3033.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enclosure(s)

c: First American Title Co. (File No. 679546GO)



First American Title Company
301 Main Street, Gooding, ID 83330
Phone (208)934-4427 Fax (208)934-4741

RECEIVED

MAY 21 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
650 Addison Ave. West, Ste 500
Twin Falls, ID 83301

May 17, 2018
File No.: 679546GO (smb)

Attn:
Phone: 208-736-3033 Fax: 208-736-3037

Property: **3014 National Fish Hatchery Road, Hagerman, ID 83332**

Parcel No.: **RP08S14E06270A**

Our Check No. **9265** in the amount of **\$25.00**, representing **Payment of the Notice of Ownership Change Fee.**

Legal Description of Property in question:

Township 8 South, Range 14, East of the Boise Meridian, Gooding County, Idaho

Section 6: That part of Government Lot 3, described as follows:

**BEGINNING at a point 25 feet North of the Southwest corner of said Lot 3;
Thence Easterly and parallel to the South boundary of said Lot 3 a distance of 250 feet;
Thence North 46°10' East a distance of 452.90 feet to the Brailsford-Owens Ditch;
Thence Northwesterly along the Brailsford-Owens Ditch to the West boundary of said Lot 3;
Thence South along the West boundary of said Lot 3 to the POINT OF BEGINNING.**

Prior vested owner of property: **Jean A. Maestas and David P. Maestas, wife and husband**

TO WHOM IT MAY CONCERN:

Please be advised that the above referenced property has been sold and title is now vested as follows:

David Berndt and Jacque Berndt Trustees of The Berndt Revocable Living Trust dated September 8, 2015

as per copy of 261812 recorded Warranty Deed attached hereto. Please change your records accordingly and bill the new owners at:

Mailing Address: **3014 National Fish Hatchery Road, Hagerman, ID 83332**

Sincerely,

Susan Bolton
Escrow Officer

smb/lr