

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

NOV 09 2017

DEPT OF WATER RESOURCES
SOUTHERN 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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
① 37-13327	Yes ☐	Yes ☐		Yes ☐	Yes ☐
② 37-13328	Yes ☐	Yes ☐		Yes ☐	Yes ☐
③ 37-13329	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Hill City LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Berndt Family Trust v/d/r dated October 20, 2005 Rick F. Berndt and Pamela M. Berndt, Trustees
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- P.O. Box 145 Hill City ID 83337
Mailing address City State ZIP
- 707-484-4197 pam.berndt@yahoo.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: ① 11/13/09 ② 4/8/10 ③ 6/27/06

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 3
 - ☐ \$100 per split water right.
 - ☐ No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 37-13327

- ☐ 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: [Signature] 11-6-17
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 11-6-17
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 11-9-2017 Receipt No. 5036452 Receipt Amt. \$75-

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 _____

CAMAS COUNTY
 RECORDED FOR:
 CAMAS TITLE
 2:19:07 pm 11-13-2009
 2009-082657
 NO. PAGES: 2 FEE: \$5.00
 ROLLIE BENNETT
 COUNTY CLERK
 DEPUTY: BHALTON

WARRANTY DEED

0090089

FOR VALUE RECEIVED

UNITED STATES BANKRUPTCY COURT, CASE NO. 09-00824-TLM for the Bankrupt Estate of
 EDWARD DAVID FRISBIE AND BARBARA JEAN FRISBIE, also shown of record as Edward D.
 Frisbie and Barbara J. Frisbie, husband and wife

GRANTOR(s) do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

BERNDT FAMILY TRUST DATES 10-25-05 and RICK F. BERNDT and PAMELA M. BERNDT,
 TRUSTEES

GRANTEE(s) whose address is: P.O. Box 145 Hill City, ID 83337

The following described real property in CAMAS County, Idaho to wit:

See Attached Exhibit A

Subject to: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD said premises, with their 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 they are free from all encumbrances except as
 described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 12, 2009

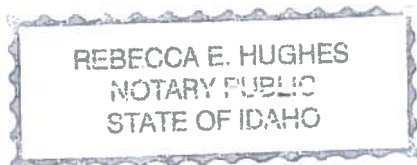
Edward D. Frisbie
 Edward D. Frisbie

Barbara J. Frisbie
 Barbara J. Frisbie

State of Idaho
 County of ELMORE

On November 12, 2009 before me, a notary public in and for said State, personally appeared
 Edward D. Frisbie and Barbara J. Frisbie, 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.

WITNESS my hand and official seal.



Rebecca E. Hughes
 Notary Public
 Residing at: Mountain Home, Idaho
 Commission Expires: 11/30/10

80.03 acres

water
37-13327

Camas

EXHIBIT A
C090089

A TRACT OF LAND LYING IN THE SOUTH 1/2 OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 12 EAST OF THE BOISE MERIDIAN, CAMAS COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SECTION CORNER COMMON TO SECTIONS 25 AND 36 OF TOWNSHIP 1 SOUTH, RANGE 11 EAST OF THE BOISE MERIDIAN AND SECTIONS 30 AND 31 OF TOWNSHIP 1 SOUTH, RANGE 12 EAST OF THE BOISE MERIDIAN, SAID CORNER IS MARKED WITH A BRASS CAP MONUMENT LOCATED NEAR THE CENTERLINE OF U.S. HIGHWAY 20;

THENCE NORTH 04°07'15" WEST 47.63 FEET TO A FOUND 5/8 INCH IRON PIN, SAID IRON PIN IS ON THE NORTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 20;

THENCE NORTH 86°02'18" EAST 198.35 FEET SHOWN OF RECORD TO BE NORTH 86°02'39" EAST ALONG SAID RIGHT-OF-WAY TO A STEEL GATE POST WHICH IS THE REAL POINT OF BEGINNING.

THENCE CONTINUING NORTH 86 °02'18" EAST 3,126.81 FEET ALONG SAID RIGHT-OF-WAY TO A SET 5/8 INCH IRON PIN;

THENCE NORTH 00°03'46" WEST 1103.60 FEET TO A SET 5/8 INCH IRON PIN;

THENCE SOUTH 86°02'39" WEST 3204.91 FEET TO A FOUND 5/8 INCH IRON PIN;

THENCE SOUTH 04°07'15" EAST 167.38 FEET TO A FOUND 5/8 INCH IRON PIN;

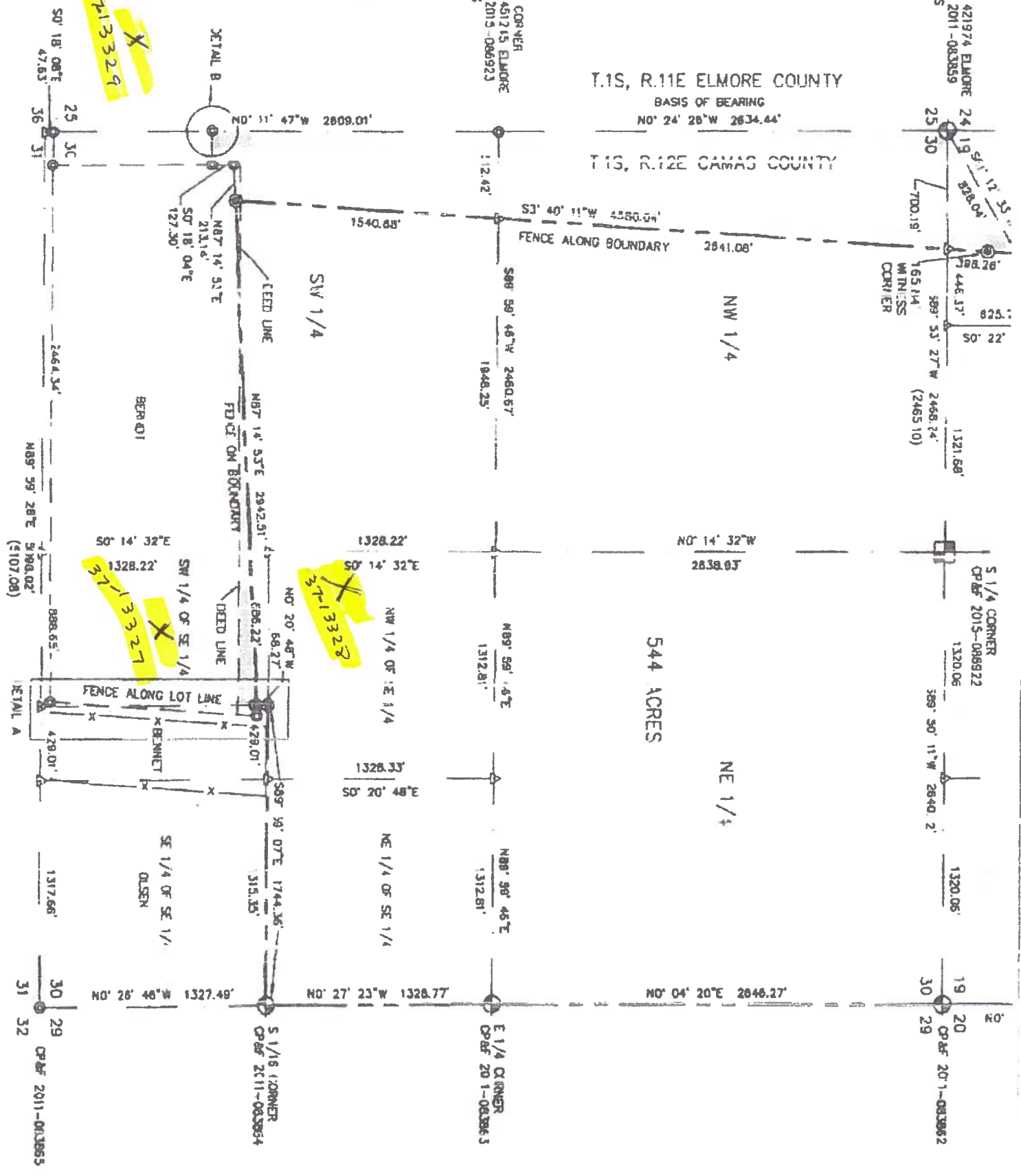
THENCE CONTINUING SOUTH 04°07'15" EAST 934.00 FEET TO THE REAL POINT OF BEGINNING

19 20 21
30 29 28

T.1S, R.11E ELMORE COUNTY
BASIS OF BEARING
NO° 24' 28"W 2834.44'

W 1/4 CORNER
DP 86 451215 ELMORE
DP 46 2015-086923
C&AS

3
CUMAS COUNTY
Recorded for:



DET.

581575 - 3

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.: 304812

FOR VALUE RECEIVED

Hill City, LLC

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Rick F. Berndt and Pamela M. Berndt as Trustees of the Berndt Family Trust
dated October 20, 2005

whose current address is: PO Box 145, Hill City, ID 83337

the grantee(s), the following described premises, in Camas County, Idaho, TO WIT:

See Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 4/6/16

Hill City, LLC

By: Gerald Bashaw
Gerald Bashaw, Managing Member

State of Idaho } ss.
County of Blaine }

On this 6th day of April, 2016, before me, the undersigned, a Notary Public in and for said state, personally appeared Gerald Bashaw, known or identified to me to be the Managing Member in the Limited Liability Company known as Hill City, LLC who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

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

Kara D. Carter
Notary Public for the State of Idaho
Residing at: Hailey Idaho
Commission Expires: 6.5.2021

KARA D. CARTER
Notary Public
State of Idaho

CAMAS COUNTY

RECORDED FOR:

Clerk

11:31:39 AM 04-08-2016

2016-087129

No. PAGES: 2

FEE: \$13.00

KORRI BLODGETT

COUNTY CLERK

DEPUTY: KB

544 ±
acres

Water
camas 37-13328

LEGAL DESCRIPTION FOR BOUNDARY LINE CORRECTION:

Township 1 South, Range 12 East, Boise Meridian, Camas County, Idaho.

Section 30 A tract of land located in the SW1/4SW1/4, more particularly described as follows:

Commencing at a point common to Sections 25, 30, 36, 31, marking the Southwest corner of said Section 30;

Thence N.0°18'08"W. 47.63 feet, more or less (formerly N.04°07'15"W) along the boundary between Township 1 south and Range 11 and 12 East, to a point on the Northerly right-of-way line of U.S. Highway 20 to a found 5/8" iron pin, which is the REAL POINT OF BEGINNING;

Thence N.0°11'47"W. 932.97 feet (formerly N.04°07'15"W. 934.00 feet) along the West boundary of said Township 1 South, Range 12 East, to a point, from which the West 1/4 corner of said Section 30 bears N.0°11'47"W. 1676.04 feet, said corner is marked with a found 5/8" iron pin;

Thence N.89°42'13"E. 195.83 feet (formerly N.86°02'39"E. 198.35 feet) to a found 5/8" iron pin;

Thence S.0°22'03"E. 934.56 feet, more or less (formerly S.04°07'15"E. 934.00 feet) to a point on said Northerly right-of-way of U.S. Highway 20, said point is marked with a steel gate post;

Thence N.89°50'15"W. 198.63 feet, more or less (formerly S.86°02'39"W. 198.35 feet) along said right-of-way to the REAL POINT OF BEGINNING.

AND

A tract of land lying in the South 1/2 of Section 30, Township 1 South, Range 11 East of the Boise Meridian, Camas County, Idaho, more particularly described as follows:

Commencing at a point common to Sections 25, 30, 36, 31, marking the Southwest corner of said Section 30;

Thence N.0°18'08"W. 47.63 feet (formerly N.04°07'15"W) along the boundary between Township 1 south and Range 11 and 12 East, to a point on the Northerly right-of-way line of U.S. Highway 20 to a found 5/8" iron pin;

Thence S.89°50'15"E. 198.63 feet, more or less (formerly N.86°02'18"E. 198.35 feet) along said right-of-way to a found steel gate post, which is the real POINT OF BEGINNING;

Thence continuing N.89°50'06"E. 3162.65 feet more or less (formerly N.86°02'18"E. 3126.81 feet) along said right-of-way to the east 429 feet of the SW1/4SE1/4 line of Bennett's property;

Thence along the west line of the east 429 feet of the SW1/4SW1/4 line of Bennett's property N.0°20'48"W. 1203.17 feet (formerly N.00°03'46"W. 1103.60 feet) to a 5/8" iron pin;

Thence S.87°16'06"W. 3155.61 (formerly S.86°02'39"W. 3204.91) feet to a found 5/8" iron pin;

Thence S.0°18'04"E. 127.30 feet (formerly S.04°07'15"E. 167.38) to a found 5/8" iron pin;

Thence S.0°22'03"E. 934.56 feet (formerly S.04°07'15"E. 934.00) to the POINT OF BEGINNING.

FA-15144

WARRANTY DEED

FOR VALUE RECEIVED

Edward D. Frisbie and Barbara J. Frisbie, husband and wife

GRANTOR(s) do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Rick N. Bernat and Pamela M. Bernat, Trustees of the Bernat Family Trust U/D/I dated October 20, 2005,

GRANTEE(s) whose address is: 4465 Abbey Lane, Santa Rosa, CA 95401

The following described real property in **ELMORE** County, Idaho to wit:

Township 1 South, Range 11 East, Boise Meridian, Elmore County, Idaho

Section 25: A tract of land located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section, more particularly described as follows:

Commencing at the brass cap monument marking the Southeast corner of said Section 25, thence N. 04°07'15" W. 47.63 feet along the boundary between Township 1 South, Ranges 11 and 12 East, to a point on the Northerly right-of-way line of US Highway 20 to a set 5/8" iron pin, which is the Real Point of Beginning of this description.

Thence continuing N. 04°07'15" W. 934.00 feet along the East boundary of said Township 1 South, Range 11 East, to a set 5/8" iron pin, from which the Northeast corner of said Section 25, bears N. 04°07'15" W. 4310.02 feet, said Northeast corner is marked with a brass cap monument;

Thence S. 86°02'39" W. 735.65 feet to a point marked with a set 5/8 inch iron pin;

Thence S. 04°07'15" E. 934.00 feet to a point on the Northerly right-of-way of US Highway 20, said point is marked with a set 5/8 inch iron pin;

Thence N. 86°02'39" E. 735.65 feet to a point marked with a set 5/8 inch iron pin;

SUBJECT to all existing rights of way and easements

Subject to: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD said premises, with their 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 they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 26, 2006

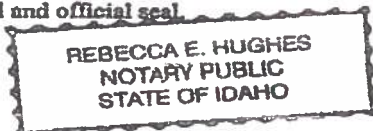
Edward D. Frisbie
Edward D. Frisbie

Barbara J. Frisbie
Barbara J. Frisbie

State of IDAHO
County of ELMORE

On June 26, 2006 before me, a notary public in and for said State, personally appeared Edward D. Frisbie and Barbara J. Frisbie, 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.

WITNESS my hand and official seal.



Rebecca E. Hughes
Notary Public
Residing at: Mountain Home, Idaho
Commission Expires: 11/30/10

water
37-13329 - Elmore 15 ± acres

Recorded for:
CAMAS COUNTY
3713329

1/4 CORNER
P&F 411715 ELMORE
P&F 2011-081853
CAMAS

T.1S, R.11E ELMORE COUNTY

BASIS OF MEASURING
N0° 24' 28"W 2634.44'

T.1S, R.12E CAMAS COUNTY

1/4 CORNER
P&F 411715 ELMORE
P&F 2011-081853
CAMAS

WAINWISS
CORNER

1521.60'
2448.24'
(2465.10)

S 1/4 CORNER
CP&F 2015-090812

1320.06'
2640.2'

19 20
CP&F 2011-081853

1/4 CORNER
P&F 411715 ELMORE
P&F 2011-081853
CAMAS

E 1/4 CORNER
CP&F 2011-081853

N0° 04' 20"E 2640.27'

N0° 27' 27"W 1328.77'

S 1/8 CORNER
CP&F 2011-081853

544 ACRES

NE 1/4

SW 1/4

NW 1/4

FENCE ALONG BOUNDARY

FENCE LINE

FENCE ALONG BOUNDARY

FENCE ALONG LOT LINE

SE 1/4 OF SE 1/4
DULSEN

BEN QI

SW 1/4 OF SE 1/4
3713327

SW 1/4 OF SE 1/4
3713328

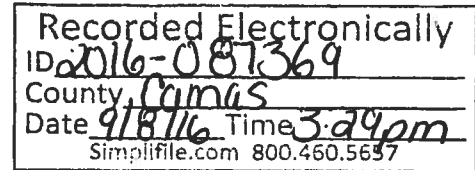
3713329

DET.

AFTER RECORDING MAIL TO:

ELECTRONICALLY RECORDED
DO NOT REMOVE
THE COUNTY STAMPED
FIRST PAGE AS IT IS NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

Rick F. Berndt, Trustee and Pamela M. Berndt, Trustee of
the Berndt Family Trust
PO Box 145
Hill City, ID 83337



This deed is being recorded solely for the purpose of amending the
legal description originally recorded in Warranty Deed #2016-087129.
The legal description has been amend to reflect separate descriptions for each section.

CORRECTION QUITCLAIM DEED

File No.: 581575-J ()

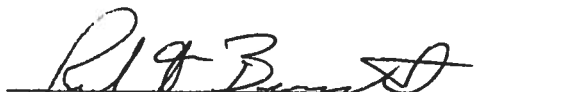
Date: August 30, 2016

For Value Received, **Rick F. Berndt and Pamela M. Berndt as Trustee of the Berndt Family Trust dated October 20, 2005**, do(es) hereby convey, release, remise, and forever quit claim unto **Rick F. Berndt and Pamela M. Berndt as Trustee of the Berndt Family Trust dated October 20, 2005**, whose address is **PO Box 145, Hill City, ID 83337**, herein after called the Grantee, the following described premises situated in **Camas County, Idaho**, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

together with its appurtenances.

Dated: 9-1-2016


Rick F. Berndt, Trustee


Pamela M. Berndt, Trustee

APN:

Quitclaim Deed - continued

File No.: 581575-J (dgm)

Date: 08/19/2016

STATE OF Idaho)
)
COUNTY OF Camas)

On this 9.1.2016, before me, a Notary Public in and for said State, personally appeared **Rick F. Berndt and Pamela M. Berndt**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustees of the **Berndt Family Trust dated October 20, 2005** Trust, and acknowledged to me that they executed the same as such Trustees.



CB
Notary Public of Idaho
Residing at: Fairfield
Commission Expires: 6.22.2021

CORRECTION DEED

Parcel I

A parcel of land lying in the S 1/2 of Section 19, Township 1 South, Range 12 East, Boise Meridian, Camas County, Idaho, said parcel being more particularly described as follows:

Commencing at a point marking the Southwest corner of said Section 19;

Thence N.89°53'27"E. 700.19 feet along the South line of said Section 19 to the POINT OF BEGINNING;

Thence N.89°53'27"E 1768.05 feet to a aluminum cap marking the S. 1/4 of said Section 19;

Thence N.89°50'11"E 2640.12 feet to a brass cap marking the SE corner of said Section 19;

Thence N.00°11'26"W. 1307.48 feet to a brass cap marking the NE corner of the SE 1/4 of the SE 1/4 of said Section 19 (*formerly described as: North 1320.00 feet, more or less, to the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 19*);

Thence S.89°59'46"W. 1321.25 feet to a brass cap marking the NW corner of the SE 1/4 of the SE 1/4 of said Section 19 (*formerly described as: West 1320.00 feet, more or less, to the Northwest corner of the Southeast Quarter of the Southeast Quarter*);

Thence N.00°12'21"W. 213.83 feet to a 5/8" iron pin (*formerly described as: North 205.00 feet, more or less, to a point 1,525.00 feet North of the South line of said Section 19*);

Thence S.87°37'29"W. 1321.50 feet to a point (*formerly described as: West to a point on the North-South center line of Section 19, that is 1,474.00 feet North of the South line of said Section 19*);

Thence S.57°10'40"W. 1569.65 feet to a brass cap marking the point (*formerly described as: a point on the East line of Lot 4, 625.00 feet North of the South line of said Section 19*);

Thence S.61°12'33"W. 475.67 feet to a point;

Thence S.3°40'11"W. 398.28 feet to the POINT OF BEGINNING.

Together with

Parcel II

A parcel of land lying in Section 30, Township 1 South, Range 12 East, Boise Meridian, Camas County, Idaho, said parcel being more particularly described as follows:

Commencing at a point marking the Northwest corner of said Section 30;

Thence N.89°53'27"E 700.19 feet along the North line of said Section 30 to the POINT OF BEGINNING;

Thence S.3°40'11"W 4181.76 feet to a 5/8" iron pin on line between two 5/8" iron pins identified in ROS 2009-082653;

Thence N.87°14'53"E. 2942.51 feet along said line to a 5/8" iron pin lying on the West line of the East 429 feet of the SW 1/4 of the SE 1/4 of said section 30;

Thence N.0°20'48"W. 68.27 feet along the said West line of the East 429 Feet;

Thence S.89°59'07"E 1744.36 feet along the South line of the North 1/2 of the SE 1/4 to a brass cap marking the S. 1/16 corner;

Thence N.0°27'23"W. 1328.77 feet to a brass cap marking the E. 1/4 corner of said section 30;

Thence N.0°04'20"E. 2646.27 feet to a brass cap marking the NE corner of said section 30;

Thence S.89°50'11"W. 2640.12 feet to a aluminum cap marking the N. 1/4 corner of said section 30;

Thence S.89°53'27"W. 1768.05 feet along said North line to the POINT OF BEGINNING.

Said Parcel I & II are subject to any easements of record or implied.

