

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
OCT 18 2017
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?
47-16825	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-17608	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Ruth Clark
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Linda J. Bernier and John W. Bernier
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 4568 River Road Buhl Id 83316
Mailing address City State ZIP
- 208 404 9291 horsewoman7308@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: _____
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.
- SUPPORT DATA**
IN FILE # 47-16825
8. Signature: Linda J Bernier Title, if applicable _____ Date 10/16/17
Signature of new owner/claimant
- Signature: John W Bernier Title, if applicable _____ Date 10/16/17
Signature of new owner/claimant

For IDWR Office Use Only:

Received by TF Date 10.18.2017 Receipt No. 5036419 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 _____ Date _____

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:First American Title Company
1502 Locust Street North, Bldg. 300
Twin Falls, ID 83301**TWIN FALLS COUNTY**RECORDED FOR:
FIRST AMERICAN TITLE - TWIN F/
02:29:40 PM 10-16-2017**2017016765**

NO. PAGES 2 FEE: \$15.00

KRISTINA GLASCOCK
COUNTY CLERKDEPUTY: JWD
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEEDFile No.: **653288-TF (lb)**Date: **September 25, 2017**

For Value Received, **Ruth L. Clark, a married woman as her sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Linda J. Bernier and John W. Bernier, wife and husband**, hereinafter called the Grantee, whose current address is **4568 River Road, Buhl, ID 83316**, the following described premises, situated in **Twin Falls County, Idaho**, to-wit:

A PARCEL OF LAND LOCATED IN THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 9 AND IN THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ AND NW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 10 OF TOWNSHIP 9 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE ONE QUARTER ($\frac{1}{4}$) CORNER COMMON TO SAID SECTIONS 9 AND 10 OF TOWNSHIP 9 SOUTH, RANGE 14 EAST, FROM WHICH THE S1/16 CORNER OF SECTIONS 9 AND 10 BEARS

S 00°00'00" E 1320.15 FEET, THENCE S 00°00'00" E ALONG THE WEST BOUNDARY OF THE SW $\frac{1}{4}$ OF SAID SECTION 10 FOR A DISTANCE OF 38.95 FEET TO THE TRUE POINT OF BEGINNING:

THENCE N 61°39'40" E FOR A DISTANCE OF 308.02 FEET TO THE CENTER OF DEEP CREEK; THENCE ALONG THE CENTER OF DEEP CREEK ON THE FOLLOWING COURSES:

S 37°58'16" E 18.44 FEET

S 37°36'15" E 31.55 FEET

S 37°16'04" E 62.38 FEET

S 59°29'06" E 40.10 FEET

S 41°53'51" E 31.42 FEET

S 58°39'05" E 60.58 FEET

S 09°40'05" E 63.01 FEET

S 03°08'34" E 78.52 FEET

S 45°03'29" W 63.04 FEET

S 55°29'07" W 173.14 FEET

S 55°20'28" W 43.49 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF THE BUHL HIGHWAY DISTRICT PARCEL;

THENCE LEAVING THE CENTER OF DEEP CREEK AND ALONG THE NORTHERLY BOUNDARY OF THE BUHL HIGHWAY DISTRICT PARCEL ON A BEARING OF N 51°17'00" W FOR A DISTANCE OF 305.74 FEET TO A POINT ON THE SECTION LINE BETWEEN SECTIONS 9 AND 10;

THENCE CONTINUING N 51°17'00" W ALONG THE NORTHERLY BOUNDARY OF THE BUHL HIGHWAY DISTRICT PARCEL AND CENTERLINE OF THE NEW COUNTY ROAD FOR A DISTANCE OF 32.57 FEET TO THE INTERSECTION OF THE OLD AND NEW COUNTY ROADS; THENCE N 11°47'06" W ALONG THE CENTERLINE OF THE EXISTING COUNTY ROAD FOR A DISTANCE OF 74.79 FEET;

THENCE N 36°14'39" W ALONG THE CENTER OF THE EXISTING COUNTY ROAD FOR A DISTANCE OF 17.18 FEET;

THENCE LEAVING THE CENTER OF THE EXISTING COUNTY ROAD ON A BEARING OF N 61°39'40" E FOR A DISTANCE OF 308.02 FEET TO THE TRUE POINT OF BEGINNING

Date: 09/25/2017

Warranty Deed
- continued

File No.: 653288-TF (lb)

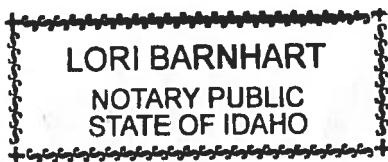
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

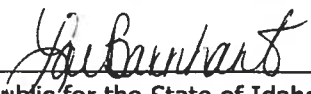
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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.


Ruth L. Clark

STATE OF Idaho)
ss.
COUNTY OF Twin Falls)

On this 10th day of October, 2017, before me, a Notary Public in and for said State, personally appeared **Ruth L. Clark**, 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: Twin Falls, ID
My Commission Expires: 11/06/2018



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 27, 2017

LINDA J BERNIER
JOHN W BERNIER
4568 RIVER ROAD
BUHL ID 83316

RE: Change of Ownership for Water Right No. 47-16825 and 47-17608

Dear Water Right Holder(s):

The Department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jim Bitzenburg
Senior Water Right Agent

Enclosure(s)



First American Title Company
1502 Locust Street North, Bldg. 300, Twin Falls, ID 83301
Phone (208)734-2905 Fax (208)734-2945

RECEIVED
OCT 18 2017
DEPT OF WATER RESOURCES
SOUTHERN REGION

IDWR
650 Addison Avenue West, Ste 500
Twin Falls, ID 83301

October 16, 2017
File No.: 653288-TF (lb)

Attn: Southern Region

Re: **Water Transfer**

Property: **4568 River Road, Buhl, ID 83316**
Buyer: **Linda J. Bernier and John W. Bernier**
Seller: **Ruth L. Clark**

Sincerely,

Jeannie Harrison, Assistant for
Lori Barnhart, Escrow Officer

ja/ja