

RECEIVED

OCT 12 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
37-13333	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Edward D. + Barbara J. Frisbie
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rick F. Berndt + Pamela M. Berndt, Trustees of the Berndt
Name of each new owner as listed on the conveyance document
Family Trust v/d/t dated October 20, 2005
New owner continued ☒ and ☐ or ☐ and/or
P.O. Box 145
Mailing address
Hill City ID 83337
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: 6-27-06

6. 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.

7. Signature: [Signature] 10-10-11
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 10-10-11
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only

Received by [Signature] Date 11/12/11 Receipt No. 3032176 Receipt Amt. \$ 25.00

Approved by _____ Processed by _____ Date _____

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 F. Berndt and Pamela M. Berndt, Trustees of the Berndt Family Trust U/D/T 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;

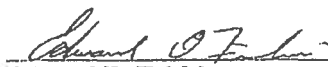
Thence N. 86°02'39" E. 735.65 feet to a point marked with a set 5/8 inch iron pin;

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

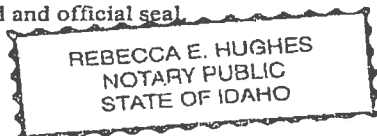

Edward D. Frisbie

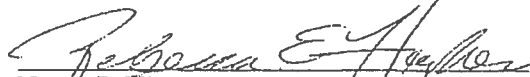

Barbara J. Frisbie

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.




Notary Public
Residing at: Mountain Home, Idaho
Commission Expires: 11/30/10

October 12, 2011

BERNDT FAMILY TRUST
PO BOX 145
HILL CITY ID 83337

RE: Change of Ownership for Water Right No. 37-13333

Dear Water Right Holders:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report 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,

Carrie Hahn
Clerk

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

OCTOBER 29, 2011

RICK AND PAMELA BERDNT
PO BOX 145
HILL CITY

Dear Mr. and Mrs. Berdnt,

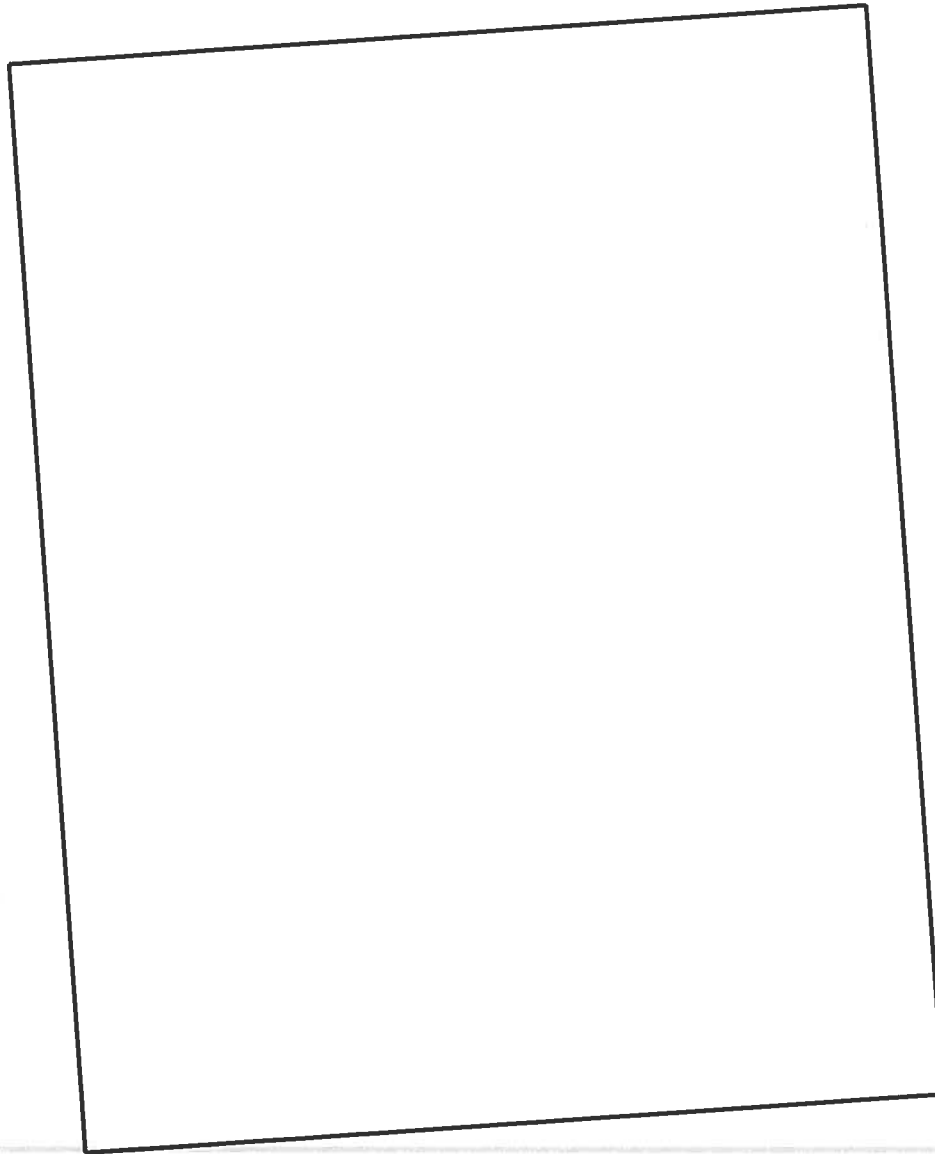
I researching an ownership change, I came across a water right I believe to be on your property.

Water right 37-13333 is a domestic house well with stock watering also from the well. If you believe this is your well please fill out the enclosed Notice of Change in Water Right Ownership form. There is a fee of \$25 per water right and you must include a deed. (I have sent you a copy)

If you have any question please contact me at the Dept. (208)736-3033.

Sincerely,

Carrie Hahn
Clerk
Enclosures



9/28/2011

Scale: 1 inch= 164 feet

File:

Tract 1: 15.7735 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=3339 ft.

01 /se,25,01s,11e
02 /n04.0715w 47.63
03 n04.0715w 934
04 s86.0239w 735.65
05 s04.0715e 934.
06 n86.0239e 735.65