

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 19 2022
WATER RESOURCES
WESTERN REGION

RECEIVED
SEP 22 2022
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?
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-13331	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	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): Berndt Family Trust Rick F Berndt & Pamela M Berndt, Trustees
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- HC1 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: 9-8-2022
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.
8. Signature: Rick F Berndt, Trustee Title, if applicable Date
 Signature of new owner/claimant
 Signature: Pamela M Berndt, Trustee Title, if applicable Date
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by LE Date 09/19/2022 Receipt No. W050757 Receipt Amt. \$25.00
 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 DM Date 10-24-2022

NOV 18 2022

WARRANTY DEED
22495

For Value Received,

HILL CITY, LLC, AN IDAHO LIMITED LIABILITY COMPANY

the Grantor does hereby grant, bargain, sell, convey and warrant unto

**RICK F BERNDT AND PAMELA M BERNDT AS TRUSTEES OF THE BERNDT
FAMILY TRUST DATED OCTOBER 20, 2005**

the Grantee whose current address is:
HC1 Box 145, Hill City, ID 83337

the following described real property in Elmore County, State of Idaho more particularly
described as follows, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with
the said Grantee, that he is the owner in fee simple of said premises; that said premises are free
from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and
those made, suffered or done by the Grantee(s); and subject to reservations, restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and general taxes and
assessments, (including irrigation and utility assessments, if any) for the current year, which are
not yet due and payable, and that he will warrant and defend the same from all lawful claims
whatsoever, except those of record.

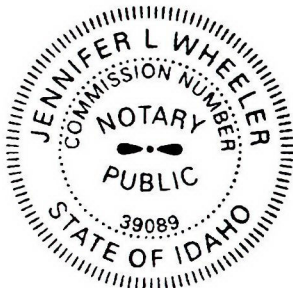
Date: September 8, 2022

Hill City, LLC


By Brett D Bashaw, manager

STATE OF IDAHO)
COUNTY OF BLAINE)

On this 13 day of September in the year 2022, before me a Notary Public, personally
appeared Brett D Bashaw known or identified to me to be one of the members in the limited
liability company of Hill City, LLC and the member or one of the members who subscribed said
limited liability company name to the foregoing instrument, and acknowledged to me that
he/she/they executed the same in said limited liability company name.



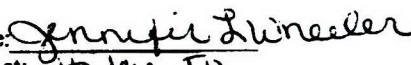
Signature: 
Residing at: Boley, ID
Comm. Exp: 06-17-2025

EXHIBIT "A"

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

Section 13: S1/2S1/2

Section 25: All: SAVE AND EXCEPT that portion of the S1/2SW1/4 lying Southerly of State Highway No. 68.

AND SAVE AND EXCEPT

**That portion of the SE1/4SE1/4 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 marker with a set 5/8 inch 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.**

TOGETHER WITH WATER RIGHT NO. 37-13331

WARRANTY DEED

22495

1061786

For Value Received,

HILL CITY, LLC, an Idaho limited liability company

the Grantor does hereby grant, bargain, sell, convey and warrant unto

**RICK F BERNDT AND PAMELA M BERNDT AS TRUSTEES OF THE BERNDT
FAMILY TRUST DATED OCTOBER 20, 2005**

the Grantee whose current address is:
HC1 Box 145, Hill City, ID 83337

the following described real property in Camas County, State of Idaho more particularly
described as follows, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with
the said Grantee, that he is the owner in fee simple of said premises; that said premises are free
from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and
those made, suffered or done by the Grantee(s); and subject to reservations, restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and general taxes and
assessments, (including irrigation and utility assessments, if any) for the current year, which are
not yet due and payable, and that he will warrant and defend the same from all lawful claims
whatsoever, except those of record.

Date: September 8, 2022

Hill City, LLC

By Brett D Bashaw, manager

STATE OF IDAHO)

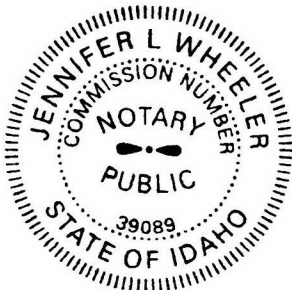
COUNTY OF BLAINE)

On this 13 day of September in the year 2022, before me a Notary Public, personally
appeared Brett D Bashaw known or identified to me to be one of the members in the limited
liability company of Hill City, LLC and the member or one of the members who subscribed said
limited liability company name to the foregoing instrument, and acknowledged to me that
he/she/they executed the same in said limited liability company name.

Signature: Jennifer L Wheeler

Residing at: Harley, ID

Comm. Exp: 06-17-2025



No Water Rights
in S-19 belonging
to Berndt's.

CAMAS COUNTY

RECORDED FOR:

Clerk

01:19:48 PM 09-15-2022

2022-091545

No. PAGES: 2

FEE: \$15.00

KATHERINE RABLIN

COUNTY CLERK

DEPUTY: KR

SCANNED

NOV 18 2022

EXHIBIT "A"

TOWNSHIP 1 SOUTH, RANGE 12 EAST OF THE BOISE MERIDIAN, CAMAS COUNTY, IDAHO.

SECTION 19: ALL THAT PART DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 19; THENCE EAST TO THE SOUTHEAST CORNER OF SAID SECTION 19; THENCE NORTH 1,320.00 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE WEST 1,320.00 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 205.00 FEET; MORE OR LESS, TO A POINT 1,525.00 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 19; THENCE WEST TO A POINT ON THE NORTH-SOUTH CENTER LINE OF SAID SECTION 19, THAT IS 1,474.00 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 19; THENCE SOUTHWESTERLY TO A POINT ON THE EAST LINE OF LOT 4, 625.00 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 19; THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

TOWNSHIP 1 SOUTH, RANGE 12 EAST OF THE BOISE MERIDIAN, CAMAS COUNTY, IDAHO

A PARCEL OF LAND LYING IN A PORTION OF THE S½ OF SECTION 19 TOGETHER WITH A PORTION OF SECTION 30, SAID PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT A BRASS CAP MARKING THE NW CORNER OF SECTION 30;
THENCE SOUTH 00°24'26" EAST, 2634.44 FEET TO A 5/8 INCH REBAR MARKING THE W¼ CORNER OF SECTION 30;
THENCE SOUTH 00°11'47" EAST, 2609.01 FEET TO A POINT;
THENCE ALONG THE FOLLOWING COURSES AND DISTANCES BETWEEN FOUND MONUMENTS IDENTIFIED IN ROS INSTRUMENT NUMBER 079768 AND 2009-082653 NORTH 89°42'13" EAST 195.83 FEET (FORMERLY 198.35 FEET) TO A FOUND 5/8 INCH REBAR;
THENCE NORTH 00°18'04" WEST, 127.30 FEET (FORMERLY 167.38 FEET) TO A FOUND 5/8 INCH REBAR;
THENCE NORTH 87°14'53" EAST, 213.14 FEET TO A 5/8 INCH REBAR, SAID REBAR BEING THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 87°14'53" EAST, 2942.51 FEET TO A 5/8 INCH REBAR MARKING THE EAST 429 FEET OF THE SW¼SE¼ OF SECTION 30;
THENCE LEAVING SAID FOUND MONUMENTS IDENTIFIED IN ROS INSTRUMENT NUMBER 079768 AND 2009-082653 AND CONTINUING ALONG THE EAST 429 FEET OF THE SW¼SE¼ OF SECTION 30, NORTH 00°20'48" WEST, 68.27 FEET TO A 5/8 INCH REBAR ON THE SOUTH LINE OF THE N½SE¼ OF SECTION 30;
THENCE SOUTH 89°59'07" EAST, 1744.36 FEET ALONG THE SOUTH LINE OF THE N½SW¼ OF SECTION 30 TO A BRASS CAP MARKING THE S 1/16;
THENCE NORTH 00°27'23" WEST, 1328.77 FEET ALONG THE EAST LINE OF SECTION 30 TO A BRASS CAP MARKING THE E¼ CORNER OF SECTION 30;
THENCE NORTH 00°04'20" EAST, 2646.27 FEET ALONG THE EAST LINE OF SECTION 30 TO A BRASS CAP MARKING THE NE CORNER OF SECTION 30;
THENCE NORTH 00°11'26" WEST, 1307.48 FEET ALONG THE EAST LINE OF SECTION 19 TO A BRASS CAP MARKING THE S 1/16 CORNER SECTION 19;
THENCE SOUTH 89°59'46" WEST, 1321.25 FEET ALONG THE NORTH LINE SE¼SE¼ OF SECTION 19 TO A BRASS CAP MARKING THE NW CORNER OF THE SE¼SE¼ OF SECTION 19;
THENCE NORTH 00°12'21" WEST, 213.83 FEET ALONG THE WEST LINE OF NE¼SE¼ OF SECTION 19 TO A 5/8 INCH REBAR;
THENCE SOUTH 87°37'29" WEST, 1321.50 FEET TO A POINT, SAID POINT BEARS NORTH 00°15'26" WEST, 1474.00 FEET FROM THE S¼ CORNER OF SECTION 19;
THENCE SOUTH 57°10'40" WEST, 1569.65 FEET TO A BRASS CAP;
THENCE SOUTH 61°12'33" WEST, 475.67 FEET TO A POINT, SAID POINT BEARS NORTH 61°12'33" EAST, 828.04 FEET FROM A BRASS CAP MARKING THE SE CORNER OF SECTION 19;
THENCE SOUTH 03°40'11" WEST, 4580.04 FEET ALONG AN EXISTING FENCE LINE MORE OR LESS TO A 5/8 INCH REBAR MARKING THE POINT OF BEGINNING.**



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 24, 2022

BERNDT FAMILY TRUST
RICK F BERNDT and PAMELA M BERNDT, TRUSTEES
HC 1 BOX 145
HILL CITY ID 83337-4501

Re: Change in Ownership for Water Right No(s): 37-13331

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) 293-9908.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Guaranty Title Inc., Mountain Home, Idaho (File #22495)