

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

FEB 15 2024

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
72-17033 72-16824	Yes ☒	Yes ☐		Yes ☐	Yes ☐
72-17034 72-16827	Yes ☒	Yes ☐		Yes ☐	Yes ☐
72-17035 72-16830	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: GARBER
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): NORMAN + LYAN MAHLBERG - MAHLBERG FAMILY TRUST
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 555 N. Nightingale Pl Star ID 83669
Mailing address City State Zip
- 775-340-2047 or 2089 sprayband1@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: 2004, 2009
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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.

SUPPORT DATA

IN FILE # 72-16824

8. Signature: NORMAN MAHLBERG 2/13/24
Signature of new owner/claimant Title, if applicable Date
NORMAN MAHLBERG
Print name
- Signature: NORMAN W. MAHLBERG 2/13/24
Signature of new owner/claimant Title, if applicable Date
NORMAN W. MAHLBERG
Print name

Received by SG Date 2/15/2024 For IDWR Office Use Only: Receipt No. 5040104 Receipt Amt. \$300.00

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 KA Date 03-12-24

GRANT, BARGAIN AND SALE DEED

FOR VALUE RECEIVED the undersigned Grantor hereby grants, bargains and sells all right, title and interest in and to the following property in the County of Custer, State of Idaho, to the following Grantee:

Grantor: Norman W. Mahlberg and Lynn M. Mahlberg

Grantee: Norman W. Mahlberg and Lynn M. Mahlberg as trustees of the Mahlberg Family Trust, a living, revocable trust;

Taking title as: community property with the right of survivorship;

Estate conveyed: fee simple:

Legal description of property conveyed:

Lot 5, Block 1, Osprey Bend Subdivision No. 1, according to the Official Plat thereof recorded April 11, 1994, as instrument No. 206202, and amended August 2, 1994, as 207037, records of Custer County, Idaho.

TOGETHER WITH all other real property in which Grantors have any right, title and/or interest therein, if any, whether located within the State of Nevada, or outside the State of Nevada.

TOGETHER WITH all buildings and improvements situate on all of the above described real property.

TOGETHER WITH the tenements, hereditaments and appurtenances belonging or in anywise appertaining to all of the above described real property, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

SUBJECT TO all of the terms and conditions of the Revocable Trust Agreement and Declaration of Trust dated the 26 day of January, 2011 ("Trust Agreement") by and between Grantors as Trustors and Grantees as Trustees, as thereafter amended from time to time.

WILSON BARROWS & SALYER
ATTORNEYS AT LAW
(775) 738-7271
442 Court Street
Elko, Nevada 89801

243625

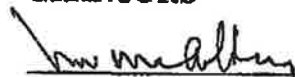
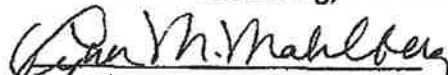
Custer County Rec. of
6853
Time 10:58 AM Date 3/31/2011
Barbara C. Tierney, Clerk
Deputy
11032005192

SPECIAL TRUST PROVISIONS:

1. This Deed is conveying title to one or more Trustees of a revocable, amendable, inter-vivos trust.
2. In spite of this conveyance, any and all community property which is transferred to this Trust shall retain its character as community property both as Trust principal and after any subsequent distribution or withdrawal from the Trust; and any and all separate property of either Trustor which is transferred to this Trust shall retain its character as the separate property of that transferring Trustor, both as Trust principal and after any subsequent withdrawal distribution or from the Trust, even if the title to such separate property is held in the name more than one Trustee.
3. A change in the identity or number of Trustees may be established of record by an affidavit or certification made by a person with personal knowledge reciting the reason for change. In the case of the death of a Trustee then holding record title to Trust real estate, a certified copy of deceased Trustee's death certificate must be attached to the affidavit or certification.
4. Any successor Trustee shall, by the act of appointment, be vested with the prior Trustee's title to all Trust property automatically and without conveyance from the prior Trustee(s) or a deceased Trustee's personal representatives, heirs or devisees, to be established of record by the filing of the instrument of successor appointment. Except to the extent otherwise provided in the instrument of appointment, all successor Trustees succeed to all powers and duties of held by the prior Trustee.
5. One acceptable "act of appointment" of a successor Trustee shall be the acceptance of a nomination by a prior nominated Trustee, and in that case the "instrument of acceptance" shall be the document evidencing the acceptance of the nomination.
6. A full and unconditional termination of the Trust by the Trustor(s) exercise of the power of revocation will automatically be deemed to be a full and unconditional reconveyance of all of the Trust property to the Trustor(s) exercising the power of revocation and the recordation of the instrument of revocation shall be the equivalent of a deed by the Trustee(s) to the Trustor(s) entitled thereto.

7. The Trust will terminate upon the occurrence of a termination event specified in the Trust Agreement, in effect at the time of such occurrence. At the time of termination, the Trustee(s) then in office have the duty to windup the Trust and distribute the assets to the persons or entities then entitled to such distribution in accordance with the Trust Agreement then in effect. There shall be no court supervision of the winding-up and distribution process. Distribution is to be accomplished by the Trustee(s), without court supervision and without third-party review of the unrecorded Trust Agreement (as amended), by conveyance of the real estate of the Trust by Grant, Bargain and Sale Deed or other appropriate transfer document. No third party is required or allowed to go behind the Trustee(s)' distribution Deed to ascertain that the Trustee(s) complied with the distribution provisions of the Trust Agreement then in effect and all recitals in such distribution Deeds must be deemed conclusively correct by all third parties.
8. It is requested that all title companies insure good title in the distributees, and their successors in interest and assigns, based solely on the record title, including this Deed, the affidavits or certifications above referred to, and the Trustee(s)' Distribution Deed, and without going behind such Deeds or affidavits or certifications to review the Trust Agreement then in effect, or other non-record events, or otherwise.

GRANTORS:

DATED: January 26, 2011
Norman W. Mahlberg, individuallyDATED: January 26, 2011
Lynn M. Mahlberg, individually

[CONTINUES ON FOLLOWING PAGE]

243625

Grantees hereby accept the above conveyance.

GRANTEE:

DATED: January 26, 2011

Norman W. Mahlberg
Norman W. Mahlberg, as Trustee of the
Mahlberg Family Trust, a living revocable
trust

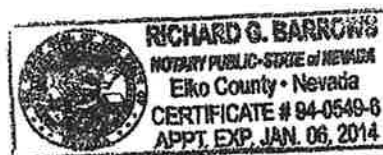
DATED: January 26, 2011

Lynn M. Mahlberg
Lynn M. Mahlberg, as Trustee of the
Mahlberg Family Trust, a living revocable
trust

STATE OF NEVADA,)
) SS.
COUNTY OF ELKO.)

On January 26, 2011, personally appeared before me, a Notary Public,
Norman W. Mahlberg and Lynn M. Mahlberg, personally known (or proved) to me
to be the persons whose names are subscribed to the above instrument who
acknowledged that they executed the above instrument, individually, and as
Trustees of the Mahlberg Family Trust, a living, revocable trust.

Richard G. Barrows
NOTARY PUBLIC



10120251.mqq
January 21, 2011

WILSON BARROWS & SALYER
ATTORNEYS AT LAW
(775) 738-7271
442 Court Street
Elko, Nevada 89801

Trustee's Distribution Deed

241781
Custer County Reg. of
William Barlow & Sawyer
Time *11:14 AM* Date *11-6-2009*
Barbara C. Tierney, Clerk
Deputy *[Signature]* \$ *18.00*

THIS DEED, made and entered into this 21st day of October, 2009, 2010, by and between Lynn M. Mahlberg, as Trustee of the Wrieden Trust B, Grantor, and Lynn M. Mahlberg, in her individual capacity, Grantee,

RECITALS:

a. Earle W. Wrieden (Earle) and Herta M. Wrieden (Herta), husband and wife, as Trustors, created the Wrieden Trust (Trust), a revocable, living trust, by Declaration of Trust dated March 3, 1993 (Agreement), and funded the Trust with community property.

b. Lynn M. Mahlberg is the only child of Earle and Herta and the sole beneficiary of the Wrieden Trust on the death of Herta.

c. Earle (Deceased Trustor) died on September 22, 2000, survived by Herta as the Surviving Trustor.

d. At the time of Earle's death, the Trust was still in existence and funded and Herta was the sole Trustee of the Trust.

e. In accordance with the Agreement, Herta subsequently resigned and appointed Lynn M. Mahlberg as sole Successor Trustee.

f. At the time of Earle's death, all Trust assets (Assets) were the community property of Earle and Herta.

g. Upon the death of the Deceased Trustor, the Agreement required all Assets of the entire Trust Estate to be divided and allocated to 2 trusts: Wrieden Trust A and Wrieden Trust B. Since all Assets contributed to the Trust were the community property of Earle and Herta, Wrieden Trust B consisted of an undivided one-half of all Assets and the Wrieden Trust A consisted of the remaining undivided one-half of all Assets.

h. All Assets of the Trust Estate were divided, allocated and

conveyed to Lynn M. Mahlberg, as Trustee of Wrieden Trust A and Wrieden Trust B, respectively.

i. Herta died on the 10th day of September, 2009, as shown by the certified copy of Death Certificate attached hereto.

j. Lynn M. Mahlberg survived Herta.

k. The Agreement provided that upon the death of the Surviving Trustor – in this case Herta – both the Wrieden Trust A and the Wrieden Trust B terminated and the Trustee shall wind up the affairs of both Trusts, pay all expenses of both Trusts and the Surviving Trustor and distribute the entire remaining Trust Estate of both Trusts to the sole Beneficiary of both Trusts: Lynn M. Mahlberg.

WITNESSETH:

That the Grantor does hereby grant, bargain, sell and convey all present and future right, title and interest of the Trustee and the Trust unto

Lynn M. Mahlberg in her individual capacity,

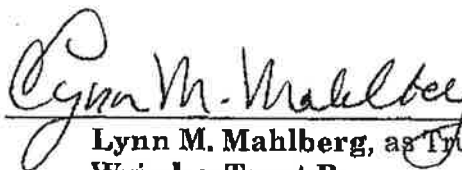
and to her heirs and assigns in and to all that certain real property situate in the County of Custer, State of Idaho, more particularly described as follows:

(See Exhibit A attached hereto and made a part hereof by this reference)

TOGETHER WITH all buildings and improvements situate thereon.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

Dated: 10/21/09



Lynn M. Mahlberg, as Trustee of
Wrieden Trust B

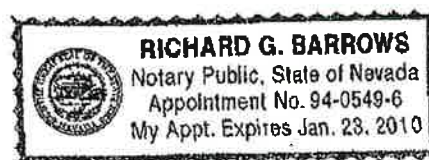
241781

STATE OF NEVADA,)
) ss.
COUNTY OF ELKO.)

October, 201~~0~~⁰⁹, This instrument acknowledged before me on the 21st day of
by Lynn M. Mahlberg, as Trustee of Wrieden Trust B.


NOTARY PUBLIC

09100051rgb.wpd
October 2, 2009



241781

EXHIBIT "A"

Lot 5, Block 1, Osprey Bend Subdivision No. 1, according to the Official Plat thereof recorded April 11, 1994, as instrument No. 206202, and amended August 2, 1994, as 207037, records of Custer County, Idaho.

241781

Mailing Address of Grantee or Other Person Requesting Recording:

Wilson Barrows & Salyer
442 Court Street
Elko, Nevada 89801

Mail Tax Statements to:

Lynn M. Mahlberg
156 Lori Lane
Elko, NV 89801

Social Security Number Affirmation Statement:

☐ In accordance with NRS 239B.030; the undersigned person recording this document hereby affirms that this document does not contain personal information, including full social security number of any person;

-OR-

☒ In accordance with NRS 239B.030, the undersigned person recording this document hereby affirms that this document does contain personal information, including full social security number of a person.

Donna L. Mitchell

Legal Assistant

Name

Title

Donna L. Mitchell

Signature

Title of Document Recorded:

TRUSTEE'S DISTRIBUTION DEED

WILSON BARROWS & SALYER
ATTORNEYS AT LAW
442 Court St.
ELKO, NEVADA 89801

229552

WARRANTY DEED

For Value Received JEROLD A. GARBER, the Grantors, does hereby grant, bargain, sell and convey unto WRIEDEN TRUST, LYNN MAHLBERG, TRUSTEE, the Grantee, whose current address is P.O. Box 160, Elko, Nevada 89803, the following described premises, in Custer County, Idaho, to-wit:

Lot 5, Block 1, Osprey Bend Subdivision No. 1, according to the Official Plat thereof recorded April 11, 1994, as instrument No. 206202, and amended August, 2, 1994, as 207037, records of Custer County, Idaho.

TO HAVE AND TO HOLD the said premises, with his appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he are the owner in fee simple of said premises; that he is free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: This 16th day of July, 2004.

Jerald A. Garber
JEROLD A. GARBER

229552

STATE OF IDAHO)
Illinois : ss

County of: Asaile
On this 16 day of
July, 2004, before
me, a Notary Public, per-
sonally appeared
Jerald Garber

known or identified to me to
be the person(s) whose name(s)
are subscribed to the within
instrument, and acknowledged to
me that he executed the same.

Kathleen A. Zeman
Notary Public for Idaho Illinois
Residing at Peru, Illinois
Commission Expires 12/9/07

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of CCT
at 52 minutes past 3
o'clock P.M., this 19 day of July
200 4, in my office.

Ethel M. Peak
Ex-Officio Recorder

BY

Ruth Brunken

"OFFICIAL SEAL"
KATHLEEN A. ZEMAN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 12/09/07

Deputy

Fee: \$ 23.00

Mail to:



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 Mathew Weaver

March 12, 2024

MAHLBERG FAMILY TRUST
555 N NIGHTINGALE PL
STAR ID 83669-5834

Re: Change in Water Right Ownership: 72-16824 (Split into 72-16824 and 72-17033), 72-16827 (Split into 72-16827 and 72-17034), and 72-16830 (Split into 72-16830 and 72-17035).

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 293-9916.

Sincerely,

Kent Aasa
Water Resource Agent, Senior

Enclosure(s)
WD 72D

c: KATHRYN S HERRICK
GERALD D HERRICK