

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

DE
RECEIVED

NOV 09 2020

DEPARTMENT OF
WATER RESOURCES

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?
63-2851	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Regents of the University of ID to Hayden Homes ID LLC to CW-Heartleaf LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): CW - Heartleaf, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 8655 South Priest Drive Tempe AZ 85284
Mailing address City State ZIP
- 1(602)390-2192 mjohnson@coronadowest.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: 1/10/202
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):
 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 # 63-2851

8. Signature: [Signature] VP Finance, Hayden Homes ID LLC 11/5/2020
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by KM Date 11.9.2020 Receipt No. C109453 Receipt Amt. \$100-

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 AB Processed by AB Date 2/11/2021



2020-008693
RECORDED
02/14/2020 04:10 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=2 MBROWN \$15.00
TYPE: DEED
ALLIANCE TITLE - BOISE PRODUCTION
ELECTRONICALLY RECORDED

WARRANTY DEED

AT-469642

Order No.: 347325AM

FOR VALUE RECEIVED

Hayden Homes Idaho, LLC, an Idaho Limited Liability Company

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

CW - Heartleaf, LLC, a Delaware limited liability company

whose current address is:

8655 South Priest Drive
Tempe, AZ 85284

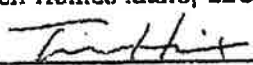
the grantee(s), the following described premises, in Canyon County, Idaho,
TO WIT:

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: February 14, 2020

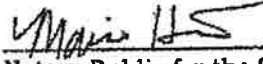
Hayden Homes Idaho, LLC, an Idaho Limited Liability Company


Tim Hix, Finance Director

State of Oregon) ss
County of Deschutes)

On this 14 day of February, 2020, before me, Marissa Hesterberg a Notary Public in and for said state, personally appeared Tim Hix known or identified to me to be the Managing Member in the Limited Liability Company known as Hayden Homes Idaho, LLC an Idaho Limited Liability Company 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.


Notary Public for the State of Oregon
Residing at: Bend
Commission Expires: Sept 24, 2022

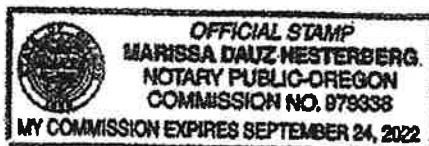


EXHIBIT "A"

469642

A parcel of land located in the East half of the Northwest Quarter of Section 10, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the North One-Quarter corner of said Section 10; thence, along the East boundary of said East half of the Northwest Quarter,

A) South $00^{\circ}27'12''$ West, 593.26 feet to the Point of Beginning; thence, continuing,

1) South $00^{\circ}27'12''$ West, 1945.91 feet to the centerline of the Deer Flat Canal; thence, along said centerline the following courses:

2) North $46^{\circ}17'46''$ West, 53.29 feet; thence,

3) North $29^{\circ}31'41''$ West, 405.78 feet to the beginning of a tangent curve; thence,

4) Westerly along said curve to the left, having a radius of 481.76 feet, an arc length of 421.00 feet, through a central angle of $50^{\circ}04'11''$ and a long chord which bears North $55^{\circ}11'42''$ West, 407.73 feet; thence, tangent from said curve,

5) North $80^{\circ}13'47''$ West, 259.59 feet; thence, leaving said centerline

6) North $00^{\circ}07'18''$ West, 1169.20 feet; thence,

7) South $89^{\circ}52'10''$ East, 622.27 feet; thence,

8) North $00^{\circ}27'12''$ East, 113.93 feet; thence,

9) South $89^{\circ}21'13''$ East, 223.85 feet to the Point of Beginning.

**SPECIAL POWER OF ATTORNEY
AND LIMITED AGENCY AUTHORIZATION**

THE STATE OF IDAHO	§	KNOW ALL PERSONS
	§	BY THESE PRESENTS:
COUNTY OF CANYON	§	

The undersigned, as the owner of approximately 26.887 acres of real property located in Canyon County, Idaho, as described on Exhibit "A" attached hereto and a part hereof for all purposes (the "**Property**"), does hereby make, constitute, and appoint **HAYDEN HOMES IDAHO, LLC**, an Idaho limited liability company ("**Builder**"), as the undersigned's true and lawful attorney, to act for and in the name, place and stead of the undersigned to execute and deliver in the name of and on behalf of the undersigned in connection with the development of the Property as a subdivision, including applications, plans, plats, permits, declarations (of covenants, conditions and restrictions), easements, requests, utility commitments and agreements, any amendments thereto, and similar development approvals and agreements relating to the Property and any amendments thereto that are required to be executed by the undersigned as fee simple owner of the Property and are compliant with the provisions of the Option Agreement dated of even date herewith, between the undersigned and Builder.

This special power of attorney and limited agency authorization is irrevocable until, and shall automatically expire upon, the acquisition of all of the Property by Builder.

The undersigned agrees and represents to those dealing with Builder that Builder is the undersigned's true and lawful agent and may be dealt with as such until the expiration of this special power of attorney and limited agency authorization or until written revocation of it by written instrument executed by the undersigned and Builder. The undersigned does hereby ratify and confirm whatsoever said attorney shall or may do by virtue of this special power of attorney and limited agency authorization.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Executed to be effective as of _____, 2020.

Signed, sealed and delivered

in the presence of:

[Signature]

Unofficial Witness

Alisa R Rotundo

Notary Public

My Commission Expires: March 7, 2021

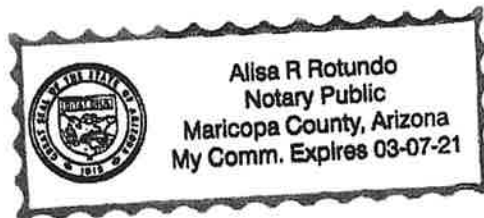
[NOTARIAL SEAL]

CW-HEARTLEAF, LLC

a Delaware limited liability company

By: **CORONADO WEST, LLC**,
a Delaware limited liability company,
its Manager

By: [Signature] [SEAL]
John E. Cork, its President



POWER OF ATTORNEY EXHIBIT "A"

A parcel of land located in the East half of the Northwest Quarter of Section 10, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the North One-Quarter corner of said Section 10; thence, along the East boundary of said East half of the Northwest Quarter,

A) South $00^{\circ}27'12''$ West, 593.26 feet to the Point of Beginning; thence, continuing,

- 1) South $00^{\circ}27'12''$ West, 1945.91 feet to the centerline of the Deer Flat Canal; thence, along said centerline the following courses:
 - 2) North $46^{\circ}17'46''$ West, 53.29 feet; thence,
 - 3) North $29^{\circ}31'41''$ West, 405.78 feet to the beginning of a tangent curve; thence,
- 4) Westerly along said curve to the left, having a radius of 481.76 feet, an arc length of 421.00 feet, through a central angle of $50^{\circ}04'11''$ and a long chord which bears North $55^{\circ}11'42''$ West, 407.73 feet; thence, tangent from said curve,
- 5) North $80^{\circ}13'47''$ West, 259.59 feet; thence, leaving said centerline
- 6) North $00^{\circ}07'18''$ West, 1169.20 feet; thence,
- 7) South $89^{\circ}52'10''$ East, 622.27 feet; thence,
- 8) North $00^{\circ}27'12''$ East, 113.93 feet; thence,
- 9) South $89^{\circ}21'13''$ East, 223.85 feet to the Point of Beginning.

340926AM
AT-426554

2020-001529

RECORDED

01/10/2020 10:30 AM

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=3 DLSTEPHENS

\$15.00

TYPE: DEED

ALLIANCE TITLE - BOISE PRODUCTION

ELECTRONICALLY RECORDED

SPECIAL WARRANTY DEED

GRANTOR, THE REGENTS OF THE UNIVERSITY OF IDAHO, a body politic and corporate organized and existing under the laws and constitution of the state of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey, and specially warrants unto Hayden Homes Idaho, LLC, an Idaho Limited Liability Company, whose current address is 2464 SW Glacier Pl #110, Redmond OR 97756, as GRANTEE, and to grantee's heirs and assigns forever, all of the real property, improvements, and appurtenances on the premises as described in the attached Exhibit A.

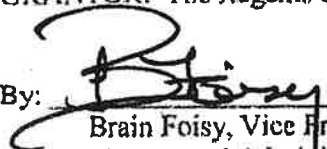
TOGETHER with all and singular, the rights and appurtenances pertaining to such real property, as they exist, including any and all water rights, easements, rights-of-way and any and all improvements constructed thereon.

SUBJECT to all rights of reversion, reservations, easements, rights-of-way and defects in title arising prior to Grantor's ownership of the premises, Grantor warrants to Grantee, its successors and assigns, that Grantor has not created or permitted to be created any unrecorded, lien, charge, reservation or impediment against the premises and Grantor covenants that it will defend said premises to the extent of the warranties made herein against the lawful claim of all persons.

GRANTEE, by accepting delivery of this Special Warranty Deed, acknowledges and agrees that Grantee has had an opportunity to investigate title to and inspect and test the premises to the extent that Grantee deemed appropriate and that Grantee is satisfied with the title and the premises. Grantee accepts the premises AS IS, WITH ALL FAULTS, KNOWN OR UNKNOWN, without any representations or warranties by Grantor, or any agent or representative of Grantor except as expressly set forth in this Special Warranty Deed.

6th IN WITNESS WHEREOF, GRANTOR has hereto caused this instrument to be executed this day of January 2020.

GRANTOR: The Regents of the University of Idaho

By: 

Brian Foisy, Vice President,
Finance and Administration

Date: 1-6-2020

SPECIAL WARRANTY DEED
UNIVERSITY OF IDAHO
HAYDEN HOMES, LLC
PAGE 1 OF 2

Return to:



STATE of IDAHO)
) ss.
County of Latah)

On this 6 day of January 2020, before me, the undersigned, a Notary Public in and for said State of Idaho, personally appeared Brian Foisy, known or identified to me to be the Vice President for Finance and Administration, University of Idaho, who executed the within instrument, and acknowledged to me that the instrument was executed on behalf of the Board of Regents of the University of Idaho.

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

DEBRA L. EISINGER
NOTARY PUBLIC
STATE OF IDAHO
COMMISSION #30287
MY COMMISSION EXPIRES 07/21/2022

Debra L. Eisinger
NOTARY PUBLIC for Idaho
Residing at Moscow, Idaho
My commission expires: 7/21/2022

File No. 426554

Exhibit 'A'

A parcel of land located in the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 10, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the North one-quarter corner of said Section 10; thence, along the east boundary of said E $\frac{1}{2}$ of the NW $\frac{1}{4}$,

A) S.00°27'12"W., 593.26 feet to the POINT OF BEGINNING; thence, continuing,

1) S.00°27'12"W., 1945.91 feet to the centerline of the Deer Flat Canal; thence, along said centerline the following courses:

2) N.46°17'46"W., 53.29 feet; thence,

3) N.29°31'41"W., 405.78 feet to the beginning of a tangent curve; thence,

4) Westerly along said curve to the left, having a radius of 481.76 feet, an arc length of 421.00 feet, through a central angle of 50°04'11" and a long chord which bears N.55°11'42"W., 407.73 feet; thence, tangent from said curve,

5) N.80°13'47"W., 259.59 feet; thence, leaving said centerline

6) N.00°07'18"W., 1169.20 feet; thence,

7) S.89°52'10"E., 622.27 feet; thence,

8) N.00°27'12"E., 113.93 feet; thence,

9) S.89°21'13"E., 223.85 feet to the POINT OF BEGINNING.

THIS INSTRUMENT IS THE PROPERTY OF T O ENGINEERS. ANY REPRODUCTION, REUSE OR MODIFICATION OF THIS INSTRUMENT OR ITS CONTENTS WITHOUT SPECIFIC WRITTEN PERMISSION OF T O ENGINEERS IS STRICTLY PROHIBITED.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 14, 2021

CW HEARTLEAF LLC
8655 S PRIEST DR
TEMPE AZ 85284-1903

Re: Change in Water Right Ownership: 63-2851 (split into 63-35027)

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 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 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) 605-4622.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure(s)
C: UNIVERSITY OF IDAHO REGENTS



DE ✓

November 6, 2020

Idaho Department of Water Resources
322 East Front Street, 6th Floor
Boise, ID 83720-0098

Re. Notice of Change in Water Right Ownership

To Whom it May Concern,

Enclosed you will find the completed *Change in Water Right Ownership* form for the portion of a parcel we have acquired in Caldwell, Idaho.

This parcel was acquired by Hayden Homes Idaho LLC on January 10, 2020, from the Regents of the University of Idaho. Hayden Homes Idaho, then deeded the parcel to our financing partner CW-Heartleaf, LLC, to hold while the residential subdivision is being developed.

As part of the enclosed notice I am enclosing the following information, as required by the form instructions:

- Completed and signed Notice Form,
- Check in the amount of \$100 payable to IDWR for the required filing fee,
- Copy of the IDWR on-line *water right report*,
- Copy of the Deed from the Regents of the University of Idaho to Hayden Homes Idaho LLC,
- Copy of the Deed from Hayden Homes Idaho LLC to CW – Heartleaf LLC and,
- Copy of the urvey indicating the area acquired (corresponds to the above Deeds). The Survey also identifies the acquired properties point of irrigation water delivery.

I have tried to be as comprehensive as possible to facilitate your review. If you have any questions, please feel free to call me at (208)869-9785, or email me at tmokwa@hayden-homes.com

Sincerely,

Tim Mokwa
Hayden Homes Idaho, LLC