

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 12 2021

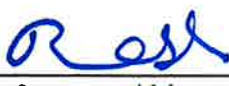
WATER RESOURCES
SOUTHERN REGION

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-28153	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: Elvin Hegstrom
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): ZD Investment Property, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 209 E. Curling Dr. Boise Idaho 83702
Mailing address City State Zip
- (208) 830-4729 _____
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: July 27, 2021
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
☐ 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):
☐ \$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:  Manager 12. Aug. 21
Signature of new owner/claimant Title, if applicable Date
Rick Bennett
Print name

Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

Print name

Received by  Date 08/12/2021 For IDWR Office Use Only: Receipt No. W049698 Receipt Amt. \$25⁰⁰

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 X Approved by _____ Processed by  Date 9/21/2021

When recorded, please return to:

Z D Investment Property, LLC
209 E. Curling Dr.
Boise, Idaho 83702

21416190

2021-052393	
RECORDED	
07/27/2021 01:05 PM	
CHRIS YAMAMOTO	
CANYON COUNTY RECORDER	
Pgs=7 SCARDENAS	\$15.00
TYPE: DEED	
TITLEONE BOISE	
ELECTRONICALLY RECORDED	

GENERAL WARRANTY DEED

FOR VALUE RECEIVED, the sufficiency of which is hereby acknowledged, Kiwi Enterprises, L.L.C., an Idaho limited liability company ("**Grantor**"), hereby grants, bargains, sells, and conveys unto Z D Investment Property, LLC, an Idaho limited liability company ("**Grantee**") whose address is 209 E. Curling Dr., Boise, Idaho 83702, the real property located in Canyon County, Idaho, more specifically described on Schedule I attached hereto and incorporated herein ("**Property**").

TOGETHER WITH all of Grantor's right, title, and interest in and to all streets, alleys, and rights of way adjacent thereto, all buildings and other improvements located thereon, all subsurface rights, minerals and mineral rights, water and water rights, ditch rights and water stock associated therewith, all easements, licenses, and claims appurtenant thereto, all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the Property, as well in law as in equity.

TO HAVE AND TO HOLD the Property with its appurtenances unto Grantee, its successors and assigns, forever.

SUBJECT TO the "**Approved Exceptions**", which shall mean: (a) general taxes and assessments, for the year 2021 and thereafter, which are not yet due and payable; and (b) the matters set forth on Schedule II attached hereto and incorporated herein.

AND Grantor does hereby covenant to and with Grantee, that Grantor is the sole owner of the Property and owns the Property in its entirety in fee simple; that the Property is free from all encumbrances except the Approved Exceptions; and that Grantor shall and will warrant and defend the quiet and peaceful possession of said Property by Grantee, against all lawful claims whatsoever except as excluded or excepted herein.

THIS General Warranty Deed may be executed in counterparts, each of which is deemed an original but all of which constitute one and the same document. The signature pages may be detached from each counterpart and combined into one document.

DATED July 22, 2021 (the "**Effective Date**").

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, Grantor has executed this General Warranty Deed effective as of the Effective Date.

GRANTOR:

Kiwi Enterprises, L.L.C.,
an Idaho limited liability company

By: Signed in Counterpart
Name: Hayden Farrell
Its: Member

By: *Hamish Bell*
Name: Hamish Bell
Its: Member

STATE OF _____)
County of _____) ss.

This record was acknowledged before me on this ____ day of July, 2021, by Hayden Farrell, as member of Kiwi Enterprises, L.L.C.

My Commission Expires _____

STATE OF Idaho)
County of Ada) ss.

This record was acknowledged before me on this 22 day of July, 2021, by Hamish Bell, as member of Kiwi Enterprises, L.L.C.



Michelle Larson
My Commission Expires 6.14.2027

IN WITNESS WHEREOF, Grantor has executed this General Warranty Deed effective as of the Effective Date.

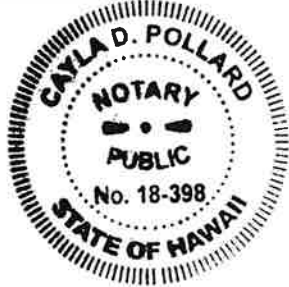
GRANTOR:

Doc. Date: 7/22/21 # Pages: 6
Cayla D. Pollard Second Circuit
Doc. Description: General
Warranty Deed
Cayla D. Pollard
Notary Signature Date 7/22/2021

Kiwi Enterprises, L.L.C.,
an Idaho limited liability company

By: [Signature]
Name: Hayden Farrell
Its: Member

NOTARY CERTIFICATION



By: Signed in Counterpart
Name: Hamish Bell
Its: Member



STATE OF Hawaii)
County of Maui) ss.

Cayla D. Pollard
7/22/2021

This record was acknowledged before me on this ____ day of July, 2021, by Hayden Farrell, as member of Kiwi Enterprises, L.L.C.

Cayla D. Pollard
My Commission Expires 7/15/2022



STATE OF _____)
County of _____) ss.

This record was acknowledged before me on this ____ day of July, 2021, by Hamish Bell, as member of Kiwi Enterprises, L.L.C.

My Commission Expires _____

SCHEDULE I

Legal Description of the Property

Parcel 1:

The East half of the Southwest quarter of the Southwest quarter of Section 4, Township 3 North, Range 2 West, Boise Meridian, Canyon County, State of Idaho.

Excepting therefrom:

A parcel of land conveyed to the City of Nampa, an Idaho municipal corporation by Deed recorded July 27, 2020 as Instrument No. 2020-041131, records of Canyon County, Idaho, situated in the East half of the Southwest quarter of the Southwest quarter of Section 4, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County, Idaho and more particularly described as follows:

Beginning at the Southeast corner of said Southwest quarter of the Southwest quarter, marked by an iron pin; thence along the East line of said Southwest quarter of the Southwest quarter North 00°36'26" East 50.00 feet to a point; thence along a line that is parallel with the South line of said Southwest quarter of the Southwest quarter North 89°39'25" West 663.16 feet to a point on the West line of said East half of the Southwest quarter of the Southwest quarter; thence along said West line South 00°39'14" West 50.00 feet to the Southwest corner of said East half of the Southwest quarter of the Southwest quarter, marked by an iron pin; thence along said South line of the East half of the Southwest quarter of the Southwest quarter South 89°39'25" East 663.20 feet to the Point of Beginning.

Parcel 2:

A portion of the South half of the Northwest quarter of the Southwest quarter of Section 4, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

Commencing at the Southwest corner of said Northwest quarter of the Southwest quarter; thence North 00°42'00" East, 663.24 feet along the West line of said South half of the Northwest quarter of the Southwest quarter to the Northwest corner of same; thence South 89°34'27" East, 347.55 feet along the North line of said South half of the Northwest quarter of the Southwest quarter to the Point of Beginning, in the centerline of the Middle 13-3 Canal; thence South 21°48'01" East, 153.19 feet along the centerline of said canal to an angle point; thence South 24°47'00" East, 175.20 feet along said centerline to another angle point; thence South 22°08'53" East, 91.28 feet along said centerline to a point in a non-tangent curve; thence Southerly along said centerline along a non-tangent curve to the right having a radius of 300.58 feet, an arc length of 201.91 feet, a central angle of 38°29'13", a chord bearing of South 01°20'06" East, and a chord distance of 198.13 feet to a point; thence South 15°06'36" West, 67.92 feet along said centerline to an angle point; thence South 07°59'06" West, 14.84 feet along said centerline to a point in the South line of said South half of the Northwest quarter of the Southwest quarter; thence South 89°35'33" East, 819.00 feet along the South line of said South half of the Northwest quarter of the Southwest quarter to the Southeast corner of same; thence North 00°35'47" East, 662.81 feet along the East line of said South half of the Northwest quarter of the Southwest quarter to the Northeast corner of same; thence North 89°34'27" West, 975.50 feet along the North line of said South half of the Northwest quarter of the Southwest quarter to the Point of Beginning.

Parcel 2A:

An easement for ingress and egress described in Quitclaim Deed recorded June 3, 1985 as Instrument No. 8513455, official records of Canyon County, Idaho, over the following described property:

Commencing at the Southwest corner of the Northwest quarter of the Southwest quarter; thence North 00°42'00" East, 663.24 feet, along the West line of said South half of the Northwest quarter of the Southwest quarter to the Initial Point of this ingress egress easement, said point being the Northwest corner of the said South half of the Northwest quarter of the Southwest quarter; thence South 89°34'27" East, 347.55 feet along the North line of the South half of the Northwest quarter of the Southwest quarter to a point on the centerline of the Middle 13-3 canal ;thence South 21°48'01" East, 54.01 feet, along said centerline; thence North 89°34'27" West, 368.22 feet, parallel with said North line to a point on said West line; thence North 00°42'00" East, 50.00 feet along the said West line to the Initial Point of this ingress egress easement.

SCHEDULE II

Approved Exceptions

1. General taxes and assessments, for the year 2021 and thereafter, which are not yet due and payable.
2. Right-of-way for 13.3 Middle Lateral and the rights of access thereto for maintenance of said lateral.
(Affects Parcel 2)
3. The following reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded July 18, 1893 in Book 1 of Patents, at Page 591, records of Canyon County, Idaho:
"Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States."
(Affects Parcel 1 and Parcel 2)
4. All matters, and any rights, easements, interests or claims as disclosed by a Record of Survey recorded April 23, 1985 as Instrument No. 8509859, records of Canyon County, Idaho.
(Affects Parcel 2)
5. An easement for the purpose shown below and rights incidental thereto as set forth in a Power Line Easement.
Granted to: Idaho Power Company
Purpose: erection and continued operation, maintenance, repair, alteration, inspection, and replacement of the electric transmission, distribution and telephone lines and circuits
Recorded: May 2, 1990
Instrument No.: 9007964, records of Canyon County, Idaho.
(Affects Parcel 1)
6. Terms and conditions contained in Ordinance No. 4522.
Recorded: August 21, 2020
Instrument No.: 2020-047212, records of Canyon County, Idaho.
(Affects Parcel 1 and Parcel 2)

7. Terms and conditions contained in a License Agreement for Cherry/Midland Industrial Park Bridge - 13.3 Middle Lateral (Pioneer Project No. 42-2019) by and between Pioneer Irrigation District and Kiwi Enterprises, LLC, an Idaho limited liability company.

Recorded: January 8, 2021

Instrument No.: 2021-001367, records of Canyon County, Idaho;
(Affects Parcel 1 and Parcel 2)

Terms and conditions contained in Addendum to License Agreement for Cherry/Midland Industrial Park Bridge - 13.3 Middle Lateral (Pioneer Project No. 42-2019) by and between Pioneer Irrigation District and Kiwi Enterprises, LLC, an Idaho limited liability company.

Recorded: July 20, 2021

Instrument No.: 2021-050670, records of Canyon County, Idaho.

8. The following matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by ALTA/NSPS Land Title Survey made by Patrick Tealey, Idaho P.L.S. No. 4347 with Tealey's Land Surveying dated July 20, 2021, designated Project No. 4859:

- a. Dirt/Gravel Road along the easterly boundary line of Parcels I and II;
- b. Gravity Irrigation Line crossing Parcels I and II;
- c. Concrete Irrigation Ditch along the westerly boundary line of Parcels I and II.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 06 2021

DEPARTMENT OF
WATER RESOURCES

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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. DE✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-28153 ✓	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: Elvin Hegstrom

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): ZD Investment Property, LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

209 E. Curling Dr.

Boise

Idaho

83702

Mailing address

City

State

Zip

(208) 830-4729

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: July 27, 2021
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

8. Signature:  Manager 8/4/21
- Signature of new owner/claimant Title, if applicable Date
- Rick Bennett
- Print name

Signature: _____ Title, if applicable _____ Date _____

Signature of new owner/claimant Title, if applicable Date

Print name

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

September 22, 2021

ZD INVESTMENT PROPERTY LLC
209 E CURLING DR
BOISE ID 83702-1628

Re: Change in Ownership for Water Right No: 63-28153

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right 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) 287-4920 or debby.judd@idwr.idaho.gov.

Sincerely,

Debby Judd
Technical Records Specialist

Enclosures