

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
63-31554	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-3482	Yes ☒	Yes ☐		Yes ☐	Yes ☐
63-34870	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Toll Southwest LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): City of Nampa
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
411 3rd Street South Nampa ID 83651-3721
Mailing address City State ZIP
208-465-5420 runyann@cityofnampa.us
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: October 17, 2019
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: [Signature] Deputy Public Works Director 1/31/2020
Signature of new owner/claimant Title, if applicable Date
Signature: _____
Signature of new owner/claimant Title, if applicable Date

SUPPORT DATA

IN FILE # 63-3482

For IDWR Office Use Only:

Received by LE Date 2/10/2020 Receipt No. W048035 Receipt Amt. \$125.00
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 KH Processed by KH Date 03/24/2020

WATER RIGHTS QUITCLAIM DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, TOLL SOUTHWEST LLC, a Delaware limited liability company registered to do business in Idaho ("**Grantor**"), does hereby does hereby convey, release, remise, and forever quitclaim unto City of Nampa, an Idaho municipal corporation, whose address is 411 3rd Street S, Nampa, ID 83651-3721 ("**Grantee**"), all of Grantor's right, title, and interest in and to the following decreed water rights:

All of decreed water right no. 63-31554 identified in the records of the Idaho Department of Water Resources; and

That portion of decreed water right no. 63-3482 identified in the records of the Idaho Department of Water Resources authorizing irrigation of 63 acres (constituting 19 acres in the NWNW, 23 acres in the SWNW, and 21 acres in the SENW, all in Section 31, T3N, R2W, B. M., Canyon County, Idaho) with 1.13 cfs and 283.5 acre-feet per year, reserving all other portions to Grantor.

IN WITNESS WHEREOF, the undersigned has caused their name to be hereunto subscribed
this 17 day of October, 2019.

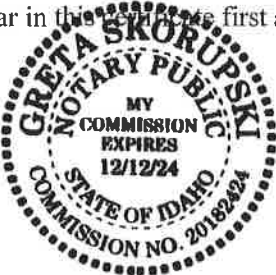
GRANTOR:
TOLL SOUTHWEST LLC

By: James Henry, Manager

STATE OF IDAHO)
County of Ada) ss.

On this 17 day of October 2019, before me, the undersigned, a notary public in and for said county and state, personally appeared Susan Stanley known or identified to me (or proved to me on his/her oath) to be the Manager of TOLL SOUTHWEST LLC, the limited liability company that executed the above instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this ~~2020~~ 2021 first above written.



Gina Thompson
Notary Public for Idaho
Residing at *Meridian, ID*
My Commission expires *12.12.24*

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

RECORDED AT THE REQUEST OF)
AND WHEN RECORDED RETURN TO:)

Toll Southwest LLC)
c/o Toll Bros., Inc.)
250 Gibraltar Road)
Horsham, PA 19044)
Attention: Mark J. Warshauer, Esq.)

2018-053401	
RECORDED	
11/27/2018 12:59 PM	
CHRIS YAMAMOTO	
CANYON COUNTY RECORDER	
Pgs=7 HCRETAL	\$15.00
TYPE: DEED	
PIONEER TITLE CANYON - CALDWELL	
ELECTRONICALLY RECORDED	

640454

Space above this line for Recorder's use only

GRANT DEED

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, **JARA-8 LLC**, an Idaho limited liability company, having an address at 11544 Iowa Avenue, Nampa, ID 83686 ("Grantor"), does hereby grant and convey unto **TOLL SOUTHWEST LLC**, a Delaware limited liability company, having an address at 250 Gibraltar Road, Horsham, PA 19044 ("Grantee"), that certain real property ("Property") located in the County of Orange, State of California, more particularly described on Exhibit "A" attached hereto and made a part hereof.

This conveyance is subject to all: (i) prior covenants, conditions, restrictions, easements, rights, encumbrances and other exceptions and reservations of record; (ii) matters discoverable or that can be ascertained by physical inspection or correct survey of the Property; (iii) zoning ordinances and regulations and any other laws, ordinances and governmental regulations restricting or regulating the use, occupancy, and enjoyment of the Property; and (iv) all terms, conditions and reservations of this Grant Deed.

IN WITNESS WHEREOF, this instrument is duly executed this 27th day of November, 2018.

ATTEST:

JARA-8 LLC, an Idaho limited liability company partnership

By: _____
Name:

By: Mary Caywood (SEAL)
Name: Mary Caywood, Manager

Arlene Reding

By: Arlene Reding, Member

STATE OF IDAHO)
) ss.
COUNTY OF CAUYON)

On Nov. 27, 2018, before me, Carrie Homburg, Notary Public, personally appeared Mary Caywood & Arlene Reding, who proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity and that by their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of IDAHO that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Carrie Homburg
Signature of Notary

(SEAL)



Residing at: Melba, ID
Commission Expires: 3/10/2021

EXHIBIT "A"

Description of Property

Parcel A:

A parcel of land being a portion Government Lot 1 of Section 31, Township 3 North, Range 2 West, Boise Meridian, Canyon County Idaho, more particularly described as follows:

COMMENCING at a found 5/8 inch diameter iron pin, marking the NW Corner of said Government Lot 1, (Section Corner common to sections 30 and 31 of Township 3 North, Range 2 West, and sections 36 and 25 of Township 3 North, Range 3 West), said corner bears N. 00° 43' 49" E., a distance of 2650.62 feet from a found brass cap, marking the SW Corner of Government Lot 2, (West 1/4 Corner of said Section 31); thence along the North boundary line of said Section 31 and the centerline of Lake Lowell Avenue, S. 89° 54' 00" E., a distance of 330.00 feet to the POINT OF BEGINNING, said point bears N. 00° 43' 49" E., a distance of 40.00 feet from a set 5/8 inch diameter iron pin witness corner, stamped "CLS PLS 7732;"

Thence continuing along the said North boundary line of said Section 31 and the centerline of Lake Lowell Avenue, S. 89° 54' 00" E., a distance of 965.27 feet, which bears N. 00° 43' 03" E., a distance of 25.00 feet from a found 5/8 inch diameter iron pin witness corner, stamped "ISG PLS 7729;"

Thence departing said North boundary line and centerline, S. 00° 43' 03" W., a distance of 91.97 feet to a found 5/8 inch diameter iron pin with no cap;

Thence S. 71° 54' 27" E., a distance of 77.88 feet to the East boundary line of said Government Lot 1, marked by a found 5/8 inch diameter iron pin, stamped "CLS PLS 7732;"

Thence along said East boundary line, S. 00° 05' 40" W., a distance of 1200.47 feet to a found 5/8 inch diameter iron pin, stamped "CLS PLS 7732;"

Thence departing said East boundary line and along the South boundary line of said Government Lot 1, S. 89° 44' 17" W., a distance of 1188.11 feet to a found 5/8 inch diameter iron pin, stamped "CLS PLS 7732;"

Thence departing said South boundary line, N. 00° 41' 19" E., a distance of 120.43 feet to a found 5/8 inch diameter iron pin with no cap;

Thence N. 76° 52' 43" W., a distance of 199.49 feet (formerly 200.30 feet) to the West boundary line of said Government Lot 1 and the centerline of Midway Road;

Thence along said West boundary line and centerline of Midway Road, N. $00^{\circ} 43' 49''$ E., a distance of 498.70 feet, which bears N. $89^{\circ} 54' 00''$ W., a distance of 40.00 feet from a set 5/8 inch diameter iron pin, stamped "CLS PLS 7732;"

Thence departing said West boundary line and centerline, and parallel with said North boundary line of Government Lot 1, S. $89^{\circ} 54' 00''$ E., a distance of 330.00 feet to a set 5/8 inch diameter iron pin, stamped "CLS PLS 7732;"

Thence parallel with said West boundary line, N. $00^{\circ} 43' 49''$ E., a distance of 660.00 feet to the POINT OF BEGINNING.

Parcel B:

A parcel of land being a portion of the SE 1/4 NW 1/4, a portion of Government Lot 2 and a portion of the NE 1/4 NW 1/4 of Section 31, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at a found 3 inch diameter aluminum disk stamped "Accurate PLS 11463" marking the SE corner of said SE 1/4 NW 1/4, (Center 1/4 corner), said corner bears N. $89^{\circ} 22' 42''$ E., a distance of 2740.05 feet from a found 3 inch diameter brass disk stamped "JUB Eng. PLS 11334" marking the SW corner of said NW 1/4, (West 1/4 corner);

Thence along the south boundary of said SE 1/4 NW 1/4, S. $89^{\circ} 22' 42''$ W., a distance of 304.01 feet to a found 5/8 inch diameter iron pin with no cap marking the centerline of the Thacker Lateral:

Thence along the centerline of said Thacker Lateral the following courses and distances:

Thence N. $10^{\circ} 56' 20''$ W., a distance of 67.45 feet to a point;

Thence N. $20^{\circ} 37' 32''$ W., a distance of 59.41 feet to a point marking the beginning of a tangent curve left;

Thence a distance of 107.15 feet along the arc of said curve left, having a radius of 348.32 feet, a central angle of $17^{\circ} 37' 32''$, the long chord of which bears N. $29^{\circ} 26' 17''$ W., a distance of 106.73 feet to a point;

Thence tangent to said curve, N. $38^{\circ} 15' 02''$ W., a distance of 68.64 feet to the POINT OF BEGINNING said point bears S. $88^{\circ} 27' 09''$ W., a distance of 31.18 feet from a set 5/8 inch diameter iron pin with plastic cap witness corner stamped "CLS PLS 7732";

Thence continuing N. $38^{\circ} 15' 02''$ W., a distance of 11.07 feet to a point;

Thence N. $41^{\circ} 54' 51''$ W., a distance of 84.21 feet to a point;

Thence N. $48^{\circ} 01' 29''$ W., a distance of 220.98 feet to a point;

Thence N. $45^{\circ} 55' 28''$ W., a distance of 89.72 feet to a point;

Thence N. $51^{\circ} 50' 03''$ W., a distance of 14.48 feet to a point;

Thence N. $58^{\circ} 19' 51''$ W., a distance of 37.60 feet to a point marking the beginning of a non-tangent curve left;

Thence a distance of 94.53 feet along the arc of said curve left, having a radius of 170.00 feet, a central angle of $31^{\circ} 51' 39''$, the long chord of which bears N. $86^{\circ} 12' 08''$ W., a distance of 93.32 feet to a point;

Thence non tangent to said curve, S. $70^{\circ} 32' 28''$ W., a distance of 66.26 feet to a point;

Thence S. $64^{\circ} 00' 02''$ W., a distance of 110.24 feet to a point;

Thence S. $52^{\circ} 07' 20''$ W., a distance of 60.67 feet to a point;

Thence S. $40^{\circ} 14' 39''$ W., a distance of 33.29 feet to a point;

Thence S. $52^{\circ} 53' 32''$ W., a distance of 22.79 feet to a point;

Thence S. $76^{\circ} 16' 02''$ W., a distance of 14.34 feet to a point;

Thence leaving said centerline, S. $19^{\circ} 43' 00''$ E., a distance of 31.75 feet to a set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732";

Thence S. $11^{\circ} 59' 57''$ W., a distance of 113.40 feet to a set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732";

Thence S. $06^{\circ} 55' 02''$ W., a distance of 172.77 feet to a set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732";

Thence S. $10^{\circ} 51' 11''$ W., a distance of 73.45 feet to a set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732";

Thence S. $07^{\circ} 54' 20''$ W., a distance of 60.52 feet to a found 5/8 inch diameter iron pin with no cap marking the south boundary of said SE 1/4 NW 1/4;

Thence along the south boundary of said SE 1/4 NW 1/4, S. $89^{\circ} 22' 42''$ W., a distance of 162.20 feet to a point marking the SE corner of said Government Lot 2;

Thence along the south boundary of said Government Lot 2, S. $89^{\circ} 22' 42''$ W., a distance of 35.82 feet to a point, said point bears S. $00^{\circ} 43' 49''$ W., a distance of 40.01 feet from a set 5/8 inch diameter iron pin with plastic cap witness corner stamped "CLS PLS 7732";

Thence parallel with the west boundary of said Government Lot 2, N. 00° 43' 49" E., a distance of 240.00 feet to a set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732";

Thence parallel with the south boundary of said Government Lot 2, S. 89° 22' 42" W., a distance of 215.00 feet to a set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732";

Thence parallel with the west boundary of said Government Lot 2, S. 00° 43' 49" W., a distance of 240.00 feet to a point, said point bears S. 00° 43' 49" W., a distance of 40.01 feet from a set 5/8 inch diameter iron pin with plastic cap witness corner stamped "CLS PLS 7732";

Thence along the south boundary of said Government Lot 2, S. 89° 22' 42" W., a distance of 610.00 feet to a point, said point bears S. 00° 43' 49" W., a distance of 40.01 feet from a set 5/8 inch diameter iron pin with plastic cap witness corner stamped "CLS PLS 7732";

Thence parallel with the west boundary of said Government Lot 2, N. 00° 43' 49" E., a distance of 220.00 feet to a set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732";

Thence parallel with the south boundary of said Government Lot 2, S. 89° 22' 42" W., a distance of 149.00 feet to a set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732";

Thence parallel with the west boundary of said Government Lot 2, S. 00° 43' 49" W., a distance of 220.00 feet to a point, said point bears S. 00° 43' 49" W., a distance of 40.01 feet from a set 5/8 inch diameter iron pin with plastic cap witness corner stamped "CLS PLS 7732";

Thence along the south boundary of said Government Lot 2, S. 89° 22' 42" W., a distance of 388.05 feet, (formerly 400 feet), to a found 3 inch diameter brass disk stamped "JUB Eng. PLS 11334" marking the SW corner of said Government Lot 2, (West 1/4 corner);

Thence along the west boundary of said Government Lot 2, N. 00° 43' 49" E., a distance of 1299.62 feet to a point;

Thence leaving said west boundary, N. 88° 58' 52" E., a distance of 195.04 feet to a found 5/8 inch diameter iron pin with illegible cap;

Thence N. 00° 41' 19" E., a distance of 23.12 feet to a set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732" marking a point on the north boundary of said Government Lot 2;

Thence along the north boundary of said Government Lot 2, N. 89° 44' 17" E., a distance of 1188.11 feet to set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732" marking the SE corner of said Government Lot 1;

Thence along the east boundary of said Government Lot 1, N. 00° 05' 40" E., a distance of 1200.47 feet to set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732";

Thence S. $71^{\circ} 54' 27''$ E., a distance of 582.37 feet to a found 5/8 inch diameter iron pin with plastic cap stamped "ISG PLS 7729";

Thence S. $56^{\circ} 25' 05''$ E., a distance of 34.81 feet to a found 5/8 inch diameter iron pin with plastic cap stamped "ISG PLS 7729";

Thence S. $05^{\circ} 41' 15''$ W., a distance of 317.56 feet to a found 5/8 inch diameter iron pin with plastic cap stamped "ISG PLS 7729";

Thence S. $89^{\circ} 25' 21''$ E., a distance of 184.84 feet to a found 5/8 inch diameter iron pin with no cap;

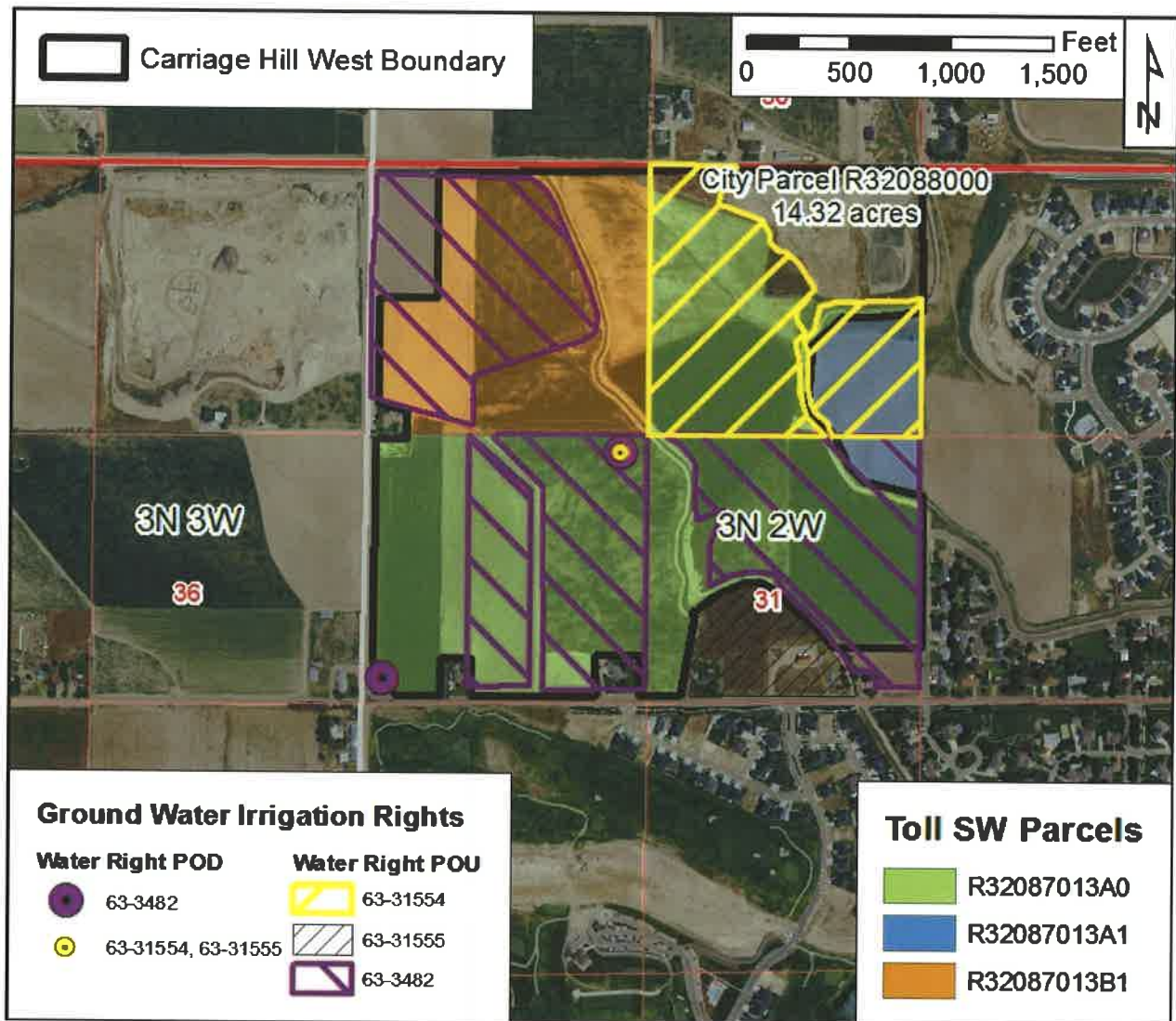
Thence S. $78^{\circ} 52' 19''$ E., a distance of 249.92 feet to a found 5/8 inch diameter iron pin with illegible cap;

Thence N. $86^{\circ} 49' 16''$ E., a distance of 212.81 feet to a found 5/8 inch diameter iron pin with plastic cap stamped "ISG PLS 7729";

Thence N. $78^{\circ} 06' 01''$ E., a distance of 137.40 feet to a found 5/8 inch diameter iron pin with plastic cap stamped "ISG PLS 7729" marking a point on the easterly boundary of said NW 1/4;

Thence along the easterly boundary of said NW 1/4, S. $00^{\circ} 17' 11''$ E., a distance of 1699.17 feet to a set 5/8 inch diameter iron pin with plastic cap stamped "CLS PLS 7732";

Thence leaving the easterly boundary of said NW 1/4, S. $88^{\circ} 27' 09''$ W., a distance of 431.45 feet to the POINT OF BEGINNING.





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

March 25, 2020

CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651-3721

Re: Change in Ownership for Water Right No(s): 63-3482 (split into 63-3482 and 63-34870), 63-31554

Dear Water Right Holder(s):

The Department of Water Resources (Western) acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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 rights, then no further action is required at this time.

The portion of water right no. **63-3482** 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. Your portion of the water right is no. **63-34870**. Water right no. **63-31554** has been changed to your ownership in its entirety.

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: RAYMOND J REDING

February 6, 2020

Patrick Kelly, Water Rights Supervisor
Idaho Department of Water Resources Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Ownership Change Notice - Water Rights 63-3482 and 63-31554

Dear Patrick,

Enclosed on behalf of the City of Nampa is a Notice of Change in Water Right Ownership for water rights 63-3482 and 63-31554. Included are the following documents.

1. Change of Ownership form signed by Nate Runyan, Deputy Public Works Director.
2. Water Rights Quitclaim Deed from Toll Southwest LLC (current landowner) to the City of Nampa.
3. Deed for Toll Southwest LLC.
4. A map showing Toll Southwest land ownership overlain by IDWR water right place of use shape files.
5. A check for \$125 in filing fees (\$25 for one undivided right and \$100 for one split right).

Toll Southwest (Toll) is developing the identified parcels on the enclosed map. Upon development, pressurized irrigation will be supplied to the lands from the City of Nampa pressure irrigation system. Toll desires to convey these water rights to the City for this purpose.

Ownership of water right 63-3482 is proposed to be split. Toll has quit claimed to the City 63 acres of the 69 acre-water right, consisting of 19 acres in the NWNW, 23 acres in the SWNW and 21 acres in the SENW of Section 31. The remaining 6 acres of the water right (4 acres NWNW and 2 acres SENW) are assumed to be appurtenant to lands not owned by Toll.

Ownership of water right 63-31554 is proposed to be changed in its entirety to the City. The water right authorizes irrigation of 28 acres in the NENW and 9 acres in the SENW of Section 31. All of the land in the NENW is owned by either Toll Southwest or the City. The IDWR shape file does not show the 9 acres of irrigation that are authorized by this right within the SENW, but we assume that the 9 acres are within the approximately 29 acres owned by Toll in this tract. Eight of the remaining 11 acres in the tract are irrigated with water right 63-31555.

Thank you for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Cc: Caleb LaClair – City of Nampa
Nate Runyan – City of Nampa
Chris Meyer – Givens Pursley

Enclosures

SPF file number: 270.0471