

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 28 2019

WATER RESOURCES
WESTERN 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?
63-8186	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: WATERFRONT DISTRICT LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): WATERFRONT DISTRICT HOMEOWNER'S ASSOCIATION
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 3640 Willowbar Way Garden City ID 83714
Mailing address City State ZIP
- 208-343-9393 Todd.h.wfd@gmail.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: NOVEMBER 29, 2006
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: Todd W President - Waterfront Dist. 11/23/2019
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 KT Date 5/28/19 Receipt No. W047437 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 KT Processed by KT Date 5/28/19



ACCO

WARRANTY DEED

FOR VALUE RECEIVED

Waterfront District LLC, an Idaho limited liability company,
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

WATERFRONT DISTRICT HOMEOWNERS ASSOCIATION, INC.

whose current address is

6057 CORPORAL LN., BOISE, ID 83704

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

LOTS 6, 14, 31, 35, 36, 41 in Block 1

LOTS 15, 28 in Block 2 LOTS 8, 16, 24 in Block 3

Lot 1 in Block 4 of Waterfront District Subdivision, according to the official plat thereof, filed in Book 96 of Plats at Page(s) 12061 through 12068, Official Records of Ada County, Idaho.

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: November 29, 2006

Waterfront District LLC


By: Two Investments, LLC JD Simplot, Member,
Member

State of Idaho

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} ss.

County of Ada

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On this 29 day of November, in the year 2006, before me, Nate Davidson a Notary Public in and for said state, personally appeared known or identified to me to be the Member of Two Investments, LLC, known to me to be a Member in the Limited Liability Company known as Waterfront District, LLC who executed the foregoing instrument, and acknowledged to me that 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.

JD SIMPLOT




Notary Public for the State of Idaho

Residing at:

Commission Expires:

**Commission Expires 5/18/10
Residing in Boise, Idaho**

EXHIBIT "A"

Property Description

A parcel of land located in the Northeast quarter of Section 5, 3 North, Range 2 East, Boise Meridian, Garden City, Ada County, Idaho, being more particularly described as follows:

Commencing at a brass cap marking the centerline intersection of East 38th Street and Adams Street (formerly Tom Davis Street) as shown on the Fairview Acres Subdivision No. 3, according to the official plat thereof filed in Book 11 of Plats at page 617, records of Ada County, , Idaho, and as shown on "Property Survey and Correlation Map for Davis Packing Co." DWG No. Cwb-701001-B, recorded in the Office of the Ada County Recorder Miscellaneous Records, Instrument No. 7508403;

Thence North 89 degrees 16' East 35.36 feet to the easterly corner of the intersection of East 38th Street and Adams Street;

Thence along the easterly boundary of Reed Street on the following courses and distances:

North 27 degrees 04' East 29.57 feet;

North 09 degrees 52' East 336.10 feet;

North 03 degrees 34' East 195.75 feet;

Thence North 50 degrees 59' East 224.05 feet along the southeasterly boundary of Fairview Acres Subdivision No. 7, according to the official plat thereof filed in Book 12 of Plats at page 686, records of Ada County, Idaho to an iron pin;

Thence South 42 degrees 36' East, 149.72 feet to a point;

Thence South 34 degrees 00' East, 90.39 feet to a point;

Thence South 52 degrees 36' East, 77.84 feet to a point;

Thence South 52 degrees 36' East, 250.00 feet to the **REAL POINT OF BEGINNING**;

Thence along the Southwesterly bank of the Boise River on the following courses and distances:

South 55 degrees 30' East, 401.00 feet;

South 42 degrees 30' East, 152.00 feet;

South 37 degrees 00' East, 125.00 feet;

South 27 degrees 30' East, 400.00 feet;

South 05 degrees 00' East, 200.00 feet;

South 04 degrees 30' West, 300.00 feet;

South 11 degrees 30' West, 290.00 feet;

South 10 degrees 00' East, 70.00 feet;

South 03 degrees 30' West, 100.00 feet;

South 10 degrees 59' 57" West 70.30 feet;

Thence North 32 degrees 00' West 63.00 feet, departing from the river bank to a point on the northeasterly boundary of Fairview Acres Subdivision No. 5, according to the official plat thereof filed in Book 11 of Plats at page 619, records of Ada County, Idaho;

Thence along the northerly and northeasterly boundary of Fairview Acres Subdivision No. 5 and No. 3 on the following courses and distances:

Continuing North 32 degrees 00' West 300.00 feet;

North 45 degrees 47' West 207.94 feet;

North 60 degrees 47' West 300.00 feet;

North 54 degrees 37' West 86.00 feet;

North 43 degrees 52' West 170.00 feet;

Thence North 44 degrees 16' East 634.60 feet;

Thence North 44 degrees 23' 30" West 394.65 feet;

Thence North 25 degrees 05' 45" West 224.70 feet;

Thence North 44 degrees 41' 38" East 149.05 feet to the **REAL POINT OF BEGINNING**.

5/23/2019

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Curt A. Fransen
Waterfront District Homeowner's Association
3844 Willowbar Ln.
Garden City, ID 83714

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

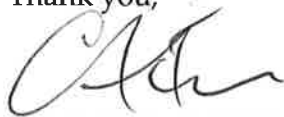
Re: Water Right No. 63-8186; Notice of Change in Water Right Ownership

Dear IDWR Western Region,

Enclosed please find a completed Notice of Change in Water Right Ownership (Notice), along with a Warranty Deed and Exhibit A, Property Description. The Notice is signed by Todd Hans, the current President of the Waterfront District Homeowners's Association (HOA). The HOA recently discovered that no Notice of Change was filed for the water right pertaining to the subdivision when responsibility and property was transferred from the Waterfront District LLC (the developer of the subdivision) to the HOA. We apologize for this extended oversight.

Please contact me at 208-699-0610 or gcfnsn@gmail.com or the address above if there are any questions or more information is required.

Thank you,



Curt A. Fransen
Chair, Riverfront/Landscape Committee
Waterfront District HOA



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 28, 2019

WATERFRONT DISTRICT HOMEOWNER'S ASSOCIATION
3640 N WILLOWBAR WAY
GARDEN CITY ID 83714

Re: Change in Ownership for Water Right No(s): 63-8186

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) 334-2190.

Sincerely,

Kensie Thorneycroft
Office Specialist 2

Enclosure(s)