



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

April 26, 2019

JOHN V HULTGREN
EDYNE HULTGREN
17685 LE GRAND RD
LE GRAND CA 95333-9505

RE: Change in Ownership Water Right Nos: 65-2324 and 65-5452

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on March 28, 2019 for the above referenced water rights. The Notice could not be processed because the deed that was submitted did not convey property to you.

The Department was advised by Pioneer Title of Payette County that a deed conveying property to you was not currently available and gave no time frame for when one would be available.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$50 has been requested and will be mailed to Pioneer Title of Payette County under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 287-4920.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Debbi Judd'.

Debbi Judd
Technical Records Specialist

Enclosures

c: Pioneer Title of Payette County

Judd, Debbi

From: Judd, Debbi
Sent: Friday, April 26, 2019 2:14 PM
To: Financial
Subject: Refund request

TO: Sascha Marston
FROM: Debbi Judd
DATE: April 26, 2019
RE: Refund: Ownership change

Please refund \$50. Ownership change for two water rights was not processed.

NAME: PIONEER TITLE OF PAYETTE COUNTY
ADDRESS: 139 N WHITLEY
FRUITLAND ID 83619

RECEIPT #: C106477

Thank you.

Debbi

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
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Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

April 11, 2019

Gary Spackman
Director

JOHN V HULTGREN
EDYNE HULTGREN
17685 LE GRAND RD
LE GRAND CA 95333-9505

RE: Change in Ownership Water Right Nos: 65-2324 and 65-5452

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- X Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question – The deed that was submitted conveys property to #461 Pioneer Exchange Accommodation Titleholder LLC. Please provide a deed conveying property to you.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

c: Pioneer Title Co of Payette County

RECEIVED

MAR 28 2019

DEPARTMENT OF
WATER RESOURCESSTATE 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?
65-2324	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-5452	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Monty Pearce

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): John V. Hultgren/Edyne Hultgren

New owner(s) as listed on the conveyance document

(Name connector ☐ and ☐ or ☐ and/or

Mailing address

Telephone

City

Email

State

ZIP

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: 3-22-2019

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: John V. Hultgren

Signature of new owner/claimant

Title, if applicable

Date

Signature: Edyne Hultgren

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by AW

Date

3/20/19

Receipt No.

C106477

Receipt Amt.

50Active 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

Instrument # 320564

EMMETT, GEM, IDAHO
2019-03-25 03:57:43 PM No. of Pages: 4
Recorded for: PIONEER TITLE COMPANY OF GEM C
SHELLY TILTON Fee: \$15.00
Ex-Officio Recorder Deputy SStewart
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Instrument # 420060

PAYETTE COUNTY
2019-03-25 03:51:00 PM No. of Pages: 4
Recorded for: PIONEER TITLE COMPANY OF PAYET
BETTY J DRESSEN Fee: \$15.00
Ex-Officio Recorder Deputy Melody Capener
Index To: WARRANTY DEED
Electronically Recorded by Simplifile



139 N. Whitley Drive
Fruitland, ID 83619

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

File No. 654543 /JO

WARRANTY DEED

For Value Received Monty J. Pearce and Merry S. Pearce, husband and wife, as to Tracts I and II and Monty J. Pearce and Merry S. Pearce, husband and wife and Luke R. Pearce and Amber Pearce, husband and wife, as to Payette County Lands, as to the remainder of the 91.4%, as tenants in common hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto #461 Pioneer Exchange Accommodation Titleholder, LLC an Idaho limited liability company

hereinafter referred to as Grantee, whose current address is :

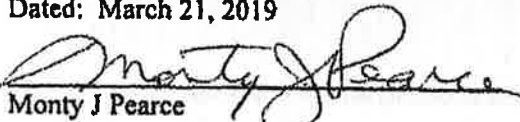
1211 W Myrtle St. Ste. 100 Boise ID 83702-6992

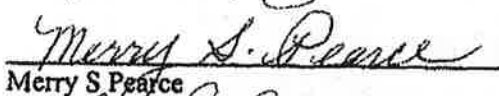
The following described premises, to-wit:

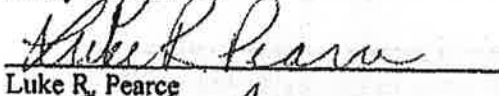
See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: March 21, 2019


Monty J Pearce

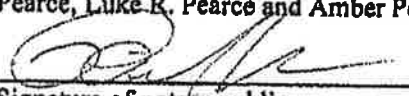

Merry S Pearce


Luke R. Pearce


Amber Pearce

State of Nevada, County of Elko

This record was acknowledged before me on March 21, 2019 by Monty J. Pearce, Merry S. Pearce, Luke R. Pearce and Amber Pearce.


Signature of notary public

Commission Expires: 10/28/19

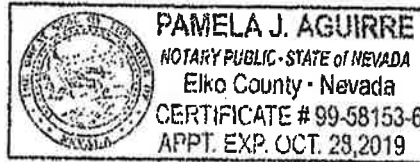


EXHIBIT A

TRACT I:

That portion of the West half of the Southwest quarter of Section 28, Township 7 North, Range 3 West, Boise Meridian, Gem County, Idaho, described as follows:

Commencing at the Southwest corner of the West half of the Southwest quarter of Section 28, Township 7 North, Range 3 West, Boise Meridian; thence North 00°38'20" East, 649.94 feet along the West line of said West half of the Southwest quarter to a point on the Northwesternly prolongation of the Northerly right of way of the Drainage District No. 1 of Canyon County drain ditch; thence South 65°13'33" East, 109.58 feet along said Northerly right of way to the East line of that certain parcel of land described in Instrument No. 28956, records of Gem County Idaho, being the Point of Beginning; thence North 00°38'20" East, 1673.42 feet along said East line being parallel to the West line of said Southwest quarter; thence South 65°13'33" East, 1340.56 feet to a point on the East line of said West half of the Southwest quarter; thence South 00°35'59" West, 1660.90 feet along the East line of said West half of the Southwest quarter to said Northerly right of way of the Drainage District No. 1 of Canyon County drain ditch; thence North 79°16'31" West, 48.97 feet along said Northerly right of way; thence North 65°13'33" West, 1288.97 feet along said Northerly right of way to the Point of Beginning.

TRACT II:

That portion of the Northwest quarter of the Southwest quarter and that portion of the Southwest quarter of the Northwest quarter of Section 28, Township 7 North, Range 3 West, Boise Meridian, Gem County, Idaho described as follows:

Commencing at the Southwest corner of the Southwest quarter of Section 28, Township 7 North, Range 3 West, Boise Meridian; thence North 00°38'20" East, 2323.30 feet along the West line of the Southwest quarter; thence South 65°13'33" East, 109.58 feet to a point on the East line of that certain parcel of land described in Instrument No. 28956 and 27571 records of Gem County, Idaho being the Point of Beginning; thence North 00°38'20" East, 372.20 feet along said East line being parallel to said West line of the Southwest quarter; thence North 00°37'08" East, 589.48 feet along said East line being parallel to the West line of the Northwest quarter of said Section 28; thence South 65°13'33" East, 1340.07 feet to a point on the East line of the Southwest quarter of the Northwest quarter of said Section 28; thence South 00°36'27" West, 70.18 feet along said East line; thence South 00°35'59" West, 891.69 feet along the East line to the Northwest quarter of the Southwest quarter of said Section 28; thence North 65°13'33" West, 1340.56 feet to the Point of Beginning.

Lands in Payette County, Idaho:

That portion of the NW1/4 of the NW1/4 of Section 29, Township 7 North, Range 3 West, Boise-Meridian, Payette County, Idaho lying North and East of the Noble Ditch.

ALSO:

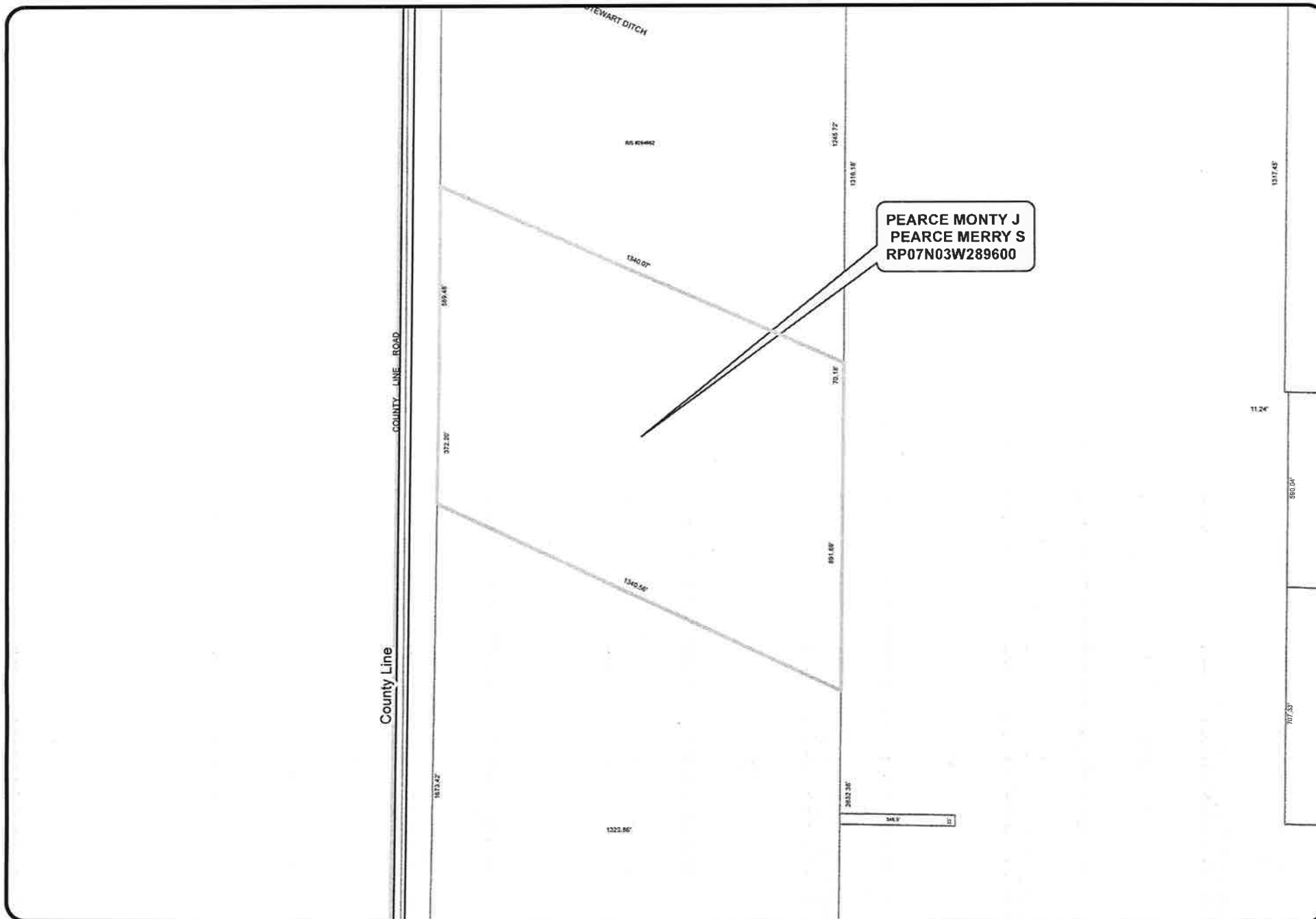
This parcel is a portion of the NE1/4 of the NE1/4 of Section 30, Township 7 North, Range 3 West, Boise-Meridian, Payette County, Idaho, and is more particularly described as follows:

Commencing at the Northeast corner of the NE1/4 of the NE1/4 (Northeast Section Corner, Section 30), a found brass cap monument; thence S. 0°09'02" W. along the East boundary of the NE1/4 of the NE1/4 a distance of 262.51 feet to a point on the centerline of Elgin Road, said point being on a curve and being the True Point of Beginning; thence continuing S. 0°09'02" W. along the East boundary of the NE1/4 of the NE1/4 a distance of 295.41 feet to a point on the Northerly right-of-way of the Noble Canal, said right-of-way

being 35 feet Northerly from and parallel with the centerline as described in Book B of Deeds at Page 472, Payette County records, a 1/2" x 24 inch rebar set with a plastic cap stamped L.S. 3627; thence traversing said Northerly right-of-way as follows:

Northwesterly 86.80 feet along the arc of a curve to the right having a central angle of $30^{\circ}05'07''$, a radius of 165.31 feet and a long chord which bears N. $30^{\circ}13'50''$ W. a distance of 85.81 feet to a 1/2" x 24 inch rebar set with a plastic cap stamped L.S. 3627; Northwesterly 65.55 feet along the arc of a curve to the left having a central angle of $9^{\circ}09'24''$, a radius of 410.18 feet and a long chord which bears N. $27^{\circ}03'29''$ W. a distance of 65.48 feet to a point on the centerline of Elgin Road; thence along said centerline as follows:

N. $33^{\circ}19'58''$ E. a distance of 59.48 feet to a point; Northeasterly 121.58 feet along the arc of a curve to the left having a central angle of $26^{\circ}47'32''$, a radius of 260.00 feet and a long chord which bears N. $19^{\circ}56'12''$ E. a distance of 120.47 feet to the True Point of Beginning.



This Map and data displayed is a graphic representation derived from the Ada County Geographic Information System (GIS) data. It was designed and intended for staff use only; it is not guaranteed survey accuracy.

This map is based on information available and was compiled from numerous sources which may not be accurate. Users are to field verify this information. Ada County and Single Point Solutions, LLC are not liable for errors or omissions.



