

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

APR 06 2017

WATER RESOURCES
WESTERN REGION

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?
63-2724 B	Yes ☒	Yes ☐		Yes ☐	Yes ☐
63-34442	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Aganbraal Nampa Ltz Partnership - CJ
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Donald & Alice Heida
New owner(s) as listed on the conveyance document
- Mailing address: 8109 Star Pass Ridge Rd. City: Nampa State: ID ZIP: 83686
Telephone: 208-869-2173 Email: amheida@gmail.com
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: 6-21-2012
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 #

63-2724B

8. Signature: Donald Heida Title, if applicable: _____ Date: 4-6-17
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: CJ Date: 4/6/17 Receipt No. W045139 Receipt Amt. \$100.00
 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: X Approved by: _____ Processed by: JML Date: 9-7-17

2012025614

RECORDED

2012 Jun 20 PM 1 05

CHRIS YAMAMOTO

CANYON CNTY RECORDER

BY M. Brown

Requestor Stewart Title - Emerald O

Type DEED

Fee \$10.00

ELECTRONICALLY RECORDED BY SIMPLIFILE

stewart title

01096 - 1981 SC-

WARRANTY DEED

For Value Received Devin M Downs and Deann Downs, husband and wife, the Grantor, hereby grants bargains, sells, conveys and warrants unto Donald Helda and Alice Helda, as husband and wife, the Grantee, whose current address is 8109 Star Pass Ridge Road, Nampa, ID 83688, the following described premises, to wit:

D.H. Att.

Lot 19 in Block 1 of STAR PASS RIDGE SUBDIVISION, according to the recorded plat thereof, filed in Book 35 of Plats at Page 29, official records of Canyon County, Idaho

TOGETHER WITH an easement for ingress and egress as shown and delineated on the map of said subdivision as Star Pass Ridge Road.

Parcel Number: 296811180

SUBJECT TO: Current General Taxes, a lien in the process of assessments, not yet due or payable. Easements, restrictions, reservations, provisions of record and assessments, if any.

TO HAVE AND TO HOLD, the said premises, together with the appurtenances, unto the said Grantee and to its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated this 20th day of June, 2012

Devin M Downs 6/20/12 Deann Downs
Devin M Downs Deann Downs

State of Idaho

SS.

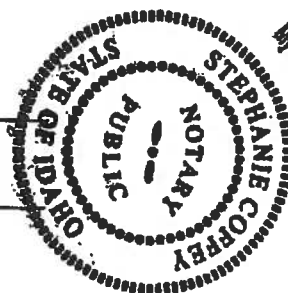
County of Ada

On this 20th day of June, 2012, before me the undersigned, a Notary Public, in and for said State, personally appeared Devin M Downs and Deann Downs, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Notary Public: Stephanie Coffey

My commission expires: _____



Water Right POU/POD for Water Right No. 63-2724B

NESW

NWSE

NESE

SESW

SWSE

22

02N02W

SESE

NWNE

27

NENE

Legend



Well



Place of Use



0

255

510

1,020

Feet

The USDA-FSA Aerial Photography Field Office asks to be credited in derived product.

SENE

October 6, 2014

Donald & Alice Heida
8109 Star Pass Ridge Road
Nampa, ID 83686

Subject: Water Rights on Star Pass Ridge Subdivision

Dear LAND OWNER,

Land use on the Star Pass Ridge site was agricultural prior to development. The land was irrigated using a privately-owned water right (No. 63-2724B) that is still appurtenant to land owned by either residential lot owners or the Star Pass Ridge Homeowners' Association, Incorporated (the HOA). It is the responsibility of each land owner to change ownership on the portion of the appurtenant water right acquired with their property (pursuant to Idaho Code § 42-248). This was not done at the time your property was purchased.

On behalf of the HOA, we asked SPF Water Engineering (SPF) to research ownership of water right 63-2724B as recorded with the Idaho Department of Water Resources (IDWR) and prepare the appropriate forms to correct ownership in IDWR records. SPF identified an additional issue during their review: individual wells are used to irrigate lots without benefit of an authorizing water right transfer as required by IDWR. Individual wells have been (or will be) drilled on residential lots. An administrative transfer of the well location is required to provide more than ½-acre of irrigation on individual lots.* In addition, lot owner's water rights may be subject to forfeiture and lost if this crucial process is neglected.

With SPF's help, we have submitted a *Notice of Change in Water Right Ownership* and *Application for Transfer of Water Right* for the HOA's portion of the water right (used to irrigate the landscaped area at the entrance to Star Pass Ridge). I have also filed these documents for my residential lot.

Please consider completing this process as soon as possible to protect your valuable water rights. You may contact the Department of Water Resources (208-334-2190) to discuss the process, or Lori Graves at SPF Water Engineering (208-383-4140) if you need assistance.

Sincerely,

Mike Siegersma
Star Pass Ridge HOA

* Up to ½-acre can be irrigated from a domestic well without a recorded water right. However, many of the lots in Star Pass Ridge have landscaped areas exceeding ½-acre.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

September 7, 2017

DONALD HEIDA
ALICE HEIDA
8109 STAR PASS RIDGE RD
NAMPA ID 83686

Re: Change in Water Right Ownership: 63-2724B (Split into 63-2724B and 63-34442)

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure



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September 7, 2017

AGENBROAD NAMPA LTD PARTNERSHIP
PO BOX 455
GRANDVIEW ID 83624

Re: Change in Water Right Ownership: 63-2724B (Split into 63-2724B and 63-34442)

Dear Water Right Holder(s):

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right, after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure