

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

OCT 07 2015

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?
63-32666	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-32668	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-32670	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Cirrus Pointe LLC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): City of Caldwell

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

411 E. Blaine Street

Caldwell

ID

83605

Mailing address

City

State

ZIP

208-455-3006

jhale@cityofcaldwell.org

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: 2/6/2012

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):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 63-32666

- ☐ 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] 23 Sep 2015
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 [Signature] Date 10/7/15 Receipt No. WD43580 Receipt Amt. \$75⁰⁰

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 [Signature] Processed by [Signature] Date 10/29/15

RESOLUTION NO. 19-12

A RESOLUTION BY THE CITY OF CALDWELL, IDAHO ACCEPTING A DEED FOR IRRIGATION WATER RIGHTS FROM CIRRUS POINT LLC. FOR THE PURPOSE OF ADEQUATELY PROVIDING CALDWELL MUNICIPAL IRRIGATION DISTRICT CUSTOMERS RESIDING WITHIN THE CIRRUS POINT SUBDIVISION WITH PRESSURIZED IRRIGATION WATER.

Be it Resolved that the City of Caldwell, Idaho hereby accepts and approves "QUIT CLAIM DEED" from Cirrus Point LLC.. This deed provides the necessary irrigation water rights to allow Caldwell Municipal Irrigation District to adequately provide pressurized irrigation water to its customers residing within the Cirrus Point Subdivision.

The City Clerk of the City of Caldwell is hereby directed to forward a copy of the recorded "Quit Claim Deed" to the Engineering Department of said City of Caldwell for preservation in an index of deeds.

PASSED BY COUNCIL of the City of Caldwell, Idaho, this the 6th day of February, 2012.

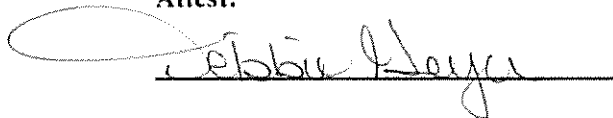
APPROVED BY THE MAYOR of the City of Caldwell, Idaho, this the 6th day of February, 2012.

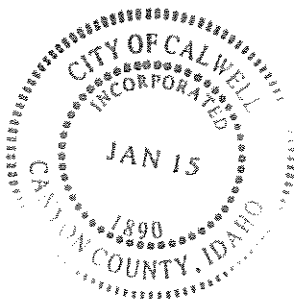
Approved By:



Garret L. Nancolas, Mayor

Attest:





QUITCLAIM DEED

GRANTOR, CIRRUS POINTE, LLC, an Idaho Limited Liability Company, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM, unto the CITY OF CALDWELL as GRANTEE, and to Grantees' successors, heirs and assigns, forever, all of their interest in the following described real estate, situate in the County of Canyon, State of Idaho, to-wit:

1. WATER RIGHT NO. 63-32668, FURTHER DESCRIBED IN THE SNAKE RIVER BASIN ADJUDICATION DISTRICT COURT PARTIAL DECREE ATTACHED HERETO AS EXHIBIT "A".

2. WATER RIGHT NO. 63-32670, FURTHER DESCRIBED IN THE SNAKE RIVER BASIN ADJUDICATION DISTRICT COURT PARTIAL DECREE ATTACHED HERETO AS EXHIBIT "B".

3. WATER RIGHT NO. 63-32666, FURTHER DESCRIBED IN THE SNAKE RIVER BASIN ADJUDICATION DISTRICT COURT PARTIAL DECREE ATTACHED HERETO AS EXHIBIT "C".

TOGETHER with all tenements, hereditaments and appurtenances therunto belonging.

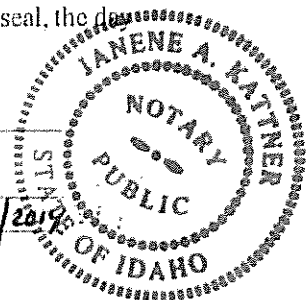
IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand this 10th day of January, 2012.
Debbie S. McDonald
CIRRUS POINTE LLC, Member

STATE OF IDAHO)
) ss.
County of Ada)

On this 10 day of January, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Debbie S. McDonald, known or proven to me to be a member of CIRRUS POINTE, LLC, whose name is subscribed to the foregoing instrument, and acknowledged to me that such entity executed the same.

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

Janene A. Kattner
Notary Public for Idaho
Residence: Boon, ID
My commission expires: 5/31/2019



MEMORANDUM

TO: Mayor Nancolas and Members of Council

FROM: Robb MacDonald, P.E., MSCE - Assistant City Engineer *Rm*
T.J. Frans, Engineering Tech II

RE: Acceptance of a deed for irrigation water rights from Cirrus Point LLC.

DATE: February 6, 2012

Re: Accept a deed for irrigation water rights from Cirrus Point LLC.

Cirrus Point LLC has dedicated, as per the Settlement Agreement between the City of Caldwell and Cirrus Point LLC., irrigation water rights appurtenant to Phases 1 and 2 of the Cirrus Point Subdivision. Said dedicated irrigation water rights are necessary for the Caldwell Municipal Irrigation District to adequately provide its customers with pressurized irrigation water.

The original deed is attached:

1. Quit Claim Deed:

Irrigation water rights appurtenant to Phases 1 and 2 of the Cirrus Point Subdivision.

It is the recommendation of the Engineering Department that Council approves the deed as submitted.

Irrigation Well - 03N 03W Section 15



Caldwell, Idaho

Legend

Top Private - 10/1/15

Top Private - 10/1/15



DISCLAIMER
The information represented on this map issues from the compilation of a variety of source materials. Its intended use is as a reference for the City of Caldwell. The City of Caldwell makes no representation or warranty as to the accuracy of the product and, in particular, its accuracy as to existing dimensions, property boundaries, placement or location of any map features. Therefore, THE CITY OF CALDWELL DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR WARRANTY FOR FITNESS OF USE FOR A PARTICULAR PURPOSE, EXPRESS OR IMPLIED, WITH RESPECT TO THIS PRODUCT. Any user of this product accepts the same AS IS, WITH ALL FAULTS, and assumes a responsibility for the use thereof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 29, 2015

CITY OF CALDWELL
411 E BLAINE ST
CALDWELL ID 83605

RE: Notice of Ownership Change in Water Right No's:

63-32666, 63-32668 & 63-32670

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

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.

Please 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. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience and cooperation. Please call me if you have any questions concerning the enclosed information.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office
208-334-2190

Enclosures