



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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 5, 2015

TC PROPERTY MANAGEMENT LTD
PO BOX 38
DAVIS CA 95617-0038

RE: Notice of Change in Water Right Ownership No. 63-28456

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership on June 24, 2015 for the above mentioned water rights. After reviewing the request, it was determined that water right 63-28456 is not appurtenant to the property described on the documents provided to the Department.

Water right 63-28456 is located in Township 04N, Range 03W, Section 4, NENE, Government Lot 1. The quitclaim deed you provided is for property located in Township 04N, Range 03W, **Section 16**, NWNE. I have enclosed a copy of the water right report for your benefit.

The Department is returning Notice of Change in Water Right Ownership and the attachments. You may re-submit the application in the future with the required documentation. The documents will need to include a chain of title from the Freeman's to the current owner. I have requested a refund which KM Engineering LLP should receive within 10 days under separate cover from the State Controller's office. If you have any questions regarding this matter, please call me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosures

RECEIVED

JUN 24 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
63-28456	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: Lonnie Freeman
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): TC Property Management, Ltd
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|------------------------|----------------------------------|--------------|-------------------|
| <u>PO Box 38</u> | <u>Davis</u> | <u>CA</u> | <u>95617-0038</u> |
| <u>Mailing address</u> | <u>City</u> | <u>State</u> | <u>ZIP</u> |
| <u>(530) 666-5799</u> | <u>tedcaldwell@sbcglobal.net</u> | | |
| <u>Telephone</u> | <u>Email</u> | | |
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: January 6, 2015
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.

8. Signature: [Signature] owner 6/23/15
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 J. Strange Date 6-24-15 Receipt No. C100670 Receipt Amt. 25.00
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 _____ Processed by _____ Date _____

ACCOMMODATION

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2015-000221

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01/06/2015 11:27 AM

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=2 MBROWN

\$13.00

TYPE: DEED

PIONEER TITLE CANYON - CALDWELL

ELECTRONICALLY RECORDED

QUITCLAIM DEED

FOR VALUE RECEIVED, Phoenix Diversification Partnership, a does hereby convey,
CALIFORNIA LIMITED PARTNERSHIP
release, remise and forever quit claim unto TC Property Management, Ltd.
whose current address is: P.O. Box 38, DAVIS, CA. 95617

the following described premises:

The North One-Half of the Northwest Quarter of the Northeast Quarter of Section 16, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, LESS the following described EXCEPTIONS 1, 2 and 3:

EXCEPTION 1: A parcel of land being on both sides of the centerline of U.S. 20-26 Connection Survey as shown on the plans of Interstate 80N Project No. I-80N-1(19)25 Highway Survey now on file in the office of the Department of Highways of the State of Idaho, and being a portion of the Northwest Quarter Northeast Quarter of Section 16, Township 4 North, Range 3 West, Boise Meridian, described as follows, to-wit:

Commencing at the Northeast corner of the Northwest Quarter Northeast Quarter of Section 16, Township 4 North, Range 3 West, Boise Meridian, thence
South 0° 47' 38" West along the East line of said Northwest Quarter Northeast Quarter a distance of 203.73 feet to a point in a line parallel with and 60.00 feet Northeasterly from the centerline and opposite Station 10+27.98 of U.S. 20-26 Connection Survey as shown on the plans of said Interstate 80N Project No. I-80N-1(19)25 Highway Survey and being the REAL POINT OF BEGINNING; thence
North 46° 30' 45" West along said parallel line 300.35 feet to a point in the North line of said Northwest Quarter Northeast Quarter opposite Station 13+28.33 of said U.S. 20-26 Connection Survey; thence
North 89° 19' 45" West along said North line 181.21 feet to a point in a line parallel with and 60.00 feet Southwesterly from the centerline and opposite Station 14+64.14 of said U.S. 20-26 Connection Survey; thence
along said last parallel line as follows: Southeasterly along a 2804.79 foot radius curve right 132.94 feet to a point opposite Station 13+28.36 of said U.S. 20-26 Connection Survey,
South 46° 30' 45" East 411.08 feet to a point in the East line of said Northwest Quarter Northeast Quarter opposite Station 9+17.28 of said U.S. 20-26 Connection Survey; thence
North 0° 47' 38" East along said East line 163.26 feet, more or less, to the REAL POINT OF BEGINNING and containing approximately 1.17 acres.

U.S. 20-26 Connection Station Reference: 9+72.63 to 13+93.90.

EXCEPTION 2: A triangular parcel of land off of the Northeast corner of Section 16-4-3 described as Interstate Highway access on the North side of Highway 20-26. The dimensions of this parcel of land are as follows: commencing at a Section Stake which is the Northwest Corner of the Northeast Quarter of the Northeast Quarter of Section 16; Township 4 North, Range 3 West, Boise Meridian in Canyon County, Idaho.

From the so described Section Stake this property extend directly West a distance of 218 feet and from the same described Station Stake a distance of 200 feet directly South and is bordered on the South by Highway right of way 20.26 in a Northwesterly and Southeasterly direction enclosed by right of way fence a distance of approximately 393 feet.

Being all that portion of the Northwest quarter of the Northeast quarter of said Section 26 lying Northeast of the Right of Way of Highway 20-26.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

By:

Theodore C. Caldwell, General Partner

ACCOMMODATION

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Part of the original Document

2015-000221

RECORDED

01/06/2015 11:27 AM

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs: 2 MBROWN

\$13.00

TYPE: DEED

PIONEER TITLE CANYON - CALDWELL

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Being all that portion of the Northwest quarter of the Northeast quarter of said Section 26 lying Northeast of the Right of Way of Highway 20-26.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

By:

Theodore C. Caldwell, General Partner

GOING BEYOND

100 10th Avenue South / Nampa, Idaho 83651 / (208) 466-6100

WARRANTY DEED

For Value Received Louis J Freeman, an unmarried person

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Q Street, LTD

hereinafter referred to as Grantee, whose current address is P.O. Box 98, Davis CA 95617,
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, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: June 15, 2006

Lonnie J. Freeman
Lonnie J. Freeman

State of Idaho OREGON

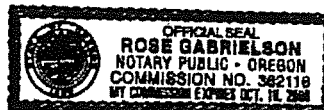
County of Genyon CURRY

On this 14th day of June, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Louise J. Freeman 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

(SEAL)

Rose Gabrielson
Notary Public: OREGON
Residing at: BEADINGS, OREGON
Commission Expires: 10-16-96



200648640



610 S. Kimball Avenue
Caldwell, ID 83605

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File No. 537280

2013-038628

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CHRIS YAMAMOTO
CANYON COUNTY RECORDER

Pgs=2 JCRANE

\$13.00

TYPE: DEED

PIONEER TITLE CANYON - CALDWELL
ELECTRONICALLY RECORDED

WARRANTY DEED

For Value Received

Q Street, LTD

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Phoenix Diversfication Partnership, a California Limited Partnership

hereinafter referred to as Grantee, whose current address is

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: August 16, 2013

Q Street, LTD

By:

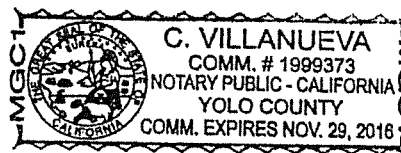
Ted Caldwell, General Partner

State of CA, County of YOLO

On this 19th day of August in the year of 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Ted Caldwell, known or identified to me to be the General Partner of the Limited Liability Company that executed the foregoing instrument, and acknowledged to me that such Limited Liability Company executed the same.

Residing at: 4610

Commission Expires: 11.29.16



Legend



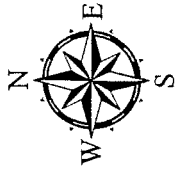
ESPA

GCDB Township/Range

GCDB Section

GCDB Quarter-Quarter

Counties



MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: October 5, 2015
RE: Refund: Ownership change

Please refund \$25. Ownership change of one water right was not completed.

NAME: KM ENGINEERING LLP
ADDRESS: 9233 W STATE ST
BOISE ID 83714

RECEIPT #: C100670

Thank you.

Jean