

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

JUN 20 2023

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?
63-33628	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-8269-B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-34175	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Sage Rentals LLC, James + Bonnie Calkins
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): D+E Land, LLC
New owner(s) as listed on the conveyance document
- Mailing address: 6445 Little Freezeout Road Caldwell ID 83607
City State ZIP
- Telephone: 208-810-0606 Email: amwdavis11@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: 2/14/20

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: Andrew M. Davis Title, if applicable: _____ Date: 6/8/23
Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by DM Date 6-20-23 Receipt No. W051320 Receipt Amt. \$75.00

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 DM Processed by DM Date 6-21-23

RECORDATION REQUESTED

Sandra L. Clapp & Associates, P.A.
PO Box 2660
Eagle, Idaho 83616

Instrument # **326495**

EMMETT, GEM, IDAHO

4-23-2020 10:11:06 AM No. of Pages: 3

Recorded for : SANDRA L CLAPP & ASSOCIATES, PA

SHELLY TILTON

Fee: 18.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

SEND TAX NOTICES TO:

D & E LAND, LLC
6445 Little Freezeout Road
Caldwell, Idaho 83607

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

GRANT DEED

FOR VALUE RECEIVED, ANDREW MARC WILLIAM DAVIS, as Trustee of the ANDREW DAVIS TRUST, dated March 5, 2018 (the "Grantor"), hereby grants, bargains, sells, and conveys to D & E LAND, LLC, an Idaho limited liability company (the "Grantee"), whose address is 6445 Little Freezeout Road, Caldwell, Idaho 83607, the Grantor's interest in the real property situated in the County of Gem, State of Idaho, and more particularly described as follows:

See attached "Exhibit A"

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee, its successors and assigns forever, subject to all covenants, conditions, reservations, and restrictions of record.

DATED this 8th day of April, 2020.

ANDREW DAVIS TRUST

By: Andrew Marc William Davis
ANDREW MARC WILLIAM DAVIS

Its: Trustee

GRANT DEED - 1

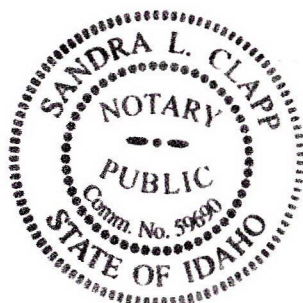
SCANNED

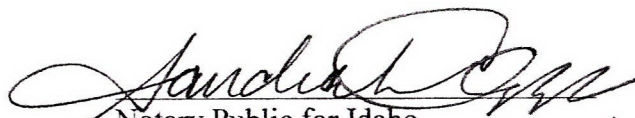
JUN 21 2023

STATE OF IDAHO)
) ss.
County of Ada)

On this 8th day of April, 2020, before me, the undersigned notary public in and for said state, personally appeared ANDREW MARC WILLIAM DAVIS, Trustee of the ANDREW DAVIS TRUST, known or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he 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.




Notary Public for Idaho
Commission Expires: 5/22/24

The following describes a parcel of real property being a portion of the Southwest quarter (SW¼) of Section 36, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, also being a portion of that certain Warranty Deed filed in the office of the Gem County Recorder under Instrument Number 286559, being more particularly described as follows:

Commencing at the Northwest Corner of said Southwest Quarter of Section 36; thence along the Northerly line of said Southwest quarter

North 89°51'40" East, 815.00 feet; thence

South 00°29'31" East, 951.67 feet to the Point of Beginning; thence

North 89°30'49" East, 435.98 feet; thence

South 14°59'04" East, 124.91 feet; thence

South 23°14'15" East, 183.41 feet to a tangent curve to the left; thence

116.08 feet, on the arc of said curve, having a radius of 100.00 feet a central angle of 66°30'36" and being subtended by a chord which bears South 56°29'28" East, 109.67 feet; thence parallel with and thirty-five (35)

Northerly of the Southerly boundary of said Warranty Deed

South 89°44'51" East, 915.20 feet, to the centerline of Emmett Highway; thence along said centerline

South 09°20'38" West, 35.44 feet to the Southeast corner of said Warranty Deed; thence

North 89°44'51" West, 1538.30 feet to the Southwest corner of said Warranty Deed; thence

North 00°29'31" West, 378.22 feet to the Point of Beginning.

PARCEL II

A tract of land situated in a portion of the Southwest quarter of Section 36, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of the Southwest quarter of Section 36, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, marked by a 2 inch iron pipe with G.L.O. brass cap; thence

North 89°51'40" East, 815.00 feet along the North line of said Southwest quarter; thence

South 00°29'21" East, 1329.89 feet; thence

South 89°44'51" East, 1538.30 feet to a point on the centerline of the County Road known as the Emmett Highway, said point is referred to as Point "A"; thence

South 08°39'19" West, 303.65 feet along said centerline; thence

South 89°46'00" West, 2304.92 feet to a point on the West line of said Southwest quarter marked by a set ½ inch iron pin with plastic cap PLS 6552; thence

North 00°29'21" West, 1644.28 feet along said West line to the Real Point of Beginning.

PARCEL III

The following describes a parcel of real property being a portion of the Southwest Quarter (SW¼) of Section 36, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, also being a portion of that certain Warranty Deed, filed in the office of the Gem County Recorder under Instrument Number 286559, being more particularly described as follows:

Commencing at the Northwest corner of said Southwest quarter of Section 36; thence along the Northerly line of said Southwest quarter

North 89°51'40" East, 815.00 feet, to the Point of Beginning; thence continuing

North 89°51'40" East, 1211.97 feet; thence

South 00°13'47" East, 826.15 feet; thence

North 89°51'40" East, 419.01 feet to the centerline of Emmett Highway; thence along said centerline

South 09°20'38" West, 485.91 feet; thence, parallel with and thirty five (35) Northerly of the Southerly boundary of said Warranty Deed

North 89°44'51" West, 915.20 feet to a tangent curve to the right; thence

116.08 feet, on the arc of said curve, having a radius of 100.00 feet a central angle of 66°30'36" and being subtended by a chord which bears

North 56°29'28" West, 109.67 feet; thence

North 23°14'15" West, 183.41 feet; thence

North 14°59'04" West, 124.91 feet; thence

South 89°30'49" West, 435.98 feet; thence

North 00°29'31" West, 951.67 feet to the Point of Beginning.

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JUN 21 2023

EXHIBIT A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/21/2023

Water Right 63-8269B

Owner Type **Name and Address**
Current Owner D & E LAND, LLC
6445 LITTLE FREEZEOUT RD
CALDWELL, ID 83607-7414

Original Owner DENNIS MANNING
6445 LITTLE FREEZEOUT RD
CALDWELL, ID 83605
(208) 459-8647

Original Owner EDWARD EMBLEY
RT 7
CALDWELL, ID 83605

Previous Owner JAMES CALKINS
6445 LITTLE FREEZEOUT RD
CALDWELL, ID 83607
(208) 459-2201

Previous Owner BONNIE CALKINS
6445 LITTLE FREEZEOUT RD
CALDWELL, ID 83607
(208) 459-2201

Priority Date: 2/24/1976

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	09/01	0.100 CFS	18.9 AF
	<u>Total Diversion</u>		0.100 CFS	18.9 AF

Source and Point(s) of Diversion:

GROUND WATER SESW Sec. 36, Twp 06N, Rge 03W, GEM County

Place Of Use:

IRRIGATION within GEM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

SCANNED

63-8269B
JUN 21 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/21/2023

06N	03W	36									1.0	3.2						4.2
POU Total Acres: 4.2																		

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 15 and after September 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Dates and Other Information:

Decreed Date: 4/3/2009
Civil Case Number: 39576
Judicial District: FIFTH
Owner Name Connector: And
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/21/2023

Water Right 63-33628

Owner Type **Name and Address**
Current Owner D & E LAND, LLC
6445 LITTLE FREEZEOUT RD
CALDWELL, ID 83607-7414

Original Owner GERALDINE BURGESS
PO BOX 1416
CALDWELL, ID 83606
(208) 863-4081

Previous Owner SAGE RENTALS LLC
6445 LITTLE FREEZEOUT RD
CALDWELL, ID 83607
(208) 906-4013

Priority Date: 2/24/1976

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	09/01	0.270 CFS	175.5 AF
	<u>Total Diversion</u>		0.270 CFS	175.5 AF

Source and Point(s) of Diversion:

GROUND WATER SESW Sec. 36, Twp 06N, Rge 03W, GEM County

Place Of Use:

IRRIGATION within GEM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	03W	36										25.0	8.0	6.0					39.0

POU Total Acres: 39.0

Conditions of Approval:

1. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 15 and after September 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/21/2023

2. C18 decree is entered for this right.
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Dates and Other Information:

Decreed Date: 4/3/2009
Civil Case Number: 39576
Judicial District: FIFTH
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/21/2023

Water Right 63-34175

Owner Type **Name and Address**
Current Owner D & E LAND, LLC
6445 LITTLE FREEZEOUT RD
CALDWELL, ID 83607-7414

Original Owner DENNIS MANNING
6445 LITTLE FREEZEOUT RD
CALDWELL, ID 83605
(208) 459-8647

Original Owner EDWARD EMBLEY
RT 7
CALDWELL, ID 83605

Previous Owner SAGE RENTALS LLC
6445 LITTLE FREEZEOUT RD
CALDWELL, ID 83607
(208) 906-4013

Priority Date: 2/24/1976

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	09/01	0.200 CFS	170.1 AF
	<u>Total Diversion</u>		0.200 CFS	170.1 AF

Source and Point(s) of Diversion:

GROUND WATER SESW Sec. 36, Twp 06N, Rge 03W, GEM County

Place Of Use:

IRRIGATION within GEM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	03W	36									26.0	11.8							37.8

POU Total Acres: 37.8

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/21/2023

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 15 and after September 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Dates and Other Information:

Decreed Date: 4/3/2009
Civil Case Number: 39576
Judicial District: FIFTH
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 21, 2023

D & E LAND, LLC
6445 LITTLE FREEZEOUT RD
CALDWELL ID 83607-7414

Re: Change in Ownership for Water Right No(s): **63-8269B, 63-33628, 63-34175**

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)605-4620.

Sincerely,

Debra Mansfield
Office Specialist II

Enclosure(s)

SCANNED

JUN 21 2023