



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

September 05, 2023

ABC NIBAC LLC
16155 N HIGH DESERT ST
NAMPAL ID 83687-5510

RE: Change in Ownership for Water Right No: 63-28975

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on March 21, 2022 for the above referenced water rights. The Notice could not be processed because we did not receive proper Evidence of Water Right ownership. This Water Right is a Domestic Water Right for a dwelling located on property that was specifically omitted from the conveyed property in the Warranty Deed you provided.

On August 04, 2023, the Department requested the required information from you. As of the date of this letter, the Department has not received the required information.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$25 has been requested and will be mailed to ABC NIBAC LLC 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)605-4620.

Sincerely,

Debra Mansfield
Office Specialist II

Enclosure(s)

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SEP 05 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 21 2022

WATER RESOURCES
WESTERN REGION

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?
63-28975	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: Max M Takasugi
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): ABC NIBAC LLC, an Idaho limited liability company
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 16155 N High Desert St. Nampa ID 83687
Mailing address City State ZIP
(208)-870-4010 bcharles@ameritelinns.com
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: March 14, 2022
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: Brad Charles Member and Manager 02/25/22
Signature of new owner/claimant Title, if applicable Date
Signature: _____ Member and Manager _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by LE Date 03/21/2022 Receipt No. W050223 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 _____



CERTIFIED COPY OF ORIGINAL

BY:
First American Title Company

2022-014628

RECORDED

03/18/2022 09:08 AM

CHRIS YAMAMOTO
CANYON COUNTY RECORDER

Pgs=5 JWINSLOW \$15.00
TYPE: DEED
FIRST AMERICAN TITLE AND ESCROW
ELECTRONICALLY RECORDED

AFTER RECORDING MAIL TO:

ABC NIBAC, LLC
16155 N High Desert St
Nampa, ID 83687

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

WARRANTY DEED

File No.: 4106-3903149 (RR)

Date: **March 18, 2022**

For Value Received, **Ownby Land Company, LLC, an Idaho limited liability company**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **ABC NIBAC, LLC, an Idaho limited liability company**, hereinafter referred to as Grantee, whose current address is **16155 N High Desert St., Nampa, ID 83687**, the following described premises, situated in **Canyon County, Idaho**, to wit:

LEGAL DESCRIPTION: Real property in the County of Canyon, State of Idaho, described as follows:

See attached Exhibit "A"

APN: **32953010 0**

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the 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.

APN: 32953010 0

Warranty Deed
- continued

File No.: 4106-3903149 (RR)
Date: 03/18/2022

Ownby Land Company, LLC, an Idaho limited
liability company

By: Velta Harwood
Name: Velta Harwood
Title: Manager and Member

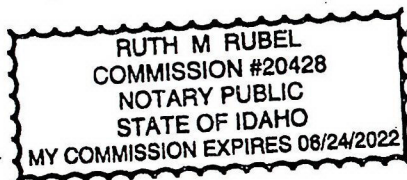
By: Travis Sterling
Name: Travis Sterling
Title: Manager and Member

COPY

STATE OF Idaho)
COUNTY OF Ada)

This record was acknowledged before me on March 16th, 2022, by Velta Harwood and Travis Sterling
as Managers and Members of Ownby Land Company, LLC, an Idaho limited liability company.

Ruth M Rubel
Signature of Notary Public
My Commission Expires: 6-24-2022



File No.: **4106-3903149 (RR)**
Date: **03/18/2022**

COPY

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Canyon, State of Idaho, described as follows:

ALL OF GOVERNMENT LOTS 1 AND 2, SECTION 18, TOWNSHIP 3 NORTH, RANGE 3 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO.

LESS AND EXCEPTING THEREFROM

A PART OF GOVERNMENT LOT 1, SECTION 18, TOWNSHIP 3 NORTH, RANGE 3, WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO.

COMMENCING AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 1; THENCE SOUTH $89^{\circ} 41' 40''$ WEST, A DISTANCE OF 704.95 FEET ALONG THE NORTHERLY BOUNDARY OF SAID GOVERNMENT LOT 1; THENCE SOUTH $0^{\circ} 21' 14''$ WEST, A DISTANCE OF 36.23 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SAID STATE HIGHWAY 55, SAID POINT BEING THE REAL POINT OF BEGINNING AND MONUMENTED WITH A 5/8 INCH DIAMETER IRON PIN; THENCE CONTINUING SOUTH $0^{\circ} 21' 14''$ WEST, A DISTANCE OF 633.54 FEET TO A 5/8 INCH DIAMETER IRON PIN; THENCE NORTH $89^{\circ} 27' 44''$ WEST, A DISTANCE OF 179.25 FEET TO A 5/8 INCH DIAMETER IRON PIN; THENCE NORTH $1^{\circ} 12' 57''$ EAST, A DISTANCE OF 621.39 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 55 SAID POINT BEING MONUMENTED WITH A 5/8 INCH DIAMETER IRON PIN; THENCE 170.30 FEET ALONG THE ARC OF A 4,460.67 RADIUS CURVE RIGHT WITH A CENTRAL ANGLE OF $2^{\circ} 11' 15''$ AND TANGENTS OF 85.16 FEET, THE LONG CHORD OF WHICH BEARS NORTH $86^{\circ} 26' 07''$ EAST, A DISTANCE OF 170.30 FEET TO THE REAL POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM

A PARCEL OF LAND BEING ON BOTH SIDES OF THE CENTERLINE OF STATE HIGHWAY NO. 55, PROJECT NO. ST-3250 (603) HIGHWAY SURVEY AS SHOWN ON THE PLANS THEREOF NOW ON FILE IN THE OFFICE OF THE IDAHO TRANSPORTATION DEPARTMENT, AND BEING A PORTION OF GOVERNMENT LOT 1 OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 3 WEST, BOISE MERIDIAN, DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHWEST CORNER OF GOVERNMENT LOT 1 OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 3 WEST, BOISE MERIDIAN, THE REAL POINT OF BEGINNING; THENCE NORTH $89^{\circ} 41' 40''$ EAST ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 1 A DISTANCE OF 669.95 FEET; THENCE SOUTH $0^{\circ} 18' 20''$ EAST - 33.0 FEET TO A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF EXISTING STATE HIGHWAY NO. 55, WHICH IS ALSO A LINE PARALLEL WITH AND 33.0 FEET SOUTHERLY FROM THE CENTERLINE AND BEARS SOUTH $0^{\circ} 18' 20''$ EAST FROM STATION 325+55.21 OF SAID STATE HIGHWAY NO. 55, PROJECT NO. ST-3250(603) HIGHWAY SURVEY; THENCE ALONG SAID PARALLEL LINE AS FOLLOWS: SOUTHWESTERLY ALONG A 5779.14 FOOT RADIUS CURVE LEFT 540.59 FEET TO A POINT OPPOSITE STATE 320+14.62 OF SAID HIGHWAY SURVEY; SOUTH $84^{\circ} 17' 19.5''$ WEST, 94.62 FEET TO A POINT OPPOSITE STATION 319+20 OF SAID

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HIGHWAY SURVEY; THENCE
SOUTH $36^{\circ} 43' 51''$ WEST, LEAVING SAID PARALLEL LINE 27.55 FEET TO A POINT IN THE
EASTERLY RIGHT-OF-WAY LINE OF EXISTING MALT ROAD; THENCE
NORTH $89^{\circ} 14' 46''$ WEST, 25.0 FEET TO A POINT IN THE WEST LINE OF SAID GOVERNMENT
LOT 1; THENCE ALONG SAID WEST LINE AS FOLLOWS:
NORTH $0^{\circ} 45' 14''$ EAST, 8.24 FEET AND
NORTH $0^{\circ} 48' 54''$ WEST, 87.53 FEET TO THE REAL POINT OF BEGINNING.

COPY

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SEP 05 2023

9/5/2023

63-28975

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

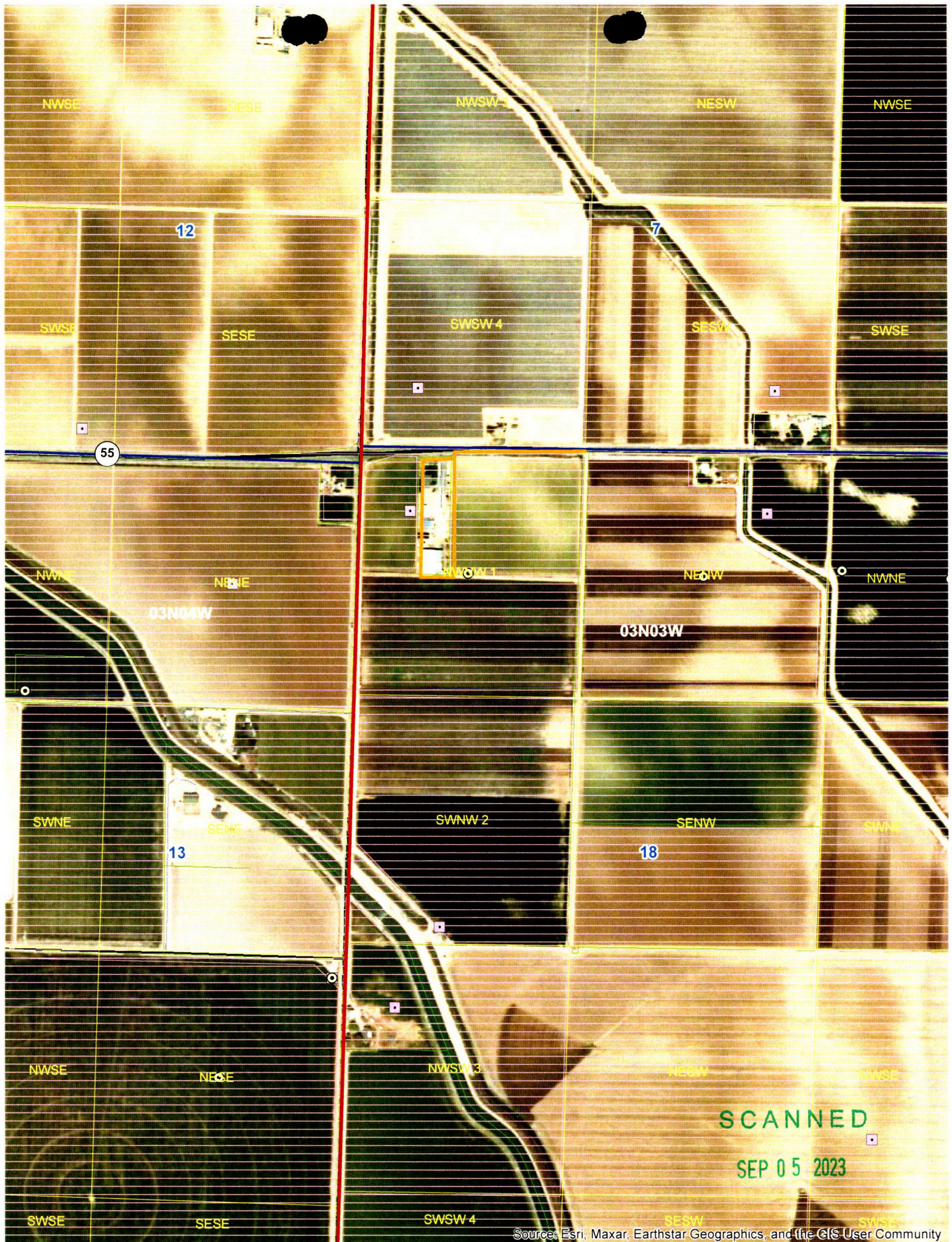
9/5/2023

Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:
N/A



State of Idaho
Department of Water Resources

Water Right

63-28975

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



⊙ Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

0 0.045 0.09 0.18 Miles

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SEP 05 2011



Mansfield, Debra

From: Mansfield, Debra
Sent: Tuesday, September 5, 2023 3:11 PM
To: IdwrPayable
Subject: REFUND - ABC NIBAC LLC

TO: Sascha Marston, Susan Steed

FROM: Debra Mansfield

DATE: September 5, 2023

RE: *Refund: Notice Of Change In Water Right Ownership*

ABC NIBAC LLC submitted a Notice Of Change In Water Right Ownership but did not provide an adequate deed to complete the request.

Please issue a refund of \$25.00 to:

ABC NIBAC LLC
16155 N HIGH DESERT ST
NAMPA ID 83687-5510

RECEIPT #

W050223

Thank you,

Debra Mansfield | Office Specialist II
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | Debra.Mansfield@idwr.idaho.gov

SCANNED

SEP 05 2023



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

August 03, 2023

ABC NIBAC LLC
16155 N HIGH DESERT ST
NAMPA ID 83687-5510

RE: Notice of Change in Ownership for Water Right No: 63-28975

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:

- 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

During our review of the documentation you submitted we found that Water Right 63-28975 is a Domestic Water Right for a dwelling that is specifically excluded from the property conveyed by your Warranty Deed. The Parcel that you will need provide proof of ownership for is R3295300000. If you do own the property in question, please submit your corresponding legal documentation proving your ownership.

The map that I have attached to this document shows the shape and location of R3295300000, indicated in orange.

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. 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)605-4620.

Sincerely,

SCANNED

SEP 05 2023

Debra Mansfield
Office Specialist II

Enclosure(s)

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SEP 05 2023