

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 19 2023

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-3264	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-3268	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Idaho Farmway, Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Weitz Properties, LLC

New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

22200 Papa Whiskey LaneCaldwellID83607

Mailing address

City

State

Zip

208) 739-3899dave@tvmrecycling.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: October 3, 2023
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- ☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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.

SUPPORT DATA
IN FILE # 63-3264

8. Signature: [Signature] Member 10/6/2023
Signature of new owner/claimant Title, if applicable Date
David M. Weitz
Print name

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

Print name

Received by DM Date 10-19-23 For IDWR Office Use Only: Receipt No. W051606 Receipt Amt. \$50.00

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 10-19-23



PioneerTitleCo.
GOING BEYOND

610 S. Kimball Avenue
Caldwell, ID 83605

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

2023-032241

RECORDED

10/03/2023 03:23 PM

CHRIS YAMAMOTO
CANYON COUNTY RECORDER

Pgs=4 MBROWN

\$15.00

TYPE: DEED

PIONEER TITLE CANYON - CALDWELL

ELECTRONICALLY RECORDED

File No. 833637 TK/HH

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Idaho Farmway, Inc., an Idaho corporation

a corporation duly organized and existing under the laws of the State of ID, Grantor, does hereby Grant,
Bargain, Sell and Convey unto

Weitz Properties, LLC, an Idaho limited liability company

Grantee, whose address is: 22200 Papa Whiskey Caldwell, ID 83607, the following described real estate,
to-wit:

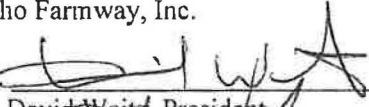
See Exhibit A attached hereto and made a part hereof.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision,
restrictions, U.S. patent reservations, easements of record and easements visible upon the said premises.

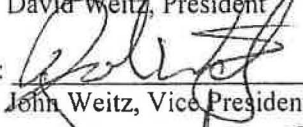
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his
heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it
is the owner in fee simple of said premises; that they are free from all encumbrances and that it will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

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused
its corporate name to be hereunto subscribed by its officers this September 28, 2023.

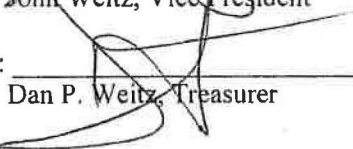
Idaho Farmway, Inc.

By: 

David Weitz, President

By: 

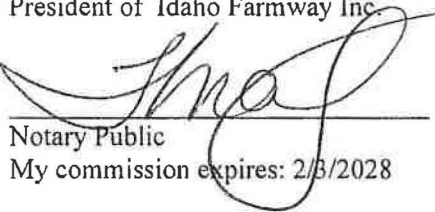
John Weitz, Vice President

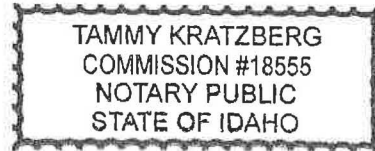
By: 

Dan P. Weitz, Treasurer

State of Idaho
County of Canyon

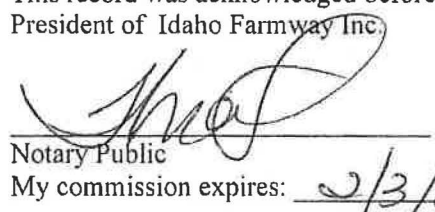
This record was acknowledged before me on 10/2/23 by David Weitz as
President of Idaho Farmway Inc.

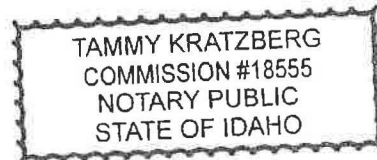

Notary Public
My commission expires: 2/3/2028



State of Idaho
County of Canyon

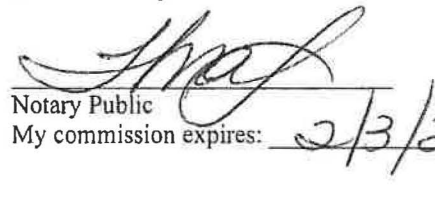
This record was acknowledged before me on 10/3/23 by John Weitz, as Vice
President of Idaho Farmway Inc.


Notary Public
My commission expires: 2/3/2028



State of Idaho
County of Canyon

This record was acknowledged before me on 10/3/23 by Dan P. Weitz, as Treasurer of
Idaho Farmway Inc.


Notary Public
My commission expires: 2/3/2028

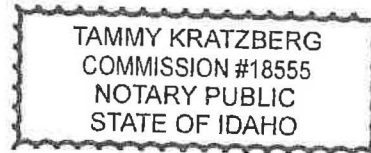


EXHIBIT A

PARCEL 1:

The West Half of the Southwest Quarter AND the Southeast Quarter of the Southwest Quarter in Section 4, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

AND ALSO

A portion of the Northeast Quarter of the Southwest Quarter in Section 4, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, being more particularly described as follows:

BEGINNING at the Southwest corner of said Northeast Quarter of the Southwest Quarter, being the TRUE POINT OF BEGINNING; thence

East along the South boundary of said Northeast Quarter of the Southwest Quarter a distance of 208.7 feet to a point; thence running

Northwesterly a distance of 295.1 feet, more or less, to a point in the West boundary of said Northeast Quarter of the Southwest Quarter, being 208.7 feet North of the Southwest corner of said Northeast Quarter of the Southwest Quarter; thence

South along the West boundary of said Northeast Quarter of the Southwest Quarter a distance of 208.7 feet to the TRUE POINT OF BEGINNING.

AND ALSO

That portion of the Southwest Quarter of the Southeast Quarter lying West of the Mora Canal in Section 4, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A portion of the Southwest Quarter of the Southeast Quarter in Section 4, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the South boundary line of the Southwest Quarter of the Southeast Quarter in Section 4, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, at the point the centerline of the Mora Canal crosses said South boundary line of said Southwest Quarter of the Southeast Quarter; thence

West along the South boundary line of said Southwest Quarter of the Southeast Quarter a distance of 250 feet; thence

North on a line parallel with the West boundary line of said Southwest Quarter of the Southeast Quarter a distance of 340 feet, more or less, to the center of the Mora Canal; thence

Southeasterly along the centerline of the Mora Canal to the REAL POINT OF BEGINNING.

PARCEL 2:

That portion of the East Half of the Northeast Quarter lying North and East of the Mora Canal in Section 9, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

PARCEL 3:

That portion of the South Half of the Northwest Quarter lying West of the centerline of the Mora Canal in Section 24, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

PARCEL 4:

DW
JR

DW

That portion of the North Half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter and the West Half of the Southeast Quarter all lying South and West of the Mora Canal in Section 24, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

PARCEL 5:

That portion of the North Half of the Southwest Quarter and the West Half of the Southeast Quarter all lying North and East of the Mora Canal in Section 24, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.



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 Mathew Weaver

October 19, 2023

WEITZ PROPERTIES LLC
22200 PAPA WHISKEY LN
CALDWELL ID 83607-4818

Re: Change in Ownership for Water Right No(s): **63-3264, 63-3268**

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)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/19/2023

Water Right 63-3264

Owner Type **Name and Address**
Current Owner WEITZ PROPERTIES LLC
22200 PAPA WHISKEY LN
CALDWELL, ID 83607-4818

Original Owner IDAHO FARMWAY INC
PO BOX 368
CALDWELL, ID 83606
(208) 466-3164

Priority Date: 11/7/1961

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	03/15	11/15	1.860 CFS	652.5 AF
	<u>Total Diversion</u>		1.860 CFS	652.5 AF

Source and Point(s) of Diversion:

GROUND WATER NESW Sec. 24, Twp 03N, Rge 04W, CANYON County

Place Of Use:

IRRIGATION within CANYON 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	
03N	04W	24									24.0	36.0		40.0		9.0	36.0		145.0

POU Total Acres: 145.0

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. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/19/2023

- | | | |
|----|-----|--|
| 4. | W59 | a partial decree is entered for this right. |
| 5. | R65 | Use of this right is combined with water from Wilder Irrigation District.
This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of
the lands above. |

Dates and Other Information:

Decreed Date: 2/6/2009
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

10/19/2023

Water Right 63-3268

Owner Type **Name and Address**
Current Owner WEITZ PROPERTIES LLC
22200 PAPA WHISKEY LN
CALDWELL, ID 83607-4818

Original Owner IDAHO FARMWAY INC
PO BOX 368
CALDWELL, ID 83606
(208) 466-3164

Priority Date: 11/30/1961

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	03/01	11/15	2.000 CFS	545.0 AF
	<u>Total Diversion</u>		2.000 CFS	545.0 AF

Source and Point(s) of Diversion:

GROUND WATER SWSE Sec. 4, Twp 03N, Rge 04W, CANYON County

Place Of Use:

IRRIGATION within CANYON 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	
03N	04W	4											39.0	40.0	39.0			3.0	121.0

POU Total Acres: 121.0

Conditions of Approval:

1. Claim amended per license issued 7/7/03.
2. 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.
3. X35 Rights 63-02881, 63-02995 and 63-03268 when combined shall not exceed the irrigation of 189 acres.
4. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/19/2023

Dates and Other Information:

Decreed Date: 2/6/2009

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

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OCT 19 2023

WATER RESOURCES
WESTERN REGION

GIVENS PURSLEY^{LLP}

Attorneys and Counselors at Law

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Joshua C. Dickinson
Amber N. Dina
Bradley J. Dixon
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L. Edward Miller
Judson B. Montgomery
Deborah E. Nelson

Samuel F. Parry
Randall A. Peterman
Blake W. Ringer
Michael O. Roe
Danielle M. Strollo
Robert B. White
Michael V. Woodhouse

Kenneth L. Pursley (1940-2015)
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

October 17, 2023

Idaho Department of Water Resources
Western Region Office
2735 W. Airport Way
Boise, ID 83705-5082

Re: Notice of Change in Water Right Ownership (63-3264 and 63-3268)

Dear Sir or Madam:

On behalf of Weitz Properties, LLC, enclosed please find a Notice of Change in Water Right Ownership (the "Notice") for Water Right Nos. 63-3264 and 63-3268, along with a corresponding deed, a map showing each water right and a check for \$50 to cover the associated fees.

Please return a received-stamped copy of the Notice to us in the enclosed self-addressed stamped envelope. Thank you for your assistance in this matter and please feel free to call me if you have any questions.

Sincerely,



Tiffany M. Hudak

Paralegal

/tmh

Encl.

cc: Dave Weitz (via email)

18034105 [17215.1]