

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 08 2025

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPARTMENT OF  
WATER RESOURCES

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.

DE ✓

| Water Right/Claim No. | Split?                                  | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 63-31402              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 63-31419              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| not updated           | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 63-35682              | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Estates 81, LLC, an Idaho limited liability company  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): KB Home Idaho LLC, a Delaware limited liability company  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

1414 W. Bannock Street Boise Idaho 83702  
Mailing address City State Zip  
(208) 250-6161 sdurtschi@kbhome.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: June 2, 2022
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐  
o 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):  
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.

SUPPORT DATA

IN FILE # 63-31402

8. Signature: Sabrina Durtschi Director of Forward Planning 4/7/2025  
Signature of new owner/claimant Title, if applicable Date  
Sabrina Durtschi  
Print name
- Signature: \_\_\_\_\_  
Signature of new owner/claimant Title, if applicable Date  
Print name

For IDWR Office Use Only:

Received by prh Date 4-8-25 Receipt No. C120742 Receipt Amt. 125.00  
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 prh Date 4-10-25

Recording requested by, return to,  
and mail tax statements to:

KB Home Idaho LLC  
1414 W. Bannock Street  
Boise, Idaho 83702  
Attention: Thomas M. Coleman

**2022-028759**

RECORDED

**06/02/2022 03:40 PM**

CHRIS YAMAMOTO  
CANYON COUNTY RECORDER

Pgs=14 SCARDENAS \$15.00  
TYPE: DEED  
PIONEER TITLE CANYON - CALDWELL  
ELECTRONICALLY RECORDED

772880 CH

(Above Space for Recorder's Use Only)

### SPECIAL WARRANTY DEED

For good and valuable consideration:

Estates 81, LLC, an Idaho limited liability company ("Grantor"),

does hereby grant, bargain, sell and convey unto:

KB Home Idaho LLC, a Delaware limited liability company ("Grantee"), whose address is 1414  
W. Bannock Street, Boise, Idaho 83702,

all that certain land situated in Ada County, Idaho, as more particularly described on Exhibit A, which is attached hereto and incorporated herein by reference, together with all tenements, hereditaments and appurtenances, including, without limitation, easements, ditch rights, water and water rights (whether classified as real or personal property), irrigation company shares, and mineral rights, if any, thereto belonging or appertaining, including without limitation, all gravel, oil and gas interests, royalties and licenses appurtenant thereto, and any reversions, remainders, rents, issues or profits thereof, and all rights, title and interests of Grantor in and under all matters of record.

TO HAVE AND TO HOLD the Premises, with its appurtenances unto Grantee and Grantee's successors and assigns forever.

Grantor does hereby covenant to Grantee that Grantor owns the Property in fee simple and that the Property is free from encumbrances done, made or suffered by Grantor, or any person claiming under Grantor, except (a) general taxes and assessments for the current year that are not yet due and payable; (b) those certain "Permitted Exceptions" attached hereto as Exhibit B and incorporated herein by reference; and (c) any matters arising from the acts or omissions of Grantee or its agents; and that Grantor will warrant the same forever, as to Grantor's own acts and none other, from all lawful claims whatsoever.

EXECUTED effective as of the date this Special Warranty Deed is recorded in the real property records of Canyon County, Idaho.

"Grantor"

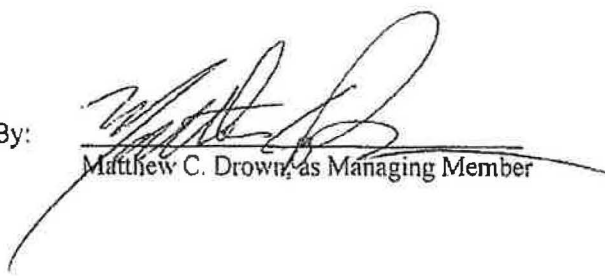
ESTATES 81, LLC, an Idaho limited liability company

By:  MAGELLAN DEVELOPMENT, LLC, an Idaho limited liability company, its Managing Member

Donald G. Newell, Manager

OR

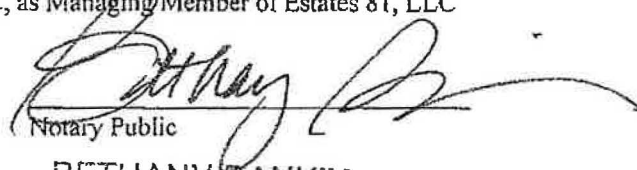
By:

  
Matthew C. Drown, as Managing Member

STATE OF IDAHO     )  
                              ) ss  
County of Ada     )

This record was acknowledged before me on May 24, 2022 by Donald G. Newell as Manager of  
MAGELLAN DEVELOPMENT, LLC, as Managing Member of Estates 81, LLC

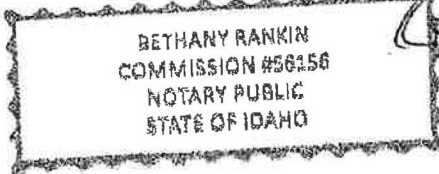


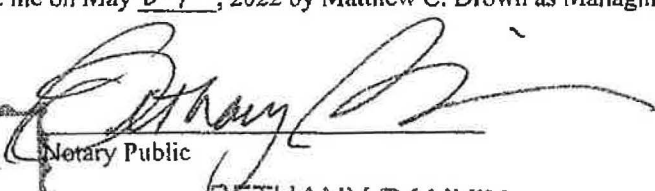
  
Notary Public

BETHANY RANKIN  
Residing in: Boise, ID  
Commission Expires: 05/10/2028

STATE OF IDAHO     )  
                              ) ss  
County of Ada     )

This record was acknowledged before me on May 24, 2022 by Matthew C. Drown as Managing  
Member of Estates 81, LLC



  
Notary Public

BETHANY RANKIN  
Residing in: Boise, ID  
Commission Expires: 05/10/2028

EXHIBIT A

PARCEL 1: ✓

A parcel of land being a portion of the S 1/2 NE 1/4 and NW 1/4 SE 1/4 of Section 36, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

BEGINNING at a found 5/8 inch diameter iron pin stamped "PLS 9366" marking the NW corner of said S 1/2 NE 1/4, (Center north 1/16 corner), from which a found illegible aluminum cap marking the NW corner of said NE 1/4, (North 1/4 corner), bears N. 00° 21' 15" E., a distance of 1323.38 feet;

Thence along the northerly boundary of said S 1/2 NE 1/4, S. 89° 14' 59" E., a distance of 937.27 feet, (formerly S. 89° 14' 48" E., a distance of 937 feet), to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732";

Thence parallel with the westerly boundary of said S 1/2 NE 1/4, S. 00° 26' 55" W., a distance of 1261.59 feet, (formerly S. 00° 26' 24" W., a distance of 1261.56 feet), to a found 5/8 inch diameter iron pin with no cap;

Thence N. 76° 13' 18" W., a distance of 137.32 feet, (formerly N. 76° 11' 17" W., a distance of 137.33 feet), to a found 5/8 inch diameter iron pin with cap stamped "PLS 5081";

Thence S. 13° 23' 06" W., a distance of 225.58 feet, (formerly S. 13° 29' 44" W.), to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732" marking the Northeasterly right of way line of the Oregon Short Line Railroad and the beginning of a tangent curve right ;

Thence along said Northeasterly right of way line a distance of 245.21 feet along the arc of said curve right, having a radius of 11359.15 feet, a central angle of 01° 14' 13", the long chord of which bears N. 46° 52' 13" W., a distance of 245.20 feet to a found 5/8 inch diameter iron pin with illegible cap;

Thence tangent to said curve and continuing along said Northeasterly right of way line, N. 46° 15' 06" W., a distance of 787.16 feet, (formerly N. 46° 15' 09" W., a distance of 786.04 feet), to the west boundary of said S 1/2 NE 1/4;

Thence along the west boundary of said S 1/2 NE 1/4, N. 00° 26' 55" E., a distance of 748.65 feet, (formerly N. 00° 26' 24" E., a distance of 748.64 feet), to the POINT OF BEGINNING.

PARCEL 2a: ✓

A parcel of land being a portion of the S 1/2 NE 1/4 and NE 1/4 SE 1/4 and NW 1/4 SE 1/4 of Section 36, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at a found 5/8 inch diameter iron pin stamped "PLS 9366" marking the NW corner of said S 1/2 NE 1/4, (Center North 1/16 Corner), from which a found illegible aluminum cap marking the NW corner of said NE 1/4, (North 1/4 Corner), bears N. 00°21'15" E., a distance of 1323.38 feet;

Thence along the Northerly Boundary of said S 1/2 NE 1/4, S. 89°14'59" E., a distance of 937.27 feet, (Formerly S. 89°14'49" E., a distance of 937 feet), to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732" marking the POINT OF BEGINNING;

Thence continuing along said Northerly Boundary, S. 89°14'59" E., a distance of 770.95 feet, (Formerly S. 89°14'49" E. a distance of 771.2 feet) to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732";

Thence leaving said Northerly Boundary and parallel with the westerly boundary of said S 1/2 NE 1/4, S. 00°26'55" W., a distance of 1320.50 feet, (formerly S. 00°26'24" W., a distance of 1320.42 feet), to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732" marking the southerly boundary of said S 1/2 NE 1/4;

Thence leaving said parallel line and along said southerly boundary, N. 89°12'52" W., a distance of 338.29 feet to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732";

Thence leaving said southerly boundary, S. 20°54'07" W., a distance of 140.59 feet to a found 5/8 inch diameter iron pin bent with no cap marking the easterly boundary of said NW 1/4 SE 1/4;

Thence along said easterly boundary, S. 00°27'55" W., a distance of 77.82 feet, (Formerly S. 00°22'03" W., a distance of 77.51 feet), to a found 5/8 inch diameter iron pin stamped "PLS 5081";

Thence leaving said easterly boundary, N. 59°58'39" W., (formerly N. 60°08'30" W.), a distance of 193.48 feet to a found 5/8 inch diameter iron pin stamped "PLS 5081";

Thence N. 50°25'58" W., a distance of 277.42 feet, (Formerly N. 50°21'08" W., a distance of 277.36 feet), to a found 5/8 inch bent iron pin with no cap;

Thence along a line parallel with the Westerly Boundary of said S 1/2 NE 1/4, N. 00°26'55" E., a distance of 1261.59 feet to the POINT OF BEGINNING.

#### PARCEL 2b:

A parcel of land being a portion of the NW 1/4 SE 1/4 of Section 36, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at a found aluminum cap stamped "PLS 5081" marking the SE Corner of Section 36, from which a found 5/8 inch iron pin with an Illegible cap marking the E 1/4 Corner of said Section 36, bears N. 00°20'47" E., a distance of 2642.04 feet, (Formerly 2642.05 feet);

Thence along the Easterly boundary of said SE 1/4, N. 00°20'47" E, a distance of 1100.58 feet to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732" marking the southerly right of way extension of Railroad Street;

Thence leaving said Easterly boundary and along said southerly Right-Of-Way of Railroad Street, N. 54°54'25" W., a distance of 901.17 feet to a found 5/8 inch diameter bent iron pin with no cap marking a non-tangent curve to the right;

Thence continuing along said Southerly Right-Of-Way of Railroad Street, a distance of 722.04 feet along the arc of said curve to the right, having a radius of 11359.15 feet, a central angle of 03° 38' 31", the long chord of which bears N. 53° 03' 48" W., a distance of 721.91 feet to a found 5/8 inch diameter iron pin stamped "PLS 5081" which is marking the POINT OF BEGINNING and the easterly boundary of said NW 1/4 SE 1/4;

Thence continuing along said Southerly Right-Of-Way of Railroad Street, a distance of 115.40 feet along the arc of said curve to the right, having a radius of 11359.15 feet, a central angle of 00° 34' 55", the long chord of which bears N. 50°57'05" W., a distance of 115.40 feet to a found 1/2 inch iron pin with an Illegible cap;

Thence leaving said Southerly Right-Of-Way of Railroad Street, N. 18°07'20" E., a distance of 294.66 feet, (Formerly N. 18°07'18" E.) to a found 1/2 inch diameter iron pin stamped "PLS 5081" marking the easterly boundary of said NW 1/4 SE 1/4;

Thence along said easterly boundary, S. 00°19'50" W., a distance of 352.75 feet, (Formerly S. 00°23'29" W., 352.46 feet) to the POINT OF BEGINNING.

PARCEL 3a: ✓

A parcel of land being a portion of the S 1/2 NE 1/4 of Section 36, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at a found 5/8 inch diameter iron pin stamped "PLS 9366" marking the NW corner of said S 1/2 NE 1/4, (Center North 1/16 Corner), from which a found illegible aluminum cap marking the NW corner of said NE 1/4, (North 1/4 Corner), bears N. 00°21'15" E., a distance of 1323.38 feet;

Thence along the Northerly Boundary of said S 1/2 NE 1/4, S. 89°14'59" E., a distance of 1708.22 feet, (Formerly S. 89°14'49" E., a distance of 1708.2 feet), to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732" marking the POINT OF BEGINNING;

Thence leaving said Northerly Boundary and parallel with the Westerly Boundary of said S 1/2 NE 1/4, S. 00°26'55" W., a distance of 1320.50 feet, ( Formerly S. 00°26'24" W., a distance of 1320.42 feet) to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732" marking the Southerly Boundary of said S 1/2 NE 1/4;

Thence leaving said parallel line and along said Southerly Boundary, S. 89°12'52" E., a distance of 932.42 feet to a found 5/8 inch diameter iron pin with an illegible cap marking the SE corner of said S 1/2 NE 1/4 (East 1/4 corner);

Thence along the Easterly Boundary of said S 1/2 NE 1/4, N. 00°20'41" E., a distance of 1321.09 feet, (Formerly 1321.00 feet) to a found 5/8 iron pin with an Illegible cap marking the NE corner of said S 1/2 NE 1/4, (NE 1/16 Corner);

Thence leaving said Easterly Boundary and along the Northerly Boundary of said S 1/2 NE 1/4, N. 89°14'59" W, a distance of 930.03 feet, (Formerly N. 89°14'49" W. a distance of 929.96 feet) to the POINT OF BEGINNING.

EXCEPTING out that portion noted in Warranty Deed 2017-019879, more particularly described as follows:

This parcel is a portion of the South Half of the Northeast Quarter of Section 36 in Township 3 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of the South Half of the Northeast Quarter, (N1/16E Corner, Section 36), a found 5/8 inch diameter rebar; thence South 00°10'52" East along the East boundary of the South Half of the Northeast Quarter a distance of 490.00 feet; thence South 89°49'08" West a distance of 50.00 feet to the TRUE POINT OF BEGINNING, a 5/8 x 30 inch rebar set with a plastic cap stamped P.L.S. 15352; thence South 00°10'52" East, parallel with the East boundary of the South Half of the Northeast Quarter, a distance of 276.00 feet to a 5/8 x 30 inch rebar set with a plastic cap stamped P.L.S. 15352; thence South 89°49'08" West a distance of 789.15 feet to a 5/8 x 30 inch rebar set with a plastic cap stamped P.L.S. 15352; thence North 00°10'52" West, parallel with the East boundary of the South Half of the Northeast Quarter, a distance of 276.00 feet to a 5/8 x 30 inch rebar set with a plastic cap stamped P.L.S. 15352; thence North 89°49'08" East a distance of 789.15 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING out from said PARCEL 3a, that portion described as follows:

A parcel of land being a portion of the S1/2 NE1/4 of Section 36, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at a found 5/8 inch diameter iron pint stamped "PLS 9366" marking the NW corner of said S1/2 NE1/4, (Center North 1/16 Corner), from which a found illegible aluminum cap marking the NW corner of said NE1/4, (North 1/4 Corner), bears N. 00°21'15" E., a distance of 1323.38 feet;

Thence along the Northerly Boundary of said S1/2 NE1/4, S. 89°14'59" E., a distance of 2638.25 feet to the NE corner of said S1/2 NE1/4, (N1/16 Corner);

Thence along the Easterly Boundary of said S1/2 NE1/4, S. 00°20'41" W., a distance of 765.76 feet;

Thence leaving said Easterly Boundary, N. 89°39'41" W., a distance of 25.00 feet to the POINT OF BEGINNING;

Thence along a line that is 25.00 feet West of and parallel with the Easterly Boundary of said S1/2 NE1/4, S. 00°20'41" W., distance of 160.12 feet;

Thence leaving said parallel line, N. 89°12'52" W., a distance of 892.17 feet;

Thence N. 00°20'41" E., a distance of 309.96 feet;

Thence S. 89°39'19" E., a distance of 78.00 feet;

Thence S. 00°20'41" W., a distance of 156.79 feet;

Thence S. 89°39'41" E., a distance of 814.14 feet to the POINT OF BEGINNING.

AND TOGETHER WITH PARCEL 3b:

A parcel of land being a portion of the NE 1/4 SE 1/4 of Section 36, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at a found aluminum cap stamped "PLS 5081" marking the SE Corner of Section 36, from which a found 5/8 inch iron pin with an Illegible cap marking the NE corner of said NE 1/4 SE 1/4, (E 1/4 Corner of said Section 36), bears N. 00°20'47" E, a distance of 2642.04 feet, (Formerly N. 00°21'04" E a distance of 2642.05 feet);

Thence along the Easterly boundary of said SE 1/4, N. 00°20'47" E, a distance of 1100.58 feet to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732" marking the southerly right of way extension of Railroad Street and being the POINT OF BEGINNING;

Thence leaving said Easterly boundary and along said southerly Right-Of-Way of Railroad Street, N. 54°54'25" W., a distance of 901.17 feet, (Formerly N. 54°53'08" W., a distance of 901.12 feet), to a found 5/8 inch diameter bent iron pin with no cap marking a non-tangent curve to the right;

Thence continuing along said Southerly Right-Of-Way of Railroad Street, a distance of 235.91 feet along the arc of said curve to the right, having a radius of 11359.15 feet, a central angle of 01° 11' 24", the long chord of which bears N. 54° 17' 22" W., a distance of 235.90 feet to a found 5/8 inch diameter iron pin stamped "PLS 5081";

Thence leaving said Southerly Right-Of-Way of Railroad Street, N.  $00^{\circ}14'31''$  W., a distance of 898.57 feet, (Formerly N.  $00^{\circ}13'52''$  W., a distance of 898.27 feet) to a found 5/8 inch diameter iron pin bent with no cap marking the Northerly Boundary of said NE 1/4 SE 1/4;

Thence along the Northerly Boundary of said NE 1/4 SE 1/4, S.  $89^{\circ}12'52''$  E., a distance of 942.10 feet to a found 5/8 inch diameter bent iron pin with illegible cap marking the NE corner of said NE 1/4 SE 1/4, (East 1/4 corner);

Thence along the Easterly Boundary of said NE 1/4 SE 1/4, S.  $00^{\circ}20'47''$  W., a distance of 1541.46 feet to the POINT OF BEGINNING.

FURTHER EXCEPTING therefrom Parcel 3a and 3b a road right of way conveyed to the City of Nampa, an Idaho municipal corporation by Deed recorded November 15, 2021, as Instrument No. 2021-064392, more particularly described as follows:

The following Describes a 50.00 foot (50') Wide Strip of Land for the Purpose of a Road Right of Way Dedication being a portion of the East 1/2 East 1/2 of the NE 1/4 of Section 36, Township 3 North, Range 2 West, Boise Meridian, Meridian, Canyon County Idaho, and more particularly described as follows:

BEGINNING at a found 5/8" Iron Pin with "Illegible Cap" Marking the Northeast Corner of the SE 1/4 NE 1/4 (North 1/16th Corner East) of said Section 36;

Thence along the Easterly Boundary Line of the SE 1/4 NE 1/4 of said Section 36, South  $00^{\circ}20'41''$  West, 1321.09 feet to the Southeast Corner of the SE 1/4 NE 1/4 (East 1/4 Corner) of said Section 36 which is being Monumented with a found 5/8" Iron Pin with "Illegible Cap";

Thence leaving said Easterly Boundary Line, and along the Easterly Boundary Line of the NE 1/4 SE 1/4 of said Section 36, South  $00^{\circ}20'47''$  West, 1541.46 feet to a found 5/8" Iron Pin with Plastic Cap "PLS 7732" being on the Southerly Right of Way Line of Railroad Street extended;

Thence leaving said Easterly Boundary Line, and along the Southerly Right of Way Line of Railroad Street, North  $54^{\circ}54'25''$  West, 60.85 feet to a point;

Thence leaving said Southerly Right of Way Line, and along a Line being 50.00 feet Westerly of and parallel with the Easterly Boundary Line of the NE 1/4 SE 1/4 of said Section 36, North  $00^{\circ}20'47''$  East, 1507.16 feet to a point on the mid-section line;

Thence leaving said parallel Line, and along a Line being 50.00 feet Westerly of and parallel with the Easterly Boundary Line of the SE 1/4 NE 1/4 of said Section 36, North  $00^{\circ}20'41''$  East, 1321.06 feet to a point on the Northerly Boundary Line of the SE 1/4 NE 1/4 of said Section 36;

Thence leaving said parallel Line, and along the Northerly Boundary Line of the SE 1/4 NE 1/4 of said Section 36, South  $89^{\circ}14'59''$  East, 50.00 feet to the POINT OF BEGINNING.

ALSO EXCEPTING out from said PARCEL 3b, any portion thereof lying within parcel described as follows:

A parcel of land being a portion of the SE1/4 of Section 36, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at a found aluminum cap stamped "PLS 5081" marking the SE Corner of Section 36, from which a found 5/8 inch iron pin with an illegible cap marking the NE corner of the NE1/4 SE1/4, (E1/4 Corner of said Section 36), bears N.  $00^{\circ}20'47''$  E., a distance of 2642.04 feet, (Formerly N.  $00^{\circ}21'04''$  E., a distance of 2642.05 feet);

Thence along the Easterly boundary of the SE1/4 of said Section 36, N.  $00^{\circ}20'47''$  E., a distance of 1100.58 feet to a point marking the Southwesterly Right-of-Way of Railroad Street;

Thence along said Right-of-Way N.  $54^{\circ}54'25''$  W., a distance of 30.42 feet to the POINT OF BEGINNING.

Thence continuing along said Right-of-Way, N.  $54^{\circ}54'25''$  W., a distance of 870.75 feet to the beginning of a curve to the right;

Thence along said curve a distance of 235.91 feet, having a radius of 11359.15 feet, a central angle of  $1^{\circ}11'24''$ , the long chord of which bears N.  $54^{\circ}17'22''$  W., a distance of 235.91 feet;

Thence leaving said curve, N.  $0^{\circ}22'53''$  W., a distance of 34.96 feet;

Thence along a curve to the left a distance of 213.66 feet, having a radius of 11331.15 feet, a central angle of  $1^{\circ}04'49''$ , the long chord of which bears S.  $54^{\circ}07'44''$  E., a distance of 213.65 feet to the beginning of a compound curve left;

Thence along said compound curve to the left a distance of 91.59 feet, having a radius of 150.00 feet, a central angle of  $34^{\circ}59'05''$ , the long chord of which bears S.  $72^{\circ}09'41''$  E., a distance of 90.17 feet;

Thence S.  $89^{\circ}39'13''$  E., a distance of 648.43 feet;

Thence along a line that is 25.00 feet West of and parallel with the Easterly Boundary of said SE1/4, S.  $00^{\circ}20'47''$  W., a distance of 516.52 feet to the POINT OF BEGINNING.

PARCEL 4: /

A parcel of land being a portion of the NW 1/4 SE 1/4 of Section 36, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at a found 5/8 inch iron pin with an illegible cap marking the E1/4 corner, from which a found Aluminum cap stamped "PLS 12464" marking the SE Corner of Section 36 (Corner common to Sections 1, 6, 31, and 36) S.  $00^{\circ}20'47''$  W., a distance of 2642.04 feet;

Thence along the Easterly boundary of said SE1/4, S.  $00^{\circ}20'47''$  W., a distance of 1541.46 feet to a found 5/8 inch iron pin stamped "CLS PLS 7762";

Thence leaving said Easterly boundary and along said southerly Right-Of-Way of Railroad Street, N.  $54^{\circ}54'25''$  W., a distance of 901.17 feet, (Formerly N.  $54^{\circ}53'08''$  W., a distance of 901.12 feet), to a found 5/8 inch diameter bent iron pin with no cap marking a non-tangent curve to the right;

Thence continuing along said Southerly Right-Of-Way of Railroad Street the following courses and distances;

Thence a distance of 235.91 feet along the arc of said curve to the right, having a radius of 11359.15 feet, a central angle of  $01^{\circ}11'24''$ , the long chord of which bears N.  $54^{\circ}17'22''$  W., a distance of 235.90 feet to a found 5/8 inch diameter iron pin stamped "PLS 5081";

Thence continuing a distance of 142.42 feet along the arc of a curve to the right, having a radius of 11359.15 feet, a central angle of  $00^{\circ}43'06''$ , the long chord of which bears N.  $53^{\circ}20'07''$  W., a distance of 142.42 feet to a point;

Thence continuing a distance of 343.70 feet along the arc of a curve to the right, having a radius of 11359.15 feet, a central angle of  $01^{\circ}44'01''$ , the long chord of which bears N.  $52^{\circ}06'33''$  W., a distance of 343.69 feet to a 5/8 inch iron pin with No Cap;

Thence continuing a distance of 115.40 feet along the arc of a curve to the right, having a radius of 11359.15 feet, a central angle of  $00^{\circ}34'55''$ , the long chord of which bears N.  $50^{\circ}57'05''$  W., a distance of 115.40 feet to a 1/2 inch iron pin with an illegible cap;

Thence continuing a distance of 218.71 feet along the arc of a curve to the right, having a radius of 11359.15 feet, a central angle of  $01^{\circ}06'11''$ , the long chord of which bears N.  $50^{\circ}06'31''$  W., a distance of 218.70 feet to a 5/8 inch iron pin with an illegible cap marking THE POINT OF BEGINNING;

Thence continuing a distance of 164.45 feet along the arc of a curve to the right, having a radius of 11359.15 feet, a central angle of  $00^{\circ}49'46''$ , the long chord of which bears N.  $49^{\circ}08'32''$  W., a distance of 164.45 feet to a point;

Thence leaving said Southerly Right-Of-Way, N.  $00^{\circ}49'01''$  E., a distance of 65.82 feet to a point marking a non-tangent curve to the left;

Thence along said curve that is 50 feet North of and parallel with said Southerly Right-Of-Way, a distance of 42.71 feet along the arc of said curve to the left, having a radius of 11309.15 feet, a central angle of  $00^{\circ}12'59''$ , the long chord of which bears S.  $48^{\circ}37'10''$  E., a distance of 42.71 feet to a point;

Thence a distance of 143.20 feet along the arc of a curve to the left, having a radius of 11309.15 feet, a central angle of  $00^{\circ}43'32''$ , the long chord of which bears S.  $49^{\circ}05'25''$  E., a distance of 143.20 feet to a point;

Thence leaving said parallel line, S.  $18^{\circ}07'56''$  W., a distance of 54.07 feet to a point on said Southerly Right-Of-Way and being THE POINT OF BEGINNING.

#### PARCEL 5:

A parcel of land being a portion of the NW 1/4 SE 1/4 of Section 36, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at a found 5/8 inch iron pin with an Illegible cap marking the E1/4 corner, from which a found Aluminum cap stamped "PLS 12464" marking the SE Corner of Section 36 (Corner common to Sections 1, 6, 31, and 36) S.  $00^{\circ}20'47''$  W., a distance of 2642.04 feet;

Thence along the Easterly boundary of said SE1/4, S.  $00^{\circ}20'47''$  W., a distance of 1541.46 feet to a found 5/8 inch iron pin stamped "CLS PLS 7762";

Thence leaving said Easterly boundary and along said southerly Right-Of-Way of Railroad Street, N.  $54^{\circ}54'25''$  W., a distance of 901.17 feet, (Formerly N.  $54^{\circ}53'08''$  W., a distance of 901.12 feet), to a found 5/8 inch diameter bent iron pin with no cap marking a non-tangent curve to the right;

Thence continuing along said Southerly Right-Of-Way of Railroad Street the following courses and distances;

Thence a distance of 235.91 feet along the arc of said curve to the right, having a radius of 11359.15 feet, a central angle of  $01^{\circ}11'24''$ , the long chord of which bears N.  $54^{\circ}17'22''$  W., a distance of 235.90 feet to a found 5/8 inch diameter iron pin stamped "PLS 5081";

Thence continuing a distance of 142.42 feet along the arc of a curve to the right, having a radius of 11359.15 feet, a central angle of  $00^{\circ}43'06''$ , the long chord of which bears N.  $53^{\circ}20'07''$  W., a distance of 142.42 feet to a point;

Thence continuing a distance of 343.70 feet along the arc of a curve to the right, having a radius of 11359.15 feet, a central angle of  $01^{\circ}44'01''$ , the long chord of which bears N.  $52^{\circ}06'33''$  W., a distance of 343.69 feet to a 5/8 inch iron pin with No Cap;

Thence continuing a distance of 115.40 feet along the arc of a curve to the right, having a radius of 11359.15 feet, a central angle of  $00^{\circ}34'55''$ , the long chord of which bears N.  $50^{\circ}57'05''$  W., a distance of 115.40 feet to a 1/2 inch iron pin with an illegible cap;

Thence continuing a distance of 218.71 feet along the arc of a curve to the right, having a radius of 11359.15 feet, a central angle of  $01^{\circ}06'11''$ , the long chord of which bears N.  $50^{\circ}06'31''$  W., a distance of 218.70 feet to a 5/8 inch iron pin with an illegible cap;

Thence continuing a distance of 164.45 feet along the arc of a curve to the right, having a radius of 11359.15 feet, a central angle of  $00^{\circ}49'46''$ , the long chord of which bears N.  $49^{\circ}08'32''$  W., a distance of 164.45 feet to a point marking THE POINT OF BEGINNING;

Thence continuing a distance of 245.63 feet along the arc of a curve to the right, having a radius of 11359.15 feet, a central angle of  $01^{\circ}14'20''$ , the long chord of which bears N.  $48^{\circ}06'29''$  W., a distance of 245.63 feet to a set 5/8 inch iron pin stamped "CLS PLS 7762";

Thence leaving said Southerly Right-Of-Way, N.  $13^{\circ}23'06''$  E., a distance of 57.28 feet to a point marking a non-tangent curve to the left;

Thence along said curve that is 50 feet North of and parallel with said Southerly Right-Of-Way, a distance of 27.88 feet along the arc of said curve to the left, having a radius of 11309.15 feet, a central angle of  $00^{\circ}08'28''$ , the long chord of which bears S.  $47^{\circ}25'05''$  E., a distance of 27.88 feet to a point;

Thence a distance of 201.85 feet along the arc of a curve to the left, having a radius of 11309.15 feet, a central angle of  $01^{\circ}01'21''$ , the long chord of which bears S.  $48^{\circ}00'00''$  E., a distance of 201.84 feet to a point;

Thence leaving said parallel line, S.  $00^{\circ}49'01''$  W., a distance of 65.82 feet to a point on said Southerly Right-Of-Way and being THE POINT OF BEGINNING.

## EXHIBIT B

### PERMITTED EXCEPTIONS

1. General taxes for the year 2022, which are liens and are not yet due and payable.
2. Said real property is presently assessed as exempt from taxation. Any change in the status thereof either in ownership or otherwise, shall cause a re-assessment of said premises as more fully set forth in Section 63-602Y of the Idaho Code.  
Affects: Parcel 4 and 5
3. Sewer charges and special assessments, if any, for the City of Nampa.
4. Levies and assessments of the following district and the rights, powers and easements thereof as provided by law.  
District: Nampa Municipal Irrigation System for Nampa Meridian Irrigation District
5. Terms and conditions of Contracts between United States of America and the Nampa Meridian Irrigation District; and said district and individual owners pertaining to water rights for irrigation.
6. Rights of way as disclosed by available maps.  
For: Indian Creek  
Location: As located and meanders.  
Affects: Northerly boundaries of Parcels 1, 2 and 3
7. Rights of way as disclosed by available maps.  
For: Railroad Street  
Location: South boundary of Parcels 1, 2, and 3
8. Rights of way as disclosed by available maps.  
For: Happy Valley Road  
Location: East boundary of Parcel 3
9. Rights of way for ditches, tunnels and telephone and transmission lines constructed by Authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code 1947.
10. Rights and claims in and to those portions of said premises lying within the right of ways of ditches, canals and laterals.
11. Matters disclosed by Record of Survey  
Survey No.: 324-36-2-1-0-00-00 and 324-36-1-0-0-00-00  
Recorded: April 20, 2000  
Instrument No.: 200013718
12. Terms, conditions, and provisions of Ordinance No. 3150 and Development Agreement:  
Between: City of Nampa, a municipal corporation, "City" and Dave Washburn,  
"Developer"  
Dated: September 3, 2002  
Recorded: September 18, 2002  
Instrument No.: 200243456

13. Terms, conditions, and provisions of Ordinance No. 3003 and Development Agreement:  
Between: City of Nampa, a municipal corporation, "City" and Dave Washburn,  
"Developer"  
Dated: April 2, 2001  
Recorded: April 10, 2001  
Instrument No.: 200113211
14. Matters disclosed by Record of Survey  
Recorded: May 10, 2017  
Instrument No.: 2017-018768
15. Matters disclosed by Record of Survey  
Recorded: May 21, 2020  
Instrument No.: 2020-027146
16. Unrecorded Leaseholds, if any, rights of parties in possession other than the vestees herein, rights of secured parties under financing statements as to personal property located on the premises herein and the rights of tenants to remove trade fixtures.
17. All matters, rights, easements or claims as disclosed by an unrecorded ALTA-NSPS Land Title Record of Survey for KB Home Idaho, LLC Drawing No. 8821 ALTA Job No. 8821 dated 8/3/2021.  
1. Rights of ways of ditches and canals as shown.  
2. Overhead utility power lines and utility power poles as shown.  
3. Telephone communication lines as located thereon and telephone risers as shown.  
4. Various corrugated metal pipes, metal pipes and pvc pipes and bubblers as shown.  
5. Rights of the public in Railroad Street and Happy Valley Road.  
6. Irrigation pipe lines as shown.  
7. Water lines and water meters, valves and casings as shown.  
8. Right of way of Indian Creek as shown.  
9. Wooden Bridge which straddles the north line of Parcel 1.  
10. Location of existing fences.  
11. Location of existing artesian well and drainage upon subject property.  
12. Private drain ditches as shown for purpose of collecting ground water as shown.
18. Terms, conditions, and provisions of Road, Sewer Line and Utility Easement Agreement:  
Between: Triple Crown Investments, LLC, an Idaho limited liability company and Estates 81, LLC, an Idaho limited liability company  
Dated: August 26, 2021  
Recorded: August 30, 2021  
Instrument No.: 2021-060797
19. Ordinance No. 4627 and Development Agreement upon the terms, conditions and provisions contained therein:  
Between: City of Nampa, a municipal corporation and Estates 81, LLC, an Idaho limited liability company  
Dated: November 3, 2021  
Recorded: November 9, 2021  
Instrument No.: 2021-077390



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Mathew Weaver

April 10, 2025

KB HOME IDAHO LLC  
1414 W BANNOCK ST  
BOISE ID 83702-5233

Re: Change in Water Right Ownership: 63-31402 (Split into 63-31402 and **63-35682**)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

The ownership of water Right 63-31419 was not updated. After reviewing the backfile, it was found that water right 63-31419 is appurtenant to property currently owned by Brian Bohner. However, the stockwater portion of water right 63-31402 needed to be split. A refund of \$25 has been requested and will be sent to Givens Pursley under separate cover from the State Controller's Office.

**Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right.** If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 287-4942.

Sincerely,

Jean Hersley  
Technical Records Specialist 2

Enclosure(s)  
c: Steven L Henrickson  
Givens Pursley

## Hersley, Jean

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**From:** Hersley, Jean  
**Sent:** Thursday, April 10, 2025 10:13 AM  
**To:** IdwrPayable  
**Subject:** refund  
**Attachments:** Givens Pursley for KB Home Idaho LLC.docx

Please process the attached refund for Givens Pursley. Thank you.



*Jean Hersley  
Technical Records Specialist II  
Idaho Dept Water Resources  
(208) 287-4942*

# Idaho Department of Water Resources Receipt

## Receipt ID: C120742

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|                |                                                                                                     |               |          |        |       |
|----------------|-----------------------------------------------------------------------------------------------------|---------------|----------|--------|-------|
| Payment Amount | \$125.00                                                                                            | Date Received | 4/8/2025 | Region | STATE |
| Payment Type   | Check                                                                                               | Check Number  | 49118    |        |       |
| Payer          | GIVENS PURSLEY LLP                                                                                  |               |          |        |       |
| Comments       | CHANGE IN OWNERSHIP FOR KB HOME IDAHO LLC<br>63-31402 & 63-31419 (SPLIT)<br>DOCUMENT NUMBER: D68241 |               |          |        |       |

### Fee Details

| Amount   | Description                          | PCA   | Fund | Fund Detail | Subsidiary | Object |
|----------|--------------------------------------|-------|------|-------------|------------|--------|
| \$25.00  | OWNERSHIP CHANGES/SECURITY INTERESTS | 56140 | 0229 | 21          |            | 1155   |
| \$100.00 | OWNERSHIP CHANGES/SECURITY INTERESTS | 56140 | 0229 | 21          |            | 1155   |

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Signature Line (Department Representative)

Please refund \$25. One water right was not updated.

Givens Pursley LLP  
601 W Bannock St.  
PO Box 2720  
Boise ID 83701

Thank you.

Jean