

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DE MAY 01 2024

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?
63-32665	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: AG Essential Housing Multi State 2, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): City of Caldwell
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 621 Cleveland Blvd Caldwell ID 83605
Mailing address City State Zip
- 208 455-3000 rmacdonald@cityofcaldwell.org
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: 4/11/2022
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.

8. Signature: [Signature] Public Works Director 4/16/24
Signature of new owner/claimant Title, if applicable Date
- ROBB MACDONALD
Print name

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

Print name _____

For IDWR Office Use Only:

Received by CC Date 5-1-24 Receipt No. W051928 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 MB Date 10/28/2024

QUITCLAIM DEED

GRANTOR, AG ESSENTIAL HOUSING MULTI STATE 2, LLC, an Arizona limited liability company, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM, unto the CITY OF CALDWELL as GRANTEE, and to Grantees' successors, heirs and assigns, forever, all of their interest in the following described real estate, situated in the County of Canyon, State of Idaho, to-wit:

1. WATER RIGHT NO. 63-32665, FURTHER DESCRIBED IN THE SNAKE RIVER BASIN ADJUDICATION DISTRICT COURT PARTIAL DECREE ATTACHED HERETO AS EXHIBIT "A".

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging.

IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand this 11 day of April, 2022.

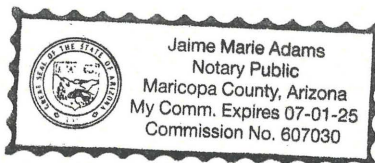
Stan S. Ben-

Steven S. Benson, the Manager of AGWIP Asset Management, LLC, an Arizona limited liability company, the Authorized Agent of AG Essential Housing Multi State 2, LLC

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this 11 day of April, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven S. Benson, known or proven to me to be the Manager of AGWIP Asset Management, LLC, an Arizona limited liability company and who is the Authorized Agent of AG Essential Housing Multi State 2, LLC, whose name is subscribed to the foregoing instrument, and acknowledged to me that such entity 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.



James M. Allen
Notary Public for Idaho - Arizona
Residence: Maricopa County
My commission expires: 07/01/2025

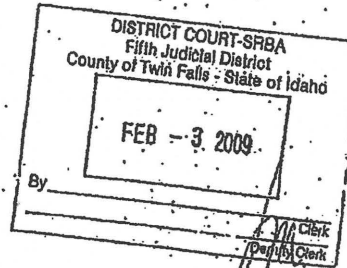
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-32665



NAME AND ADDRESS: PAINS FARMS
15498 MONTANA AVE
CADDWELL, ID 83607

SOURCE: GROUND WATER

QUANTITY: 1.73 CFS
473.90 AFW

PRIORITY DATE: 09/13/1948

POINT OF DIVERSION: T03N R03W S15 NWSE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Irrigation	PERIOD OF USE 03-01 TO 11-15	QUANTITY 1.73 CFS 473.90 AFW
-------------------------------	------------------------------	---------------------------------	------------------------------------

PLACE OF USE:	Irrigation	Within Canyon County
	T03N R03W S15	NWSE 38.0 SESE 39.0
	105.0 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John H. Melanson
Presiding Judge of the
Snake River Basin Adjudication

EXHIBIT 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 Mathew Weaver

June 18, 2024

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605-4052

RE: Change in Ownership for Water Right No(s): 63-32665

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 discrepancies between that documentation and the documentation you provided. The current owner we have listed in our records is Paine Farms, but the grantor on the quitclaim deed you submitted is AG Essential Housing Multi State 2, LLC. We will need a chain of title showing conveyance from Paine Farms to AG Essential Housing Multi State 2, LLC. I have enclosed a copy of the water right(s) for your reference.

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) 605-4622.

Sincerely,

Marina Bozdog
Technical Records Specialist I

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/18/2024

Water Right 63-32665

Owner Type **Name and Address**
Current Owner PAINE FARMS
15498 MONTANA AVE
CALDWELL, ID 83607
(208) 459-9187

Original Owner MARLIN PAINE
15498 MONTANA
CALDWELL, ID 83605
(208) 459-3017

Priority Date: 9/13/1948

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	1.730 CFS	473.9 AF
	<u>Total Diversion</u>		1.730 CFS	473.9 AF

Source and Point(s) of Diversion:

GROUND WATER NWSE Sec. 15, Twp 03N, Rge 03W, CANYON County

Place Of Use:

IRRIGATION within CANYON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	03W	15														38.0	28.0	39.0	105.0

POU Total Acres: 105.0

Conditions of Approval:

- 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. This right is a split from former right 63-2718 .
- 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

6/18/2024

Dates and Other Information:

Decreed Date: 2/3/2009
Civil Case Number: 39576
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

Bozdog, Marina

From: Caruso, Cody
Sent: Monday, July 8, 2024 2:58 PM
To: Bozdog, Marina
Subject: FW: Water Right 63-32665 (Cirrus Pointe)
Attachments: Scan_000582.pdf; Warranty Deed 1992.03.25 Paine to Paine Farms.PDF; Warranty Deed 2007.01.12 Paine Farms to Combs Land Development.PDF; Warranty Deed 2008.01.11 Paine Farms to Combs Land Development correction.PDF; Warranty Deed 2008.01.11 Paine Farms to Combs Land Development.PDF; Warranty Deed 2020.10.30 Combs Land to J&J Property.pdf; Warranty Deed 2021.12.21 J&J Property to AG Essential Housing.pdf; Warranty Deed 2022.04.11 Water Rights - AG to City of Caldwell.pdf

Hello Marina,

I received this in western info and thought I would forward it to you.

From: Michelle Ames <michelle.ames@lennar.com>
Sent: Monday, July 8, 2024 2:46 PM
To: Western Info <westerninfo@idwr.idaho.gov>
Cc: Scott Curtis <scott.curtis@lennar.com>; Michelle Ames <michelle.ames@lennar.com>; Josh Beach <josh.beach@lennar.com>; anewbry@cityofcaldwell.org
Subject: Fw: Water Right 63-32665 (Cirrus Pointe)

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

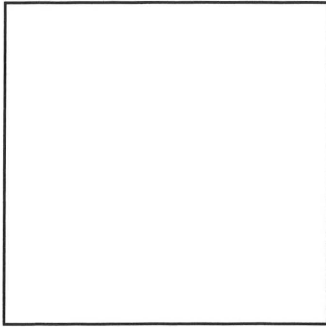
Hello Marina,

Attached are copies of Deeds showing water right conveyance from Paine to AG.

Please let us know if you need additional information.

Thanks,

Michelle Ames
Director of Land Development



Michelle.Ames@Lennar.com
Mobile 208-989-6553

408 S Eagle Rd Ste 100
Eagle, ID 83616

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From: Scott Curtis <scott.curtis@lennar.com>
Sent: Wednesday, June 26, 2024 11:45 AM
To: Nicholas Duch <nicholas.duch@lennar.com>; Michelle Ames <michelle.ames@lennar.com>
Subject: Fwd: Water Right 63-32665 (Cirrus Pointe)

I can look into this more when I get to the office. Nic does this sound familiar at all and do we have any documentation to support what she is asking for?

Sent from my iPhone

Begin forwarded message:

From: Ashley Newbry <anewbry@cityofcaldwell.org>
Date: June 26, 2024 at 11:02:32 AM MDT
To: Scott Curtis <scott.curtis@lennar.com>
Subject: Water Right 63-32665 (Cirrus Pointe)

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Scott,

IDWR did not accept the Quitclaim Deed alone. Basically, their accusation is that Payne farms withheld the water rights when they sold to “Ag Essential Housing Multi State 2, LLC.” We get to prove that that is not the case.

Do you have either: (1) a quitclaim for the water right 63-32665 from Payne Farms to “Ag Essential Housing Multi State 2, LLC” or (2) other deed or title document (land) from Payne Farms to “Ag Essential Housing Multi State 2, LLC.” It would need to either be silent regarding the water rights or it would state that they were conveyed with the land.

Thanks,

Ashley

RECEIVED

JUL 08 2024

WATER RESOURCES
WESTERN REGION

9207111

WARRANTY DEED

John Everett Paine and Berniece Fae Paine, husband and wife, and Raymond Marlin Paine and LaVonne Paine, husband and wife, Grantors, hereby convey, grant and warrant to Paine Farms General Partnership, Grantee, whose address is 15114 Daniel Street, Caldwell, Idaho 83605, for the sum of TEN DOLLARS and other good and valuable consideration, the following described real property, to-wit:

See Exhibit "A", attached hereto and incorporated herein by this reference.

SUBJECT TO taxes and assessments for the year 1992 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantors covenant to the Grantee that they are the owners in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that they will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantors have executed
this instrument on this 25th day of March, 1992.

John Everett Paine
John Everett Paine

Berniece Fae Paine
Berniece Fae Paine

Raymond Marlin Paine
Raymond Marlin Paine

LaVonne Paine
LaVonne Paine

STATE OF IDAHO)
) :ss
County of Canyon)

On this 25th day of March, in the year
1992, before me, a Notary Public, personally appeared JOHN
EVERETT PAINE and BERNIECE FAE PAINE, husband and wife,
known or identified to me to be the persons whose names
are subscribed to the within instrument, and acknowledged
to me that they executed the same.

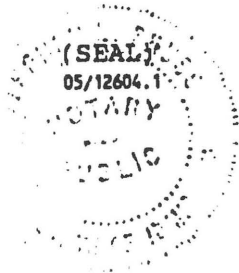
Stephen J. Brun
Notary Public for Idaho
Commission expires: 7-30-92

(SEAL)

STATE OF IDAHO)
County of Canyon) :ss

On this 25th day of March, in the year 1992, before me, a Notary Public, personally appeared RAYMOND MARLIN PAINE and LAVONNE PAINE, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public for Idaho
Commission expires: 7-30-92



PARCEL 1:

Lot 1; Section 15, T 3 N, R 3W, Canyon County, Idaho.

N $\frac{1}{2}$ SW $\frac{1}{4}$, less the East 25'; SE $\frac{1}{4}$ SW $\frac{1}{4}$, less the East 25', Section 15, T 3 N, R 3W, Canyon County, Idaho.

AND EXCEPTING THEREFROM:

Township 3 North, Range 3 West of the Boise Meridian, Idaho: In Section 15, that part of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) bounded and described as beginning at the West 1/16 corner common to said Section 15 and Section 22 thence with the South boundary line of Section 15, North 89°11' East, 12.91 chains to a point in the intersection of said South boundary line with the center line of Orchard Avenue (paved); thence along said center line, North 80°09' West, 13.10 chains to a point in the intersection of said center line with the West boundary line of aforesaid Southwest Quarter Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$); thence with said boundary line South 00°03' East, 2.41 chains to the place of beginning, containing 1.56 acres, more or less.

PARCEL 2:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 15, T3N, R3W, Canyon County, Idaho, less the West 25' and

ALSO EXCEPTING THEREFROM:

Beginning at the NW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15, Township 3 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, thence North 89°15' East along the North boundary line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 280 feet; thence South parallel with the West boundary line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 155.57 feet; thence South 89°15' West parallel with the North boundary line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 280 feet to a point in the West line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence North along said West line 155.57 feet to the point of beginning, EXCEPTING THEREFROM, the West 25 feet thereof.

S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 15, T3N, R3W, Canyon County, Idaho, less the West 25' and

ALSO EXCEPTING THEREFROM:

Part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 15, Township 3 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows, to wit: Commencing at the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 15, Township 3 North, Range 3 West of the Boise Meridian, and run thence East 60 feet along the South line of said Section 15 to THE REAL POINT OF BEGINNING; Thence North 290 feet perpendicular to the said South line; thence South $37^{\circ}02'$ East 332 feet; thence South 25 feet to a point in the South line of said Section 15; thence West 200 feet along the said South line to THE REAL POINT OF BEGINNING, containing 0.72 acres more or less.

ALSO EXCEPTING THEREFROM:

That part of the South $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 15, Township 3 North, Range 3 West of the Boise Meridian, described as follows:

BEGINNING at the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 15 and run thence East along the Section line a distance of 60 feet; thence North perpendicular to said Section line, a distance of 290 feet; thence North $58^{\circ}30'$ West 181.8 feet; thence West on a line parallel with said South boundary line a distance of 125 feet; thence South 385 feet to a point in the South boundary line of said Section 15, which is 220 feet West of the point of beginning; thence East along said South boundary line 220 feet to the point of beginning.

Together with all water and water rights, ditches and rights of way for ditches thereunto belonging, and subject to rights of way now existing on the premises.

Together with a non-exclusive easement for roadway and public utilities, which easement is appurtenant to the above described real property, and may be used for all or any part or parts thereof, and which easement does make subservient the following described real property:

COMMENCING at a point in the Section line 60 feet East of the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 15, Township 3 North, Range 3 West of the Boise Meridian, and running thence North 295 feet TO THE REAL POINT OF BEGINNING; thence North $58^{\circ}30'$ West 181.8 feet; thence West on a line parallel with the South boundary line of said Section 15 a distance of 125 feet. And a strip of land 15 feet wide, the center line of which is described as follows: COMMENCING at the Southwest corner of the Southeast $\frac{1}{4}$ of the

Southeast $\frac{1}{4}$ of Section 15, Township 3 North, Range 3 West of the Boise Meridian; thence East along the Section line, 60 feet, thence at right angles run North 297.5 feet to the REAL POINT OF BEGINNING; thence South 37°02' East 340 feet; thence South to the South Boundary line of said Section 15.

AND ALSO EXCEPTING THEREFROM:

COMMENCING at the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 15 Township 3 North Range 3 West of the Boise Meridian, and run thence East along the Section line 60 feet; thence at right angles North run a distance of 290 feet TO THE REAL POINT OF BEGINNING; THENCE South 37°02' East 92.5 feet; thence South 52°58' West 83 feet, more or less, to a point which is 50 feet due East of the West boundary line of the aforesaid Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; thence North on a line parallel with and 50 feet East of the West boundary line of the said Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ a distance of 130 feet, more or less, to a point which is North 58°30' West of the real point of beginning; thence South 58°30' East 12 feet, more or less, to the real point of beginning.

AND ALSO EXCEPTING THEREFROM:

A part of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 15, T3N, R3W, B.M., more particularly described to wit:

Commencing at the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T3N, R3W, B.M.; thence West 220 feet along the South line of said Section 15, to THE INITIAL POINT; thence continue West 107 feet on the said South line; thence North 435 feet perpendicular to the said South line; thence South 64°57' East 118.1 feet; thence South 385 feet perpendicular to the said South line to the INITIAL POINT.

The tract contains one acre more or less. The tract is subject to the right-of way for Orchard Avenue over the South 25 feet thereof. The tract is subject to the right-of way of the Idaho Power Co. for their power line, which is located near the Southwest corner of the tract.

Also conveyed is a right-of-way for ingress and egress and for utilities, a strip of ground 10 feet wide, being 5 feet on each side of the following described centerline: Beginning at a point 327 feet West and 440.52 feet North of the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 15; thence South 64°57' East 119.33 feet; thence East 125.3 feet parallel to the South line of said Section 15; thence South

58°30' East 184.16 feet; thence South 37°02' East 336.72 feet to a point in the North line of Orchard Avenue.

PARCEL 3:

A parcel of land located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 15, T3N, R3W, B.M., Canyon County, Idaho, and is more particularly described as follows:

Beginning at the SE corner of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$;

Thence Northerly along the East line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, a distance of 305.00 feet to a point;

Thence Westerly on a line parallel to the South line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, a distance of 158.00 feet to a point;

Thence Southerly on a line parallel to the East line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, a distance of 109.00 feet to a point;

Thence Westerly on a line parallel to the South line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, a distance of 108.00 feet to a point;

Thence Southerly on a line parallel to the East line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, a distance of 196.00 feet to a point on the South line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$;

Thence Easterly along said South line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, a distance of 266.00 feet to the POINT OF BEGINNING, containing 1.59 acres, more or less.

This parcel is subject to all easements and Rights-of-way existing or of record.

9207111

RECORDED

'92 APR 2 AM 11 48

NEED J FERR

CANYON CNTY RECORDER

BY *W. C. Hagg*

4

REQUEST

TYPE *Deed* PRE *21* DO *1* AM *11*

EXHIBIT



610 South Kimball Avenue / Caldwell, Idaho
83605 / (208) 459-1651

200615084

WARRANTY DEED

2007 JUN 12 PM 12:58
WILLIAM H. HUNST
CANYON COUNTY RECORDER
[Signature]

RECORDED

2007002979

RECEIVED
JUL 08 2024
WATER RESOURCES
WESTERN REGION

For Value Received **Paine Farms General Partnership**

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

Combs Land Development, Inc., an Idaho corporation

hereinafter referred to as Grantee, whose current address is 3619 Dauntless, Caldwell, ID 83605
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 10, 2007

Paine Farms General Partnership

John Everett Paine

John Everett Paine, General Partner

Raymond Marlin Paine

Raymond Marlin Paine, General Partner

State of Idaho

ss.

County of Canyon

On this 12 day of January, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared John Everett Paine and Raymond Marlin Paine, known and/or identified to me on the basis of satisfactory evidence, to be the partner in the partnership of Paine Farms General Partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

WITNESS MY HAND AND OFFICIAL SEAL

(SEAL)

Kathy McDonald

Notary Public

Residing at: Caldwell

Commission Expires: 5/27/11



EXHIBIT A

**A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 15,
TOWNSHIP 3 NORTH, RANGE 3 WEST, BOISE MERIDIAN, CITY OF
CALDWELL, CANYON COUNTY, IDAHO AND DESCRIBED AS FOLLOWS:**

**BASIS OF BEARING BEING THE EAST LINE OF SAID SOUTHEAST 1/4
DERIVED FROM FOUND MONUMENTS AND TAKEN AS SOUTH 00° 02' 08"
WEST.**

**BEGINNING AT THE SOUTHEAST CORNER OF SECTION 15, TOWNSHIP 3
NORTH, RANGE 3 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO;
THENCE ALONG THE SOUTH LINE OF SAID SECTION 15 SOUTH 89°16'11"
WEST A DISTANCE OF 746.58 FEET; THENCE LEAVING SAID SOUTH LINE
NORTH 03°32'59" WEST A DISTANCE OF 149.90 FEET; THENCE
NORTH 31°03'58" EAST A DISTANCE OF 40.58 FEET; THENCE
NORTH 00°23'01" WEST A DISTANCE OF 346.92 FEET; THENCE
NORTH 82°36'17" WEST A DISTANCE OF 147.55 FEET; THENCE
SOUTH 07°23'43" WEST A DISTANCE OF 15.38 FEET; THENCE
NORTH 82°36'17" WEST A DISTANCE OF 56.00 FEET; THENCE
NORTH 89° 17' 37" WEST A DISTANCE OF 80.47 FEET; THENCE
NORTH 63°58'52" WEST A DISTANCE OF 296.33 FEET; THENCE
NORTH 21°39'34" EAST A DISTANCE OF 116.25 FEET; THENCE
NORTH 68°20'26" WEST A DISTANCE OF 50.97 FEET; THENCE
NORTH 21°39'34" EAST A DISTANCE OF 251.00 FEET; THENCE
NORTH 00°00'00" EAST A DISTANCE OF 240.88 FEET; THENCE
NORTH 44°49'31" EAST TO THE SOUTHWEST CORNER OF CIRRUS POINT
SUBDIVISION NO. 2 A DISTANCE OF 14.19 FEET THENCE ALONG THE
SOUTH BOUNDARY OF SAID SUBDIVISION THE FOLLOWING COURSES:
NORTH 00°00'00" EAST A DISTANCE OF 160.00 FEET; THENCE
NORTH 45°10'32" EAST A DISTANCE OF 14.10 FEET; THENCE
NORTH 89°38'59" EAST A DISTANCE OF 105.22 FEET; THENCE
SOUTH 00°23'01" EAST A DISTANCE OF 35.13 FEET; THENCE
NORTH 89°36'59" EAST A DISTANCE OF 161.00 FEET; THENCE
SOUTH 00°23'01" EAST A DISTANCE OF 6.27 FEET; THENCE
NORTH 89°36'59" EAST A DISTANCE OF 155.00 FEET; THENCE
NORTH 00°23'01" WEST A DISTANCE OF 16.36 FEET; THENCE
NORTH 89°36'59" EAST A DISTANCE OF 227.14 FEET; THENCE
SOUTH 00°02'08" WEST A DISTANCE OF 70.32 FEET; THENCE
SOUTH 89°57'52" EAST A DISTANCE OF 110.00 FEET; THENCE
SOUTH 00°02'08" WEST A DISTANCE OF 34.24 FEET; THENCE
SOUTH 89°57'13" EAST A DISTANCE OF 176.00 FEET; THENCE LEAVING
SAID SOUTH BOUNDARY
NORTH 89°16'49" EAST TO THE EAST LINE OF SAID SECTION 15 A
DISTANCE OF 266.00 FEET; THENCE ALONG SAID EAST LINE
SOUTH 00°02'08" WEST A DISTANCE OF 1,322.52 FEET TO THE POINT OF
BEGINNING.**



610 South Kimball Avenue / Caldwell, Idaho
83605 / (208) 459-1651

200711860

WARRANTY DEED

For Value Received **Paine Farms General Partnership**

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

Combs Land Development, Inc., an Idaho corporation

hereinafter referred to as Grantee, whose current address
is 3619 Danthorse Pl, Caldwell, Idaho 83605
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

SAID PROPERTY SUBJECT TO THE FOLLOWING RESTRICTION

No structure shall be located nearer than 20 feet from the East line and 75 feet from the South line of that certain property with the address of 15498 Montana Ave. Caldwell, Idaho owned by Raymond Paine and LaVonne Paine as described in Deed recorded January 11, 2006 as Instrument No. 200602099

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 10, 2008

Paine Farms General Partnership

John Everett Paine
John Everett Paine, General Partner

Raymond Marlin Paine
Raymond Marlin Paine, General Partner

RECORDED
2008 JUN 11 PM 12 44
WILLIAM H. HURST
CANYON CITY RECORDER
BY *W. H. Hurst*

RECORDED

2008001930

RECEIVED

JUL 08 2024

WATER RESOURCES
WESTERN REGION

State of Idaho

ss.

County of Canyon

On this 11 day of January, 2008, before me, the undersigned, a Notary Public, in and for said State, personally appeared John Everett Paine and Raymond Marlin Paine, known and/or identified to me on the basis of satisfactory evidence, to be the partner in the partnership of Paine Farms General Partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

WITNESS MY HAND AND OFFICIAL SEAL

Kathy McDonald

Notary Public

Residing at: Caldwell

Commission Expires: 5/27/11

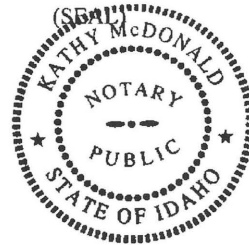


EXHIBIT A

A parcel of land located in the Southeast Quarter of the Southwest Quarter and the Southeast Quarter of Section 15, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being further described as follows:

BASIS OF BEARINGS:

The West line of the Southeast Quarter of Section 15, Township 3 North, Range 3 West, Boise Meridian, derived from found monuments and taken as North 00° 04' 21" East with the distance between monuments found to be 2649.73 feet.

BEGINNING at the Center South 1/16 corner being the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 15, Township 3 North, Range 3 West, Boise Meridian; thence along the West line of the Northwest Quarter of the Southeast Quarter of said Section 15

North 00°04'21" East a distance of 1169.31 feet; thence leaving said West line

North 89°19'53" East a distance of 334.03 feet; thence

North 00°04'21" East to a point on the North line of said Northwest Quarter of the Southeast Quarter of Section 15 a distance of 155.57 feet; thence along said North line

North 89°19'50" East to a point on the boundary of Cirrus Pointe Subdivision No.1 a distance of 931.57 feet; thence along said boundary of Cirrus Pointe Subdivision No.1, Book 39, Page 36, Records of Canyon County, the following three(3) courses:

South 00°19'28" West a distance of 120.02 feet;

South 89°19'53" West a distance of 23.33 feet;

South 00°40'07" East to the Southwest corner of said Cirrus Pointe Subdivision No.1 also being point on the boundary of future phase Cirrus Pointe Subdivision No.2 common to said Cirrus Pointe Subdivision No.1 a distance of 206.24 feet; thence along said Westerly boundary of said future phase Cirrus Pointe Subdivision No.2 the following ten (10) courses:

North 90°00'00" West a distance of 40.12 feet;

South 00°00'00" West a distance of 60.00 feet;

North 90°00'00" West a distance of 76.69 feet;

South 00°00'00" West a distance of 181.00 feet;

North 90°00'00" West a distance of 13.31 feet;

South 00°00'00" East a distance of 110.00 feet;

North 90°00'00" East a distance of 294.38 feet;

South 44°28'20" East a distance of 6.91 feet;

From a tangent which bears North 89°18'21" East, along a non-tangent curve to the right with a radius of 926.00 feet and a central angle of 01°39'28", an arc length of 26.79 feet (with a chord bearing of North 88°28'37" East, and a chord distance of 26.79 feet);

South 00°00'00" East to the Southwest corner of said future phase CIRRUS POINTE SUBDIVISION NO.2 also being the Northwest corner of future phase CIRRUS POINTE SUBDIVISION NO.3 common to said future phase CIRRUS POINTE SUBDIVISION NO.2 at a distance of 502.54 feet; thence along the Westerly boundary of said future phase CIRRUS POINTE SUBDIVISION NO.3 the following fifteen (15) courses:

South 45°10'32" West a distance of 14.10 feet;

South 00°00'00" East a distance of 160.00 feet;

South 44°49'31" East a distance of 14.19 feet;

South 00°00'00" East a distance of 240.88 feet;

South 21°39'34" West a distance of 251.00 feet;

South 68°20'26" East a distance of 50.97 feet;

South 21°39'34" West a distance of 116.25 feet;
South 63°58'52" East a distance of 296.33 feet;
South 89°17'37" East a distance of 80.47 feet;
South 82°36'17" East a distance of 56.00 feet;
North 07°23'43" East a distance of 15.38 feet;
South 82°36'17" East a distance of 147.55 feet;
South 00°23'01" East a distance of 346.92 feet;
South 31°03'58" West a distance of 40.58 feet;
South 03°32'59" East to a point on the South line of the Southeast Quarter of
the Southeast
Quarter of said Section 15 a distance of 149.90 feet; thence along said South line
South 89°16'11" West a distance of 314.99 feet; thence leaving said South line
North 00°30'47" East a distance of 25.01 feet; thence
North 37°50'04" West a distance of 332.19 feet; thence
North 59°17'46" West a distance of 182.17 feet; thence
South 89°09'15" West a distance of 124.78 feet; thence
North 65°56'55" West a distance of 118.28 feet; thence
South 00°51'02" East to a point on the South line of the Southwest Quarter of
the Southeast Quarter of said Section 15 a distance of 434.72 feet; thence along said
South line
South 89°11'23" West to the South Quarter corner of said Section 15 a distance
of 994.87 feet; thence along the South line of the Southeast Quarter of the
Southwest Quarter of said Section 15
South 89°21'53" West to a point on the centerline of Orchard Road a distance
of 474.46 feet; thence along said Centerline of Orchard Road
North 80°12'42" West a distance of 55.70 feet; thence leaving said Centerline
North 00°04'21" East to a point on the North line of said Southeast Quarter of
the Southwest Quarter of Section 15 a distance of 1314.34 feet; thence along said
North line
North 89°18'54" East a distance of 529.36 feet to the POINT OF BEGINNING.

JUL 08 2024

WATER RESOURCES
WESTERN REGION

2008001930

RECORDED

2008 JUN 11 PM 12 44

WILLIAM H. HURST
CANYON CITY, RECORDER

2008 JUN 11 PM 12 44

WILLIAM H. HURST
CANYON CITY, RECORDER

INSTRUMENT NO. 2008013054



Pioneer Title Co.

610 South Kimball Avenue / Caldwell, Idaho
83605 / (208) 459-1651

200711860

WARRANTY DEED

For Value Received Paine Farms General Partnership

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

Combs Land Development, Inc., an Idaho corporation

hereinafter referred to as Grantee, whose current address
is 3619 Sawtooth Pl, Caldwell, Idaho 83605
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

SAID PROPERTY SUBJECT TO THE FOLLOWING RESTRICTION

No structure shall be located nearer than 20 feet from the East line and 75 feet from the South line of that certain property with the address of 15498 Montana Ave. Caldwell, Idaho owned by Raymond Paine and LaVonne Paine as described in Deed recorded January 11, 2006 as Instrument No. 200602099

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 10, 2008

Paine Farms General Partnership

John Everett Paine
John Everett Paine, General Partner

Raymond Marlin Paine
Raymond Marlin Paine, General Partner

State of Idaho

ss.

County of Canyon

On this 11 day of January, 2008, before me, the undersigned, a Notary Public, in and for said State, personally appeared John Everett Paine and Raymond Marlin Paine, known and/or identified to me on the basis of satisfactory evidence, to be the partner in the partnership of Paine Farms General Partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

WITNESS MY HAND AND OFFICIAL SEAL

Kathy McDonald

Notary Public

Residing at: Caldwell

Commission Expires: 5/27/11



EXHIBIT A

A parcel of land located in the Southeast Quarter of the Southwest Quarter and the Southeast Quarter of Section 15, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being further described as follows:

BASIS OF BEARINGS:

The West line of the Southeast Quarter of Section 15, Township 3 North, Range 3 West, Boise Meridian, derived from found monuments and taken as North 00° 04' 21" East with the distance between monuments found to be 2649.73 feet.

BEGINNING at the Center South 1/16 corner being the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 15, Township 3 North, Range 3 West, Boise Meridian; thence along the West line of the Northwest Quarter of the Southeast Quarter of said Section 15

North 00°04'21" East a distance of 1169.31 feet; thence leaving said West line

North 89°19'53" East a distance of 334.03 feet; thence

North 00°04'21" East to a point on the North line of said Northwest Quarter of the Southeast Quarter of Section 15 a distance of 155.57 feet; thence along said North line

North 89°19'50" East to a point on the boundary of Cirrus Pointe Subdivision No.1 a distance of 931.57 feet; thence along said boundary of Cirrus Pointe Subdivision No.1, Book 39, Page 36, Records of Canyon County, the following three(3) courses:

South 00°19'28" West a distance of 120.02 feet;

South 89°19'53" West a distance of 23.33 feet;

South 00°40'07" East to the Southwest corner of said Cirrus Pointe Subdivision No.1 also being point on the boundary of future phase Cirrus Pointe Subdivision No.2 common to said Cirrus Pointe Subdivision No.1 a distance of 206.24 feet; thence along said Westerly boundary of said future phase Cirrus Pointe Subdivision No.2 the following ten (10) courses:

North 90°00'00" West a distance of 40.12 feet;

South 00°00'00" West a distance of 60.00 feet;

North 90°00'00" West a distance of 76.69 feet;

South 00°00'00" West a distance of 181.00 feet;

North 90°00'00" West a distance of 13.31 feet;

South 00°00'00" East a distance of 110.00 feet;

North 90°00'00" East a distance of 294.38 feet;

South 44°28'20" East a distance of 6.91 feet;

From a tangent which bears North 89°18'21" East, along a non-tangent curve to the right with a radius of 926.00 feet and a central angle of 01°39'28", an arc length of 26.79 feet (with a chord bearing of North 88°28'37" East, and a chord distance of 26.79 feet);

South 00°00'00" East to the Southwest corner of said future phase CIRRUS POINTE SUBDIVISION NO.2 also being the Northwest corner of future phase CIRRUS POINTE SUBDIVISION NO.3 common to said future phase CIRRUS POINTE SUBDIVISION NO.2 at a distance of 502.54 feet; thence along the Westerly boundary of said future phase CIRRUS POINTE SUBDIVISION NO.3 the following fifteen (15) courses:

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South 00°00'00" East a distance of 240.88 feet;

South 21°39'34" West a distance of 251.00 feet;

South 68°20'26" East a distance of 50.97 feet;

South 21°39'34" West a distance of 116.25 feet;
 South 63°58'52" East a distance of 296.33 feet;
 South 89°17'37" East a distance of 80.47 feet;
 South 82°36'17" East a distance of 56.00 feet;
 North 07°23'43" East a distance of 15.38 feet;
 South 82°36'17" East a distance of 147.55 feet;
 South 00°23'01" East a distance of 346.92 feet;
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 South 03°32'59" East to a point on the South line of the Southeast Quarter of
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 South 89°16'11" West a distance of 314.99 feet; thence leaving said South line
 North 00°30'47" East a distance of 25.01 feet; thence
 North 37°50'04" West a distance of 332.19 feet; thence
 North 59°17'46" West a distance of 182.17 feet; thence
 South 89°09'15" West a distance of 124.78 feet; thence
 North 65°56'55" West a distance of 118.28 feet; thence
 South 00°51'02" East to a point on the South line of the Southwest Quarter of
 the Southeast Quarter of said Section 15 a distance of 434.72 feet; thence along said
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 of 994.87 feet; thence along the South line of the Southeast Quarter of the
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 South 89°21'53" West to a point on the centerline of Orchard Road a distance
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 North 80°12'42" West a distance of 55.70 feet; thence leaving said Centerline
 North 00°04'21" East to a point on the North line of said Southeast Quarter of
 the Southwest Quarter of Section 15 a distance of 1314.34 feet; thence along said
 North line
 North 89°18'54" East a distance of 529.36 feet to the POINT OF BEGINNING.

EXCEPT THEREFROM THOSE PORTIONS CONVEYED TO CANYON COUNTY UNDER
 RIGHT OF WAY DEEDS RECORDED FEBRUARY 22, 1954 AS INSTRUMENT NUMBERS
 407390 AND 407391

State of Idaho

} ss.

County of Canyon
 I hereby certify that the foregoing instrument is
 a true and correct copy of the original as the
 same appears in this office.

DATED

2.5.08

William H. Hurst, Clerk of the District Court
 and Ex Officio Recorder.

By

[Signature]

Deputy



PIONEER TITLE COMPANY

REQUEST

17-20 Dec 18- FEE 10-

BY
 WILLIAM H. HURST
 CANYON COUNTY RECORDER
[Signature]

2008 FEB 12 PM 12 31

RECORDED

2008013654

RECEIVED

JUL 08 2024

WATER RESOURCES
WESTERN REGION

2020-065078

RECORDED

11/03/2020 03:14 PM

CHRIS YAMAMOTO
CANYON COUNTY RECORDER

Pgs=6 MBROWN

\$15.00

TYPE: DEED

TITLEONE BOISE

ELECTRONICALLY RECORDED

Re-recording to correct Parcel I
of legal description

When recorded return to:

J & J Property Development, LLC

Attn: _____

AL373876

2020-064304

RECORDED

10/30/2020 02:53 PM

CHRIS YAMAMOTO
CANYON COUNTY RECORDER

Pgs=5 HCRETAL

\$15.00

TYPE: DEED

TITLEONE BOISE

ELECTRONICALLY RECORDED

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, Combs Land Development, Inc., an Idaho corporation ("Grantor"), does hereby bargain, sell, and convey unto J&J Property Development LLC, an Idaho limited liability company ("Grantee") whose address is 16070 Idaho Center Blvd., #105, Nampa, Idaho 83687, all of Grantor's right, title, and interest in and to the real property located in Canyon County, Idaho, more specifically described on Schedule I attached hereto and incorporated herein ("Property").

TOGETHER WITH all of Grantor's right, title and interest in and to all streets, alleys and rights of way adjacent thereto, all mineral and water rights appurtenant thereto, and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the Property, as well in law as in equity.

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

AND Grantor for itself, its successors, heirs, and assigns does hereby covenant to and with Grantee that Grantor is the owner of the Property in fee simple and that the Property is free from all liens, claims, and encumbrances done, made, or suffered by Grantor, except: (a) matters of record, (b) all matters that would be disclosed by an accurate ALTA survey of the Property, (c) real property taxes and assessments for the current year that are not yet due and payable, and (d) any matters arising from the acts or omissions of Grantee or Grantee's agents. Grantor hereby covenants to and with Grantee and its successors, heirs, and assigns that Grantor shall warrant and defend the same against any other liens, claims, or encumbrances done, made, or suffered by Grantor, but none other.

[Remainder of page intentionally left blank; signature page follows.]

Re-recording to correct Parcel I
When recorded return to: of legal description

J & J Property Development, LLC

Attn: _____

20373876

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, Combs Land Development, Inc., an Idaho corporation ("**Grantor**"), does hereby bargain, sell, and convey unto J&J Property Development LLC, an Idaho limited liability company ("**Grantee**") whose address is 16070 Idaho Center Blvd., #105, Nampa, Idaho 83687, all of Grantor's right, title, and interest in and to the real property located in Canyon County, Idaho, more specifically described on Schedule I attached hereto and incorporated herein ("**Property**").

TOGETHER WITH all of Grantor's right, title and interest in and to all streets, alleys and rights of way adjacent thereto, all mineral and water rights appurtenant thereto, and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the Property, as well in law as in equity.

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

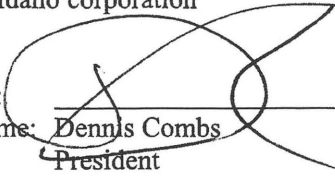
AND Grantor for itself, its successors, heirs, and assigns does hereby covenant to and with Grantee that Grantor is the owner of the Property in fee simple and that the Property is free from all liens, claims, and encumbrances done, made, or suffered by Grantor, except: (a) matters of record, (b) all matters that would be disclosed by an accurate ALTA survey of the Property, (c) real property taxes and assessments for the current year that are not yet due and payable, and (d) any matters arising from the acts or omissions of Grantee or Grantee's agents. Grantor hereby covenants to and with Grantee and its successors, heirs, and assigns that Grantor shall warrant and defend the same against any other liens, claims, or encumbrances done, made, or suffered by Grantor, but none other.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed effective as of October 29, 2020

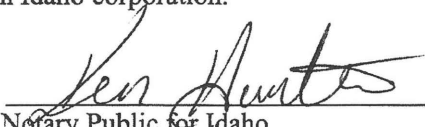
GRANTOR:

Combs Land Development, Inc.,
an Idaho corporation

By: 
Name: Dennis Combs
Its: President

STATE OF Idaho)
County of Canyon) ss.

This record was acknowledged before me on the 29 day of October __, 2020 by Dennis Combs, as president of Combs Land Development, Inc., an Idaho corporation.


Notary Public for Idaho

Residing at Ida

My commission expires 03/30/2026



SCHEDULE I

Legal Description of Property

Parcel I:

A parcel of land located in the Southeast Quarter of the Southwest Quarter and the Southeast Quarter of Section 15, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being further described as follows:

Basis of Bearings:

The West line of the Southeast Quarter of Section 15, Township 3 North, Range 3 West, Boise Meridian, derived from found monuments and taken as North 00°04'21" East with the distance between monuments found to be 2649.73 feet.

Beginning at the Center South 1/16 corner being the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 15, Township 3 North, Range 3 West, Boise Meridian; thence along the West line of the Northwest Quarter of the Southeast Quarter of said Section 15

North 00°04'21" East a distance of 1169.31 feet; thence leaving said West line

North 89°19'53" East a distance of 334.03 feet; thence

North 00°04'21" East to a point on the North line of said Northwest Quarter of the Southeast Quarter of Section 15 a distance of 155.57 feet; thence along said North line

North 89°19'50" East to a point on the boundary of Cirrus Pointe Subdivision No. 1 a distance of 931.57 feet; thence along said boundary of Cirrus Pointe Subdivision No. 1, Book 39, Page 36, Records of Canyon County, the following three (3) courses:

South 00°19'28" West a distance of 120.02 feet;

South 89°19'53" West a distance of 23.33 feet;

South 00°40'07" East to the Southwest corner of said Cirrus Pointe Subdivision No. 1 also being point on the boundary of future phase Cirrus Pointe Subdivision No. 2 common to said Cirrus Pointe Subdivision No. 1 a distance of 206.24 feet; thence along said Westerly boundary of said future phase Cirrus Pointe Subdivision No. 2 the following ten (10) courses:

North 90°00'00" West a distance of 40.12 feet;

South 00°00'00" West a distance of 60.00 feet;

North 90°00'00" West a distance of 76.69 feet;

South 00°00'00" West a distance of 181.00 feet;

North 90°00'00" West a distance of 13.31 feet;

South 00°00'00" East a distance of 110.00 feet;

North 90°00'00" East a distance of 294.38 feet;

South 44°28'20" East a distance of 6.91 feet;

From a tangent which bears North 89°18'21" East, along a non-tangent curve to the right with a radius of 926.00 feet and a central angle of 01°39'28", an arc length of 26.79 feet (with a chord bearing of North 88°28'37" East, and a chord distance of 26.79 feet);

South 00°00'00" East to the Southwest corner of said future phase Cirrus Pointe Subdivision No. 2 also being the Northwest corner of future phase Cirrus Pointe Subdivision No. 3 common to said future phase Cirrus Pointe Subdivision No. 2 at a distance of 502.54 feet; thence along the Westerly boundary of said future phase Cirrus Pointe Subdivision No. 3 the following fifteen (15) courses:

South 45°10'32" West a distance of 14.10 feet;

South 00°00'00" East a distance of 160.00 feet;

South 44°49'31" East a distance of 14.19 feet;

South 00°00'00" East a distance of 240.88 feet;

South 21°39'34" West a distance of 251.00 feet;

South 68°20'26" East a distance of 50.97 feet;
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South 63°58'52" East a distance of 296.33 feet;
South 89°17'37" East a distance of 80.47 feet;
South 82°36'17" East a distance of 56.00 feet;
North 07°23'43" East a distance of 15.38 feet;
South 82°36'17" East a distance of 147.55 feet
South 00°23'01" East a distance of 346.92 feet;
South 31°03'58" West a distance of 40.58 feet;
South 03°32'59" East to a point on the South line of the Southeast Quarter of the Southeast Quarter of said Section 15 a distance of 149.90 feet; thence along the said South line
South 89°16'11" West a distance of 314.99 feet; thence leaving said South line
North 00°30'47" East a distance of 25.01 feet; thence
North 37°50'04" West a distance of 332.19 feet; thence
North 59°17'46" West a distance of 182.17 feet; thence
South 89°09'15" West a distance of 124.78 feet; thence
North 65°56'55" West a distance of 118.28 feet; thence
00 South 00°51'02" East to a point on the South line of the Southwest Quarter of the Southeast Quarter of said Section 15 a distance of 434.72 feet; thence along said South line
South 89°11'23" West to the South Quarter corner of said Section 15 a distance of 994.87 feet; thence along the South line of the Southeast Quarter of the Southwest Quarter of said Section 15
South 89°21'53" West to a point on the centerline of Orchard Road a distance of 474.46 feet; thence along said Centerline of Orchard Road
North 80°12'42" West a distance of 55.70 feet; thence leaving said Centerline
North 00°04'21" East to a point on the North line of said Southeast Quarter of the Southwest Quarter of Section 15 a distance of 1314.34 feet; thence along said North line
North 89°18'54" East a distance of 529.36 feet to the Point of Beginning.

Except therefrom those portions conveyed to Canyon County under Right of Way Deeds recorded February 22, 1954 as Instrument Numbers 407390 and 407391.

Parcel II:

A parcel of land located in the Southeast Quarter of Section 15, Township 3 North, Range 3 West, Boise Meridian, City of Caldwell, Canyon County, Idaho and described as follows:

Basis of bearing being the East line of said Southeast Quarter derived from found monuments and taken as South 00°02'08" West.

Beginning at the Southeast corner of Section 15, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho; Thence along the South line of said Section 15
South 89°16'11" West a distance of 746.58 feet; thence leaving said South line
North 03°32'59" West a distance of 149.90 feet; thence
North 31°03'58" East a distance of 40.58 feet; thence
North 00°23'01" West a distance of 346.92 feet; thence
North 82°36'17" West a distance of 147.55 feet; thence
South 07°23'43" West a distance of 15.38 feet; thence
North 82°36'17" West a distance of 56.00 feet; thence
North 89°17'37" West a distance of 80.47 feet; thence
North 63°58'52" West a distance of 296.33 feet; thence
North 21°39'34" East a distance of 116.25 feet; thence

North 68°20'26" West a distance of 50.97 feet; thence
North 21°39'34" East a distance of 251.00 feet; thence
North 00°00'00" East a distance of 240.88 feet; thence
North 44°49'31" West to the Southwest corner of Cirrus Pointe Subdivision No. 2 a distance of 14.19 feet; thence
along the South boundary of said subdivision the following courses:
North 00°00'00" East a distance of 160.00 feet; thence
North 45°10'32" East a distance of 14.10 feet; thence
North 89°38'59" East a distance of 105.22 feet; thence
South 00°23'01" East a distance of 35.13 feet; thence
North 89°36'59" East a distance of 161.00 feet; thence
South 00°23'01" East a distance of 6.27 feet; thence
North 89°36'59" East a distance of 155.00 feet; thence
North 00°23'01" West a distance of 16.36 feet; thence
North 89°36'59" East a distance of 227.14 feet; thence
South 00°02'08" West a distance of 70.32 feet; thence
South 89°57'52" East a distance 110.00 feet; thence
South 00°02'08" West a distance of 34.24 feet; thence
South 89°57'13" East a distance of 176 feet; thence leaving said South boundary
North 89°16'49" East to the East line of said Section 15 a distance of 266.00 feet; thence along the East line
South 00°02'08" West a distance of 1322.52 feet to the Point of Beginning.

RECEIVED

JUL 08 2024

WATER RESOURCES
WESTERN REGION

2021-086667

RECORDED

12/21/2021 03:36 PM

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=4 JWINSLOW

\$15.00

TYPE: DEED

TITLEONE BOISE

ELECTRONICALLY RECORDED



Order Number: 21415419

Warranty Deed

For value received,

J&J Property Development LLC, an Idaho Limited Liability Company

the grantor, does hereby grant, bargain, sell, and convey unto

AG ESSENTIAL HOUSING MULTI STATE 2, LLC, a Delaware limited liability company

whose current address is 8585 E Hartford Dr. Suite 118 Scottsdale, AZ 85255

the grantee, the following described premises, in Canyon County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Order Number: 21415419

Warranty Deed - Page 1 of 4

Dated: December 17, 2021

J&J Property Development LLC, an Idaho Limited Liability Company

John Odom, Manager

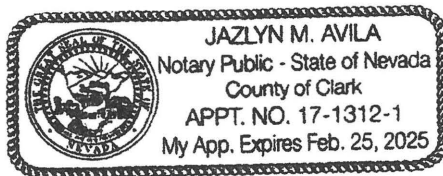
Jonathan M. January, Manager

State of Nevada, County of Clark, ss.

On this 20th day of December 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Jonathan M. January, known or identified to me to be a Manager of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Jazlyn M. Avila
Notary Public
Residing In: Nevada, Clark County
My Commission Expires: 02/25/2025



State of Idaho, County of Ada, ss.

On this 21 day of December 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared John Odom, known or identified to me to be a Manager of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Nicholas S. Weatherly
Notary Public
Residing In: Meridian, ID
My Commission Expires: _____

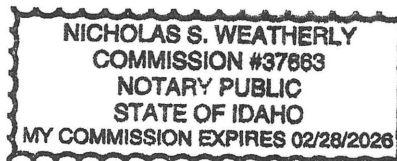


EXHIBIT A

LEGAL DESCRIPTION OF THE PREMISES

A parcel of land located in the Southeast 1/4 of Section 15, Township 3 North, Range 3 West, Boise Meridian, City of Caldwell, Canyon County, Idaho more particularly described as follows:

BEGINNING at the Section corner common to Sections 14, 15, 22 and 23, T.3N., R.3W., B.M., from which the 1/4 corner common to said Sections 14 and 15, bears North 00°02'08" East, 2645.05 feet;
thence on the South boundary line of said Section 15, South 89°13'47" West, 1,061.36 feet;
thence leaving said South boundary line, North 00°30'47" East, 25.88 feet;
thence North 37°50'04" West, 332.19 feet;
thence North 59°17'46" West, 182.17 feet;
thence South 89°09'15" West, 124.78 feet;
thence North 65°56'55" West, 118.28 feet;
thence South 00°51'02" East, 435.55 feet to the South boundary line of said Section 15;
thence on said South boundary line, South 89°13'47" West, 217.24 feet;
thence leaving said South boundary line, North 00°09'04" East, 46.27 feet;
thence 26.36 feet along the arc of a curve to the left having a radius of 20.00 feet, a central angle of 75°31'21" and a long chord which bears North 36°06'52" East, 24.49 feet;
thence North 01°38'45" West, 152.80 feet;
thence 96.24 feet along the arc of curve to the left having a radius of 267.00 feet, a central angle of 20°39'07" and a long chord which bears North 11°58'18" West, 95.72 feet;
thence North 22°17'52" West, 1,727.05 feet;
thence South 89°28'02" West, 85.30 feet to the East right-of-way line of S. Montana Avenue; thence on said East right-of-way line, North 00°03'43" East, 574.47 feet;
thence leaving said East right-of-way line, North 89°19'53" East, 309.21 feet;
thence North 00°03'43" East, 155.58 feet to the East-West centerline of said Section 15;
thence on said centerline, North 89°19'53" East, 931.57 feet to the Westerly boundary line of Cirrus Pointe Subdivision No. 1 as filed in Book 39 of Plats at Page 36, records of Canyon County, Idaho;
thence on said Westerly boundary line and the Westerly boundary line of Cirrus Pointe Subdivision No. 4 as filed in Book 45 of Plats at Page 42 and Cirrus Pointe Subdivision No. 5 as filed in Book 46 of Plats at Page 41, records of Canyon County, Idaho, the following thirteen (13) courses and distances:

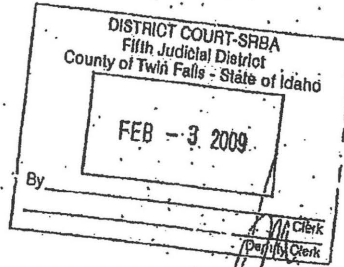
South 00°19'28" West, 120.01 feet;
South 89°19'53" West, 23.33 feet;
South 00°40'07" East, 206.24 feet;
North 90°00'00" West, 40.12 feet;
South 00°00'00" East, 60.00 feet;
North 90°00'00" West, 76.69 feet;
South 00°00'00" East, 181.00 feet;
North 90°00'00" West, 13.31 feet;
South 00°00'00" East, 110.00 feet;
North 90°00'00" East, 294.38 feet;
South 44°28'20" East, 6.91 feet;
26.69 feet along the arc of a curve to the left having a radius of 926.00 feet, a central angle of 01°39'05" and a long chord which bears North 88°28'49" East, 26.69 feet;
South 00°00'00" East, 502.54 feet to the Southerly boundary line of said Cirrus Pointe Subdivision No. 4;
thence on said Southerly boundary line and the Southerly boundary line of Cirrus Pointe Subdivision No. 3 filed in Book 45 of Plats at Page 19, records of Canyon County, Idaho, the following eleven (11) courses and distances:

North 89°38'59" East, 105.22 feet;
South 00°23'01" East, 35.13 feet;
North 89°36'59" East, 161.00 feet;
South 00°23'01" East, 6.27 feet;
North 89°36'59" East, 155.00 feet;
North 00°23'01" West, 16.36 feet;
North 89°36'59" East, 227.14 feet;
South 00°02'08" West, 70.32 feet;
South 89°57'52" East, 110.00 feet;
South 00°02'08" West, 34.24 feet;
South 89°57'13" East, 176.00 feet;
thence leaving said Southerly boundary line, North 89°16'49" East, 265.94 feet to the East boundary line of said
Section 15;
thence on said East boundary line, South 00°02'08" West, 1,322.54 feet to the REAL POINT OF BEGINNING.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-32665



NAME AND ADDRESS: PAINS FARMS
15498 MONTANA AVE
CALDWELL, ID 83607

SOURCE: GROUND WATER

QUANTITY: 1.73 CFS
473.90 AFW

PRIORITY DATE: 09/13/1948

POINT OF DIVERSION: T03N R03W S15 NWSE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE:	PERIOD OF USE:	QUANTITY:
	Irrigation	03-01 TO 11-15	1.73 CFS 473.90 AFW

PLACE OF USE:	Irrigation	Within Canyon County
	T03N R03W S15	NWSE 38.0 SESE 28.0
	105.0 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

EXHIBIT 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 Mathew Weaver

October 28, 2024

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605-4052

Re: Change in Ownership for Water Right No(s): 63-32665

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 1 (208) 605-4633.

Sincerely,

Marina Bozdog
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/28/2024

Water Right 63-32665

Owner Type **Name and Address**
Current Owner CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL, ID 83605-4052
(208) 455-3000

Original Owner MARLIN PAINE
15498 MONTANA
CALDWELL, ID 83605
(208) 459-3017

Previous Owner PAINE FARMS
15498 MONTANA AVE
CALDWELL, ID 83607
(208) 459-9187

Priority Date: 9/13/1948

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	1.730 CFS	473.9 AF
	<u>Total Diversion</u>		1.730 CFS	473.9 AF

Source and Point(s) of Diversion:

GROUND WATER NWSE Sec. 15, Twp 03N, Rge 03W, 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	03W	15														38.0	28.0	39.0	105.0

POU Total Acres: 105.0

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

Proof Report

- 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. This right is a split from former right 63-2718 .
3. 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.

Dates and Other Information:

Decreed Date: 2/3/2009

Civil Case Number: 39576

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