

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 20 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

RECEIVED

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

JUN 27 2016
Department of Water Resources
Eastern Region

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-7289 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-2905 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-8849 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7062 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-12442 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: FOSTER CO
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): STEELE HILL FARM LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1250 NE LOOP 410 STE 300 SAN ANTONIO TX 78209
Mailing address City State ZIP
- _____
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: _____
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 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 # 35-2905

8. Signature: [Signature] President 6/13/2016
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 6-20-2016 Receipt No. S035537 Receipt Amt. \$125-

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 [Signature] Processed by [Signature] Date 6/29/2016

Recording Requested by and
After Recording Return to:

Kimberly D. Maloney
Givens Pursley LLP
601 W. Bannock Street
P.O. Box 2720
Boise, ID 83701

Instrument # 1526109
IDAHO FALLS, BONNEVILLE, IDAHO
2016-06-03 02:42:08 PM No. of Pages: 7
Recorded for: ALLIANCE TITLE - IDAHO FALLS O
RONALD LONGMORE Fee: \$28.00
Ex-Officio Recorder Deputy A Robinson
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, FOSTER COMPANY, an Idaho general partnership ("Grantor"), does hereby grant, bargain, sell and convey unto STEELE HILL FARM LLC, a Delaware limited liability company, whose current mailing address is 1250 NE Loop 410, Suite 300, San Antonio, Texas 78209 ("Grantee"), the following described real property, located in Bonneville County, Idaho, to wit (the "Premises"):

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

TOGETHER WITH all water and water rights and other entitlements to water appurtenant to or beneficially used upon the Premises including, but not limited to, those described on Exhibit B, and all others represented by any decree, license, permit, claim, permit application or storage entitlement, and all other ditch and canal company, water association, irrigation district, or other water delivery entity shares and entitlements to receive water from any such company, association, district or other entity, and all ditch rights, easements, and rights of way associated with any irrigation or other water well, pump, delivery ditch, canal, lateral, pipeline, or facilities used to divert, convey or deliver any water, water rights, or entitlements appurtenant to or beneficially used upon the Premises, and all minerals and mineral 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 Premises, as well in law as in equity.

TO HAVE AND TO HOLD the Premises with its appurtenances unto Grantee, its successors and assigns, forever, and subject to the matters set forth on Exhibit C to this Warranty Deed attached hereto and incorporated herein (the "Permitted Exceptions"). Grantor does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Premises; that Grantor has a good right to convey the fee simple; that the Premises is free from any and all liens, claims, encumbrances or other defects of title except the Permitted Exceptions; that Grantor shall and will warrant and defend the quiet and peaceful possession of said Premises by Grantee, and its successors and assigns forever, against all other claims whatsoever except as excluded or excepted herein and that Grantor and its successors and assigns

will, on demand of the Grantee or its successors or assigns, execute any instrument necessary for the further assurance of the title to the Premises that may be reasonably required.

DATED effective as of the 3rd day of June, 2016.

FOSTER COMPANY, an Idaho general partnership

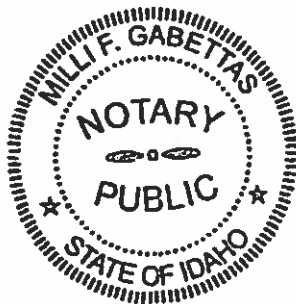
By: *Boyd S. Foster*
Boyd S. Foster, Partner

By: *Laurie Foster*
Laurie Foster, Partner

STATE OF IDAHO)
 : ss.
County of Bonneville)

On this 3rd day of June, 2016, before me, a Notary Public in and for said state, personally appeared Boyd S. Foster, a partner of FOSTER COMPANY, an Idaho general partnership, and the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

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



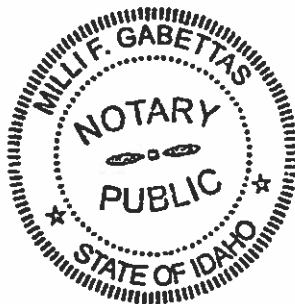
Millie F. Gabettas
Notary Public for Idaho
Residing at: _____
My commission expires: _____

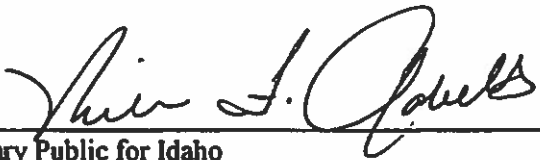
Residing in Idaho Falls, Idaho
Commission expires 3-19-2022

STATE OF IDAHO)
 : ss.
County of Bonneville)

On this 3RD day of June, 2016, before me, a Notary Public in and for said state, personally appeared Laurie Foster, a partner of FOSTER COMPANY, an Idaho general partnership, and the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

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





Notary Public for Idaho
Residing at: _____
My commission expires: _____

Residing in Idaho Falls, Idaho
Commission expires 3-19-2022

EXHIBIT A

Legal Description of Premises

Tract I:

Section 3, Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho:

Lots 2, 3, and 4

South Half of the North Half (S½N½)

Southwest Quarter (SW¼)

West Half of the Southeast Quarter (W½SE¼)

Tract II:

Section 4, Township 3 North, Range 36, East of the Boise Meridian, Bonneville County, Idaho:

Lots 1 and 2

South Half of the Northeast Quarter (S½NE¼)

Southeast Quarter (SE¼)

Tract III:

Section 10, Township 3 North, Range 36, East of the Boise Meridian, Bonneville County, Idaho:

East Half (E½)

Less and Excepting Therefrom: Part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 10, Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho described as follows: Beginning at the Southeast corner of said Section 10 and running thence N.89°58'59"W. 634.18 feet along the section line; thence N.00°01'01"E. 30.00 feet; thence N.30°26'38"E. 403.70 feet; thence N.51°48'50"E. 35.41 feet; thence S.89°58'59"E. 402.89 feet to the east line of said Section 10; thence S.00°09'24"W. 400.00 feet to the point of beginning.

EXHIBIT B

Water Rights

Idaho Department of Water Resources Water Rights Numbered:

35-2905

35-7289

35-8849

35-7062

35-12442

EXHIBIT C

Permitted Exceptions

1. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights or easements appurtenant to water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
2. Taxes, including any assessments collected therewith, for the year 2016 and subsequent years, which are a lien not yet due and payable.
3. An easement for the purpose shown below and rights incidental thereto as set forth in document:

Granted To: Utah Power & Light Company
Purpose: Public Utilities
Recorded: September 29, 1961
Book: 21, of Leases & Contract at Page: 369
(Affects Tract II)

4. An easement for the purpose shown below and rights incidental thereto as set forth in document:

Granted To: Utah Power & Light Company
Purpose: Public Utilities
Recorded: May 10, 1966
Instrument No.: 360693
(Affects Tract III)

5. An easement for the purpose shown below and rights incidental thereto as set forth in document:

Granted To: Utah Power & Light
Purpose: Public Utilities
Recorded: October 27, 1969
Instrument No.: 401518
(Affects Tract III)

6. An easement for the purpose shown below and rights incidental thereto as set forth in document:

Granted To: Utah Power & Light Company
Purpose: Public Utilities
Recorded: October 27, 1969
Instrument No.: 401519
(Affects Tract III)

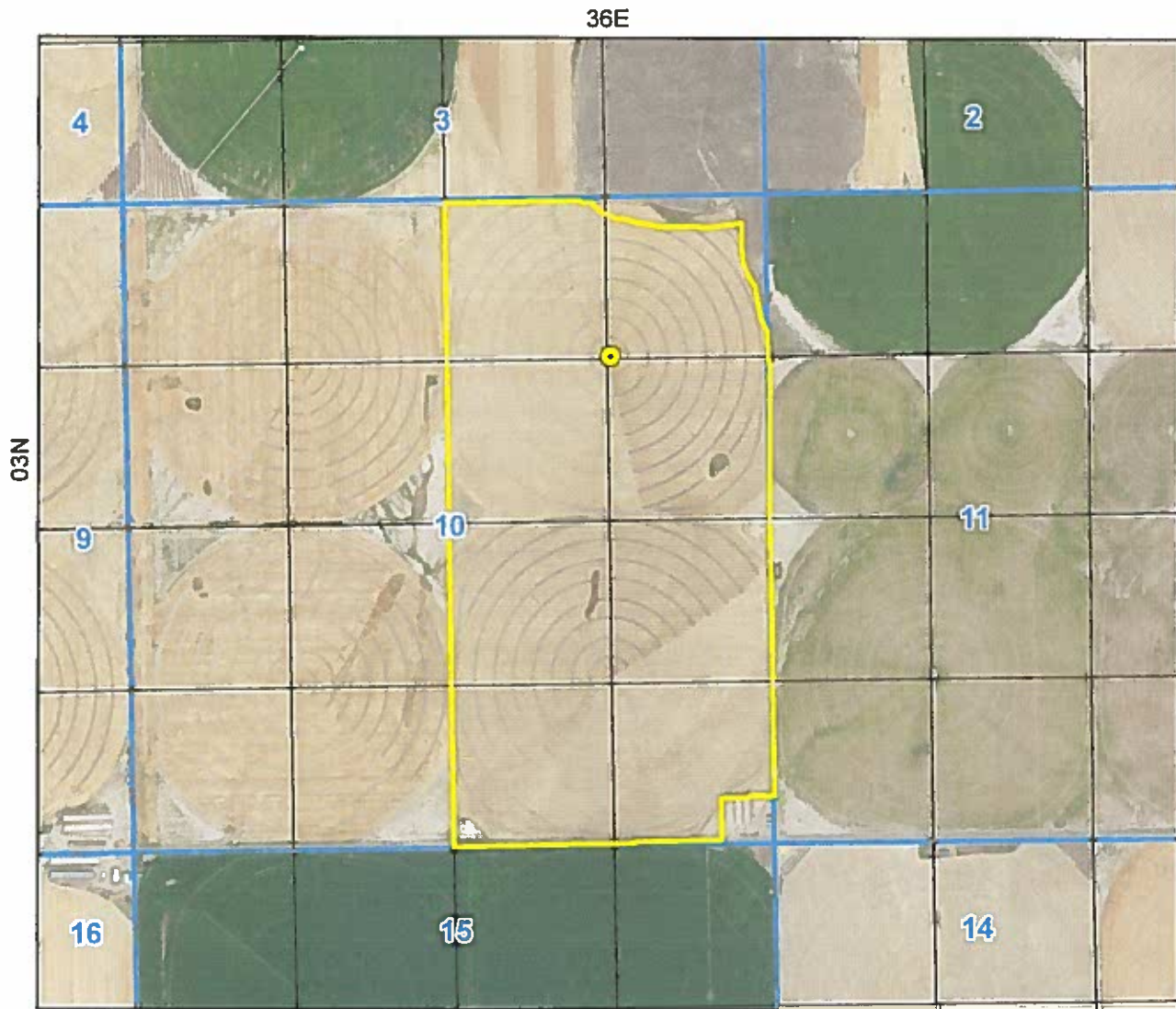
7. Ditch, road and public utility easements as the same may exist over said premises.
8. Rights of the public in and to that portion of the premises lying within 9th West.
(Affects Tract II)
9. Rights of the public in and to that portion of the premises lying within 113th North.
(Affects Tract III)

State of Idaho
Department of Water Resources

Water Right 35-7062

IRRIGATION

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



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.175 0.35 0.7 Miles



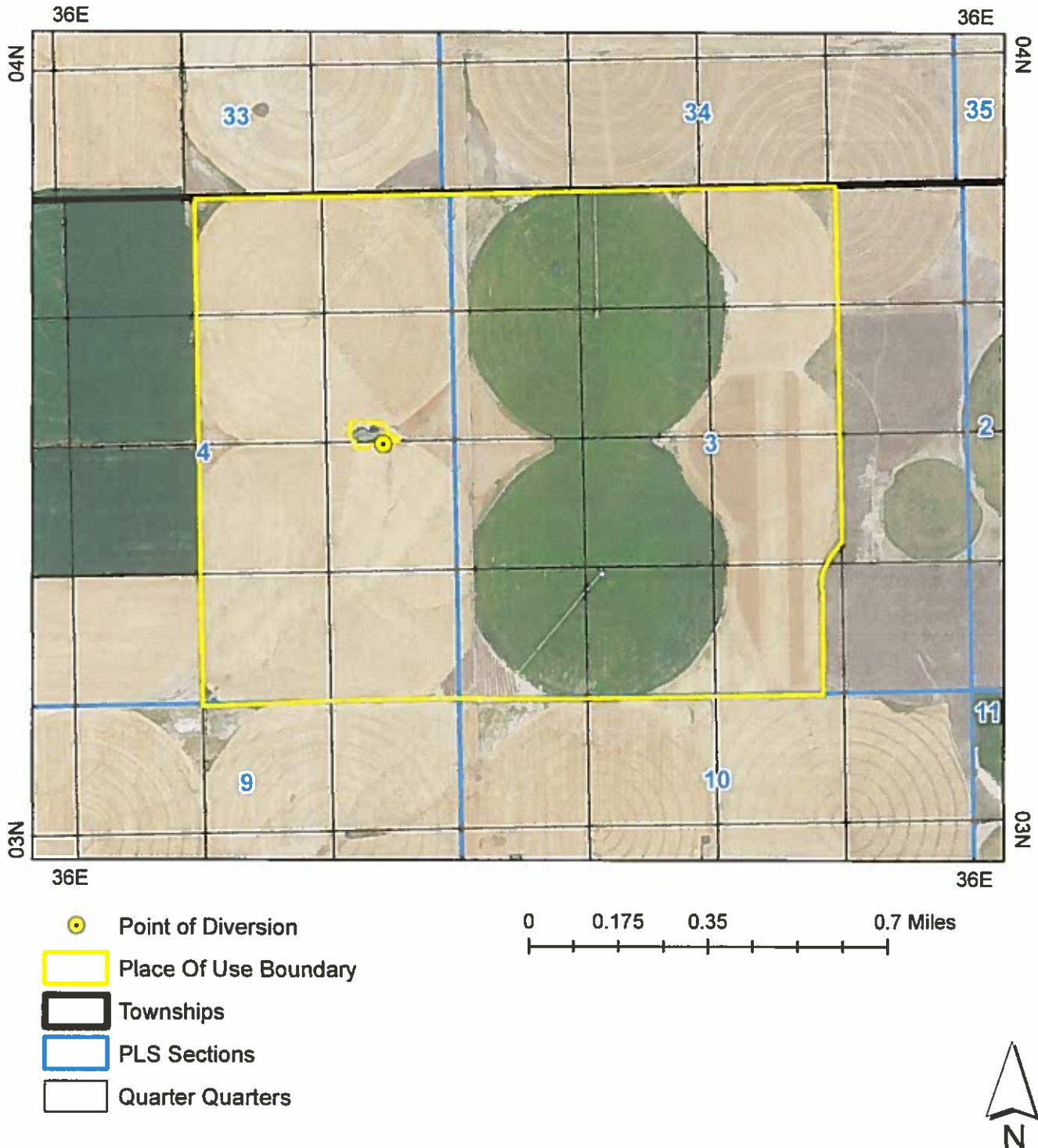
State of Idaho
Department of Water Resources

Water Right

35-2905

IRRIGATION

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



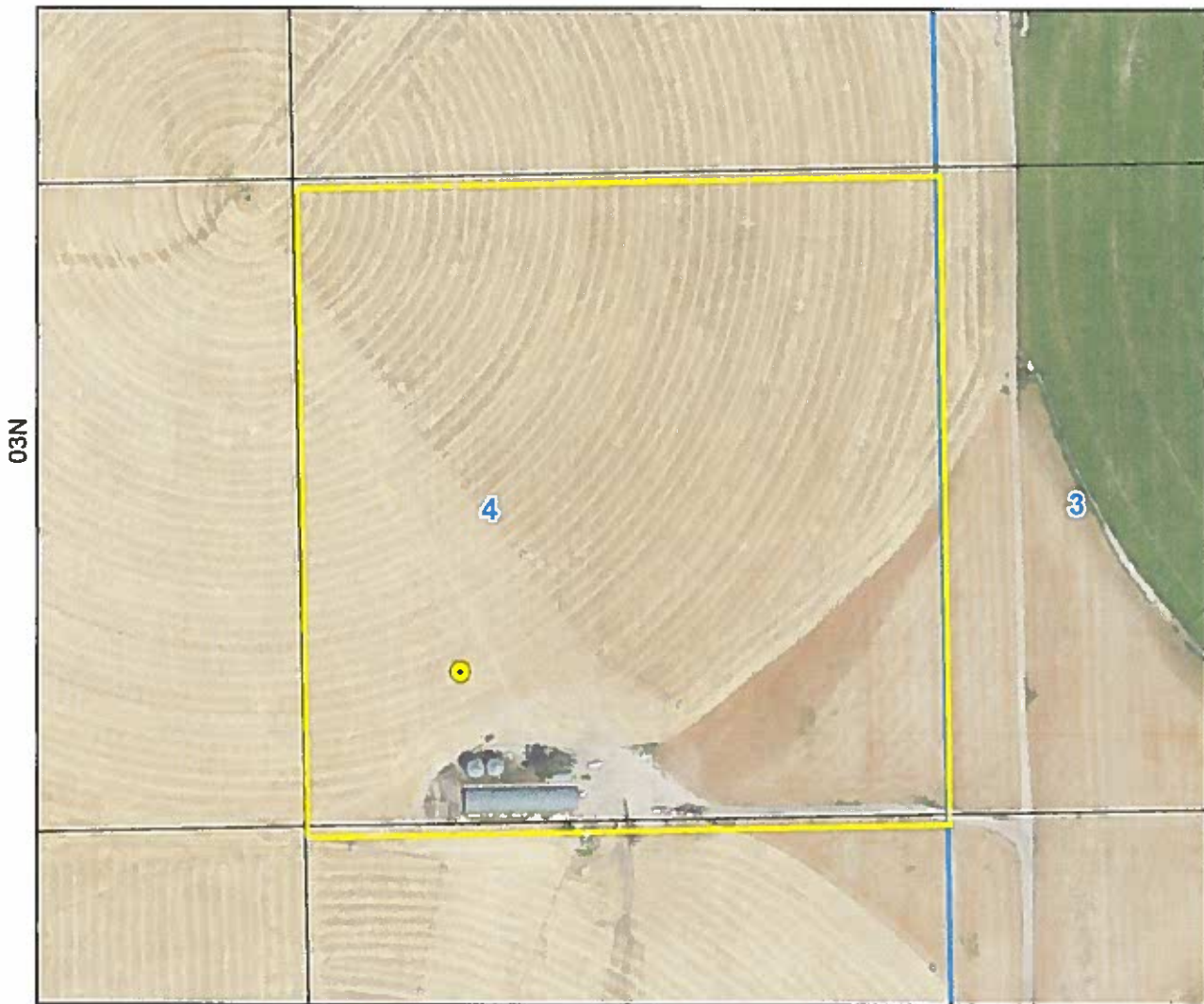
State of Idaho
Department of Water Resources

Water Right
35-12442

DOMESTIC

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

36E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.045 0.09 0.18 Miles

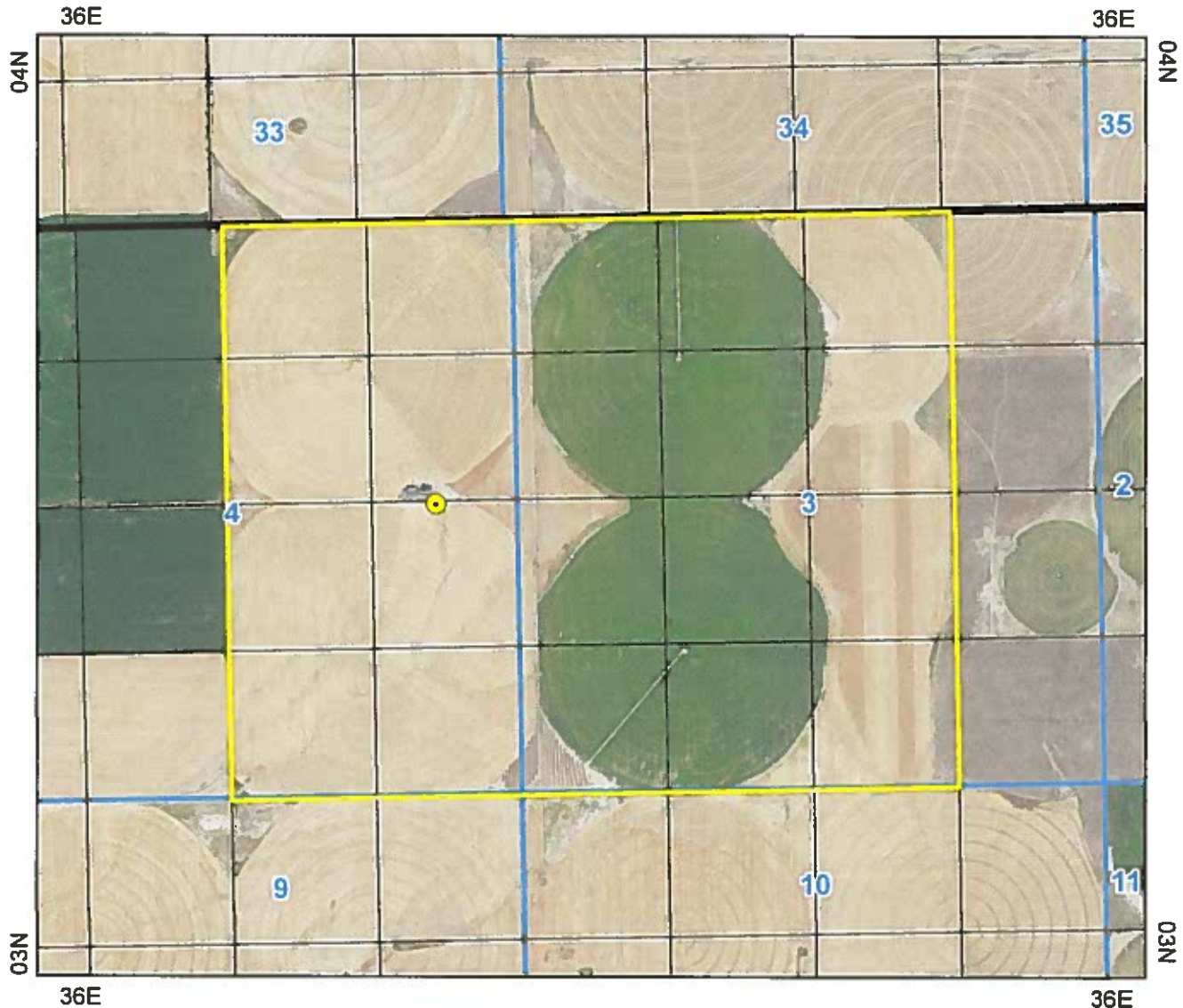


State of Idaho
Department of Water Resources

Water Right
35-8849

IRRIGATION

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



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.175 0.35 0.7 Miles

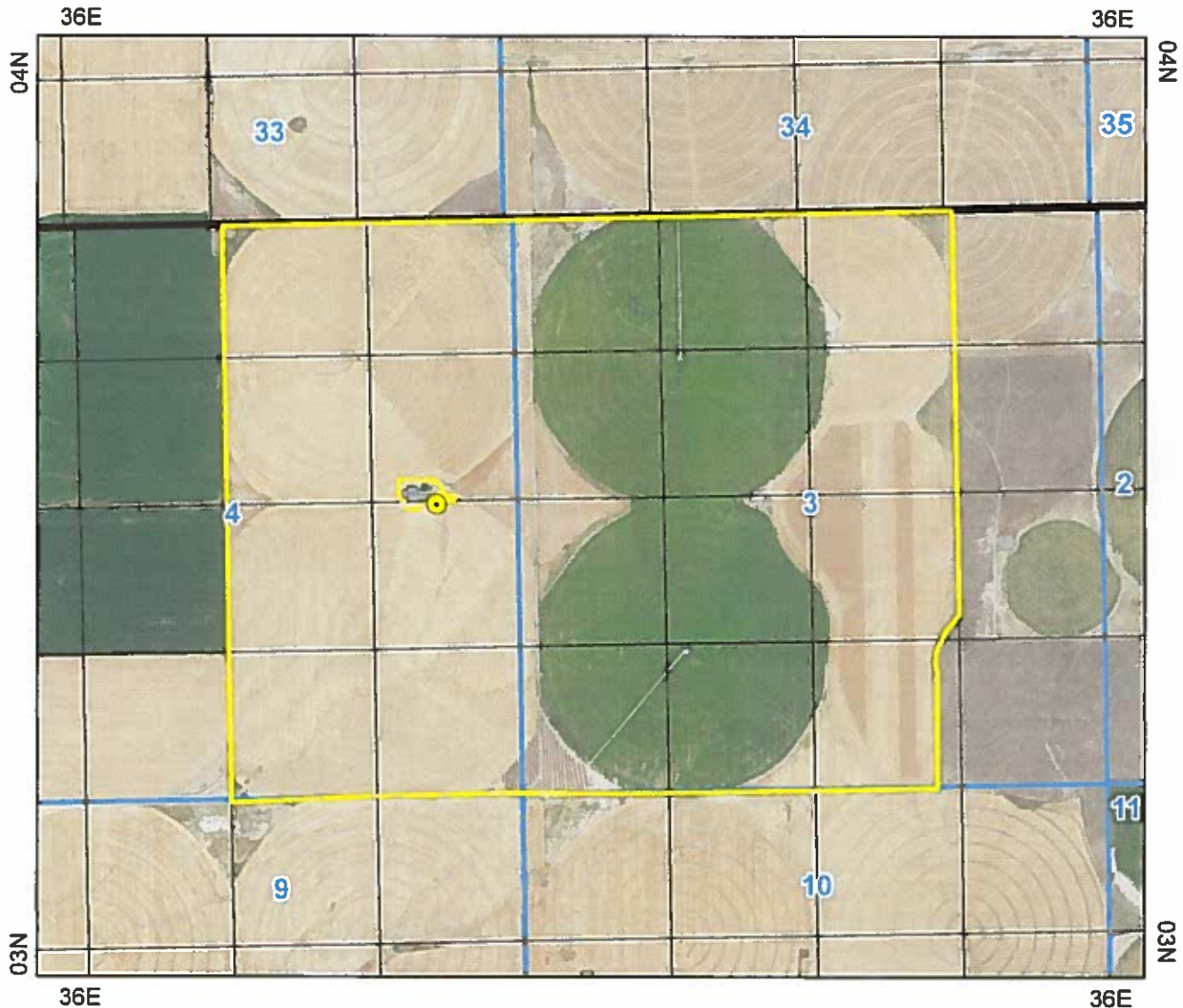


State of Idaho
Department of Water Resources

Water Right
35-7289

IRRIGATION

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



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.175 0.35 0.7 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 28, 2016

Steele Hill Farm LLC
1250 NE Loop 410 Ste 300
San Antonio TX 78209

RE: Change of Ownership for Water Right No(s). 35-2905, 35-7062, 35-7289, 35-8849 & 35-12442

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 120
Bingham Ground Water District