

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

DEC 23 2015

WATER RESOURCES
WESTERN REGION

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

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-32788	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-32789	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-19155	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: O C Holdings Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Bel Air Eagle, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2500 N. Dallas Pkwy. Ste. 424 Plano TX 75093
Mailing address City State ZIP
- 972-265-6900 _____
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: May 4, 2015
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 # 63-19155

8. Signature: [Signature] Manmohan Paudyal 12/17/15
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 [Signature] Date 12/23/15 Receipt No. W043764 Receipt Amt. \$75.00

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 [Signature] Approved by [Signature] Processed by [Signature] Date 1/6/16

State of Idaho
Department of Water Resources

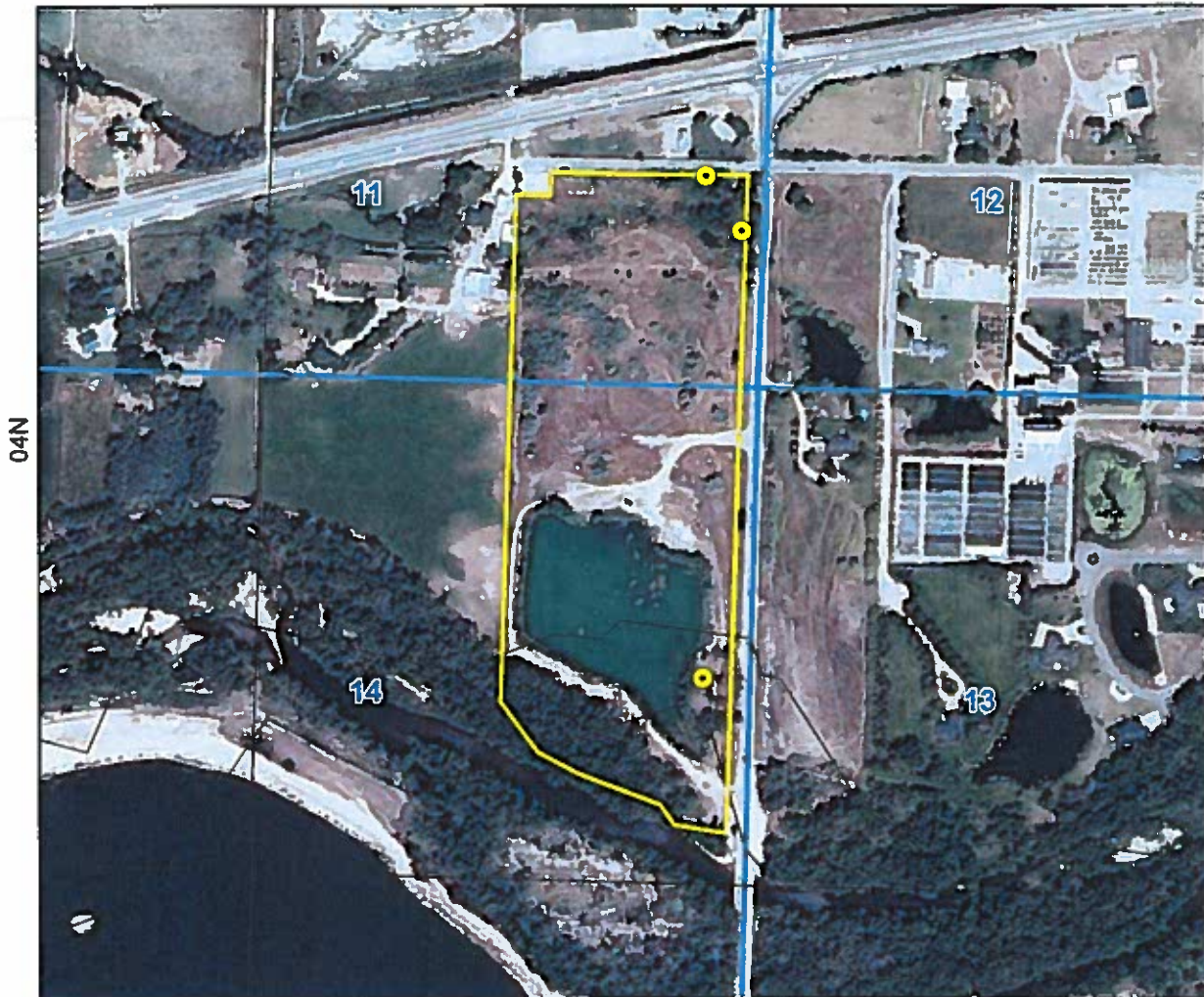
Water Right

63-32788

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.

01W



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

0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources

Water Right
63-32788

STOCKWATER

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.

01W



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

0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources

Water Right
63-32789

GROUND WATER RECHARGE

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.

01W



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

0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources

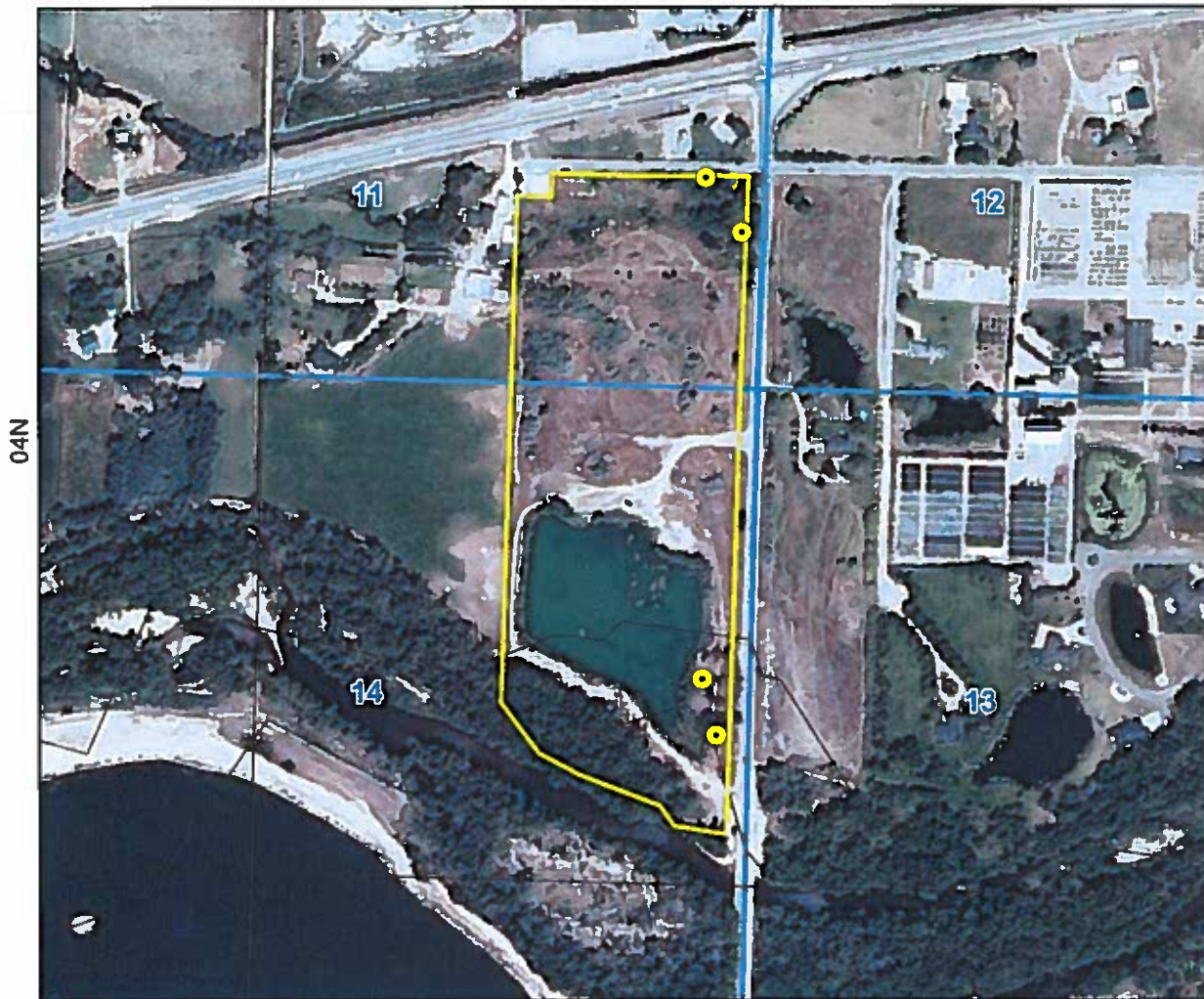
Water Right

63-32789

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.

01W



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

0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources

Water Right
63-19155

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.

01W



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

0 0.035 0.07 0.14 Miles



SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

Order No. 1080909

SPECIAL WARRANTY DEED

This Special Warranty Deed is between **OC Holdings, Inc.**, an Arizona corporation, ("**Grantor**"), whose address is 2425 East Camelback Road, Suite 600, Phoenix, Arizona, 85016, and **Bel Air Eagle, LLC**, a Delaware limited liability company, ("**Grantee**"), whose address is 2500 N. Dallas Parkway, Suite 424, Plano, Texas 75093, witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, does, by these presents, convey unto Grantee and its heirs, successors and assigns forever, all the following described real estate situated in the County of Ada County, State of Idaho:

See Exhibit A, attached hereto and incorporated herein;

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof; and all estate, right, title and interest in and to said property, as well in law as in equity, except as expressly provided otherwise herein ("**Premises**");

To have and to hold, all and singular, the Premises together with the appurtenances unto Grantee and its heirs, successors and assigns forever.

By accepting this Special Warranty Deed, Grantee accepts the Premises in its "AS IS" condition, subject to all latent and patent defects, and further subject to all non-delinquent taxes and assessments, all existing easements, rights of way, reservations, restrictions and encumbrances, levies, U.S. patent reservations, any existing tenancies, all zoning laws and ordinances, all matters of record, and any state of facts that an accurate survey or inspection of the property would show.

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantor has not conveyed the same estate to any person other than Grantee and that such estate is at the time of the execution of this instrument free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor, subject to all matters set forth above and encumbrances of record or appearing on the land as of the date of this instrument.

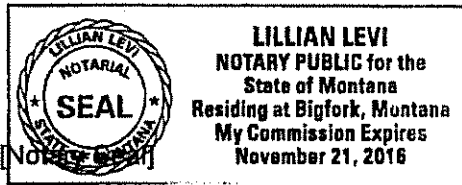
4th IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed on the 20th day of May, 2015.

OC Holdings, Inc.,
an Arizona corporation

By [Signature]
Bernard A. Slogotski
Its: President

STATE OF ~~ARIZONA~~ Montana)
COUNTY OF Flathead)

This instrument was acknowledged before me, this 28th day of April, 2015, by Bernard A. Slogotski, as the President of OC Holdings, Inc., an Arizona corporation.



[Signature]
Notary Public for ~~Arizona~~ Montana

EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Parcel A:

Parcel A of Record of Survey No. 8181 recorded January 8, 2008 as Instrument No. 108001927, Amended by Affidavit of Correction recorded February 14, 2008 as Instrument No. 108016569, records of Ada County, Idaho, being a tract of land situated in a portion of Lots 13 and 14 of The Compton Andrew Tract (a recorded subdivision on file in Book 5 of Plats at page 223, records of Ada County, Idaho) located in the Southeast One Quarter of the Southeast One Quarter of Section 11, and U.S. Government Lot 1 of Section 14, and situated in a portion of U.S. Government 12 of Section 14, all in Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

Commencing at a found aluminum cap monumenting the East One Quarter of said Section 11 on the centerline of North Linder Road; thence following the Easterly line of said Section 11 and the centerline of said North Linder Road, South 00°49'22" West a distance of 2,645.46 feet to a found brass cap monumenting the Southeast Corner of said Section 11; thence leaving said Easterly line and said centerline, North 89°19'08" West a distance of 25.00 feet to a found ½-inch steel pin on the Westerly right-of-way line of said North Linder Road being the POINT OF BEGINNING; thence following the Westerly right-of-way line of said Linder Road the following three courses:

- South 00°40'52" West a distance of 386.41 feet to a set 5/8-inch steel pin;
- South 88°15'48" West a distance of 5.00 feet to a set 5/8-inch steel pin;
- South 00°40'52" West a distance of 787.74 feet to a found ½-inch steel pin on the mean high water line of the right bank of the North Channel of the Boise River as determined by the Idaho State Department of Lands;

thence leaving said Westerly right-of-way line and following said high water line of the right bank of the North Channel of the Boise River the following five courses:

- North 82°19'05" West a distance of 156.74 feet to a found ½-inch steel pin;
- North 35°37'12" West a distance of 63.97 feet to a found ½-inch steel pin;
- North 70°06'52" West a distance of 229.91 feet to a set 5/8-inch steel pin;
- North 63°08'31" West a distance of 122.49 feet to a set 5/8-inch steel pin;
- North 38°24'12" West a distance of 168.74 feet to a found ½-inch steel pin on the Westerly line of Lot 14 of said The Compton Andrews Tract;

thence leaving said high water line and following the Westerly line of the Westerly line of Lot 14 of said The Compton Andrews Tract,

North 00°40'52" East a distance of 1,298.40 feet to a set 5/8-inch-steel pin; thence leaving said Westerly line,

North 89°35'03" East a distance of 170.00 feet to a set 5/8-inch steel pin; thence South 00°40'52" West a distance of 10.00 feet to a set 5/8-inch steel pin; thence North 89°35'03" East a distance of 105.00 feet to a set 5/8-inch steel pin; thence North 00°40'52" East a distance of 110.00 feet to a set 5/8-inch steel pin on the Northerly line of said Lot 14 and the Southerly right-of-way line of Old Valley Road; thence following said Northerly line and said Southerly right-of-way line, North 89°35'03" East a distance of 358.39 feet to a found ½-inch steel pin on the Westerly right-of-way line of said North Linder Road; thence leaving said Northerly line and said Southerly right-of-way line and following the Westerly right-of-way line of said North Linder Road, South 00°49'22" West a distance of 567.47 feet to the POINT OF BEGINNING.

Excepting therefrom a portion of land conveyed to Ada County Highway District by Warranty Deed recorded September 3, 1998, as Instrument No. 98085046, records of Ada County, Idaho.

Parcel B:

Parcel B of Record of Survey No. 8181 recorded January 8, 2008 as Instrument No. 108001927, Amended by Affidavit of Correction recorded February 14, 2008 as Instrument No. 108016569, records of Ada County, Idaho, being a tract of land situated in a portion of Lot 14 of The Compton Andrew Tract (a recorded subdivision on file in Book 5 of Plats at page 223, records of Ada County, Idaho) located in the Southeast One Quarter of the Southeast One Quarter of Section 11, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

Commencing at a found aluminum cap monumenting the East One Quarter Corner of said Section 11 on the centerline of North Linder Road, from which a found brass cap monumenting the Southeast Corner of said Section 11 bears South 00°49'22" West a distance of 2,645.46 feet; thence following the Easterly line of said Section 11 and the centerline of said North Linder Road, South 00°49'22" West a distance of 2,052.50 feet to the centerline of West Old Valley Road; thence leaving said Easterly line and said centerline, and following the centerline of said West Old Valley Road, South 89°35'03" West a distance of 658.46 feet to a point; thence leaving said centerline, South 00°40'52" West a distance of 25.00 feet to a set 5/8-inch steel pin monumenting the Northwest Corner of Lot 14 of said The Compton Andrew Tract on the southerly right-of-way line of said West Old Valley Road; thence following the Northerly line of said Lot 14 and the Southerly right-of-way line of said West Old Valley Road, North 89°35'03" East a distance of 170.00 feet to a set 5/8 inch steel pin being the POINT OF BEGINNING; thence following said Northerly line and said Southerly right-of-way line, North 89°35'03" East a distance of 105.00 feet to a set 5/8-inch steel pin; thence leaving said Northerly line and said Southerly right-of-way line, South 00°40'52" West a distance of 110.00 feet to a set 5/8-inch steel pin; thence South 89°35'03" West a distance of 105.00 feet to a set 5/8-inch steel pin; thence North 00°40'52" East a distance of 110.00 feet to the POINT OF BEGINNING.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 6, 2016

BEL AIR EAGLE LLC
2500 N DALLAS PKWY STE 424
PLANO TX 75093

RE: Notice of Ownership Change in Water Right No's:

63-19155, 63-32788 & 63-32789

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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 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.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience and cooperation. Please call me if you have any questions concerning the enclosed information.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office
208-334-2190

Enclosures

Cc: SPF WATER ENGINEERING
300 E MALLARD DR STE 350
BOISE ID 83706



December 23, 2015

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

RECEIVED

DEC 23 2015

WATER RESOURCES
WESTERN REGION

**Subject: Ownership Change Notice
Beneficial Use Field Exam, Permit 63-32601
Extension of Time to Avoid Forfeiture, Right 63-32789
Application for Permit**

Dear Angie,

Enclosed on behalf of Bel Air Eagle, LLC, are the documents we discussed in our meeting Monday, December 14, 2015. Below is a brief description of each:

- ✓ 1. **Notice of Change in Water Right Ownership** from O C Holdings Inc. to Bel Air Eagle, LLC. Filing fee for this notice is \$75 (enclosed).
- ✓ 2. **Beneficial Use Field Exam** for lapsed permit 63-32601, including as Attachment A, a signed **Proof of Beneficial Use** and an unsigned **Request for Reinstatement**. The signed reinstatement request is currently in transit and will be submitted ASAP. The filing fee for the proof is waived because SPF conducted the licensing exam. The filing fee for the reinstatement is \$250 (enclosed).

Note: the permit is currently in the name of The Orchards at Eagle, LLC, who lost the property in bankruptcy and has since dissolved. A request for permit assignment was prepared and sent to the original manager of The Orchards at Eagle, LLC, who indicated he would not comply. The pond authorized under permit 63-32601 has clearly been developed and as owners of the associated property, Bel Air Eagle clearly have an interest in the permit. Consequently, the required proof of beneficial use is being submitted by Bel Air Eagle as allowed per Idaho Department of Water Resource's Administrative Permit Processing Memo No. 10.

- ✓ 3. **Extension of Time to Avoid Forfeiture** for water right 63-32789 that authorizes irrigation use on Bel Air's property and provides mitigation water for the pond. The forfeiture period allowed for non-use of this right is set to expire December 31, 2015. Filing fee for this application is \$100 (enclosed).
- ✓ 4. **Application for Permit** requesting water right coverage for the pond area developed in excess of the amount authorized under lapsed permit 63-32601. ~~Filing fee for the application is \$200~~ (enclosed).

Fee is
\$100⁰²

Angie Grimm, IDWR

December 23, 2015

Check No. 010302 for \$625 is enclosed for the filing fees. Thank you very much for meeting with me and for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Graves". The signature is fluid and cursive, with the first name "Lori" and last name "Graves" clearly distinguishable.

Lori Graves
Water Rights Specialist

Cc: Ronny Guerrero via email
Dave Yorgason via email

Enclosures

SPF file number: 1234.0010