

RECEIVED

FEB 02 2015

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## 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.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| LIC 65-13797          | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: OSPREY PROPERTIES LLC  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Harrison Development  
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

5112 N 40th St. #105

Mailing address

Phoenix

City

AZ State

85018 ZIP

602 840 4295

Telephone

Jharrisonjr@harrisonprops.com 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: 2/1/13

6. 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.

7. Signature: [Signature]  
Signature of new owner/claimant

Title, if applicable

8/1/14 Date

Signature: [Signature]  
Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by BB

Date 2/2/15

Approved by [Signature]

Processed by [Signature]

Receipt No. W042784

W042449 - refunded 1/20/15

Date 2/12/15

Receipt Amt. \$25.00

\$25.00

25.00

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AUG 22 2014

WATER RESOURCES  
WESTERN REGION



Instrument # 377213  
VALLEY COUNTY, CASCADE, IDAHO  
06-03-2013 09:52:01 No. of Pages: 4  
Recorded for: AMERITITLE MCCALL  
ARCHIE N. BANBURY Fee: \$19.00  
Ex-Officio Recorder Deputy: JLP  
Electronically Recorded by Simplifile

RECEIVED  
FEB 10 2015  
WATER RESOURCES  
WESTERN REGION

## WARRANTY DEED

For Value Received,

Osprey Properties LLC

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Harrison Development, L.L.C., an Arizona limited liability company

GRANTEE(s), whose address is: 5112 N. 40th St. Suite 105, PHOENIX, AZ 85018

the following described real property, to-wit:

**Parcel 1:**

The NW1/4 NW1/4, Section 34, Township 18 North, Range 3 East, Boise Meridian,  
Valley County, Idaho, save and except Knob Hill Estates No. 2;

CONTINUED ON NEXT PAGE

jle

AND

the SW1/4 SW1/4, Section 27, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho;

SAVE AND EXCEPT

any portion of Knob Hill Estates No. 2 that lies within the SW1/4 SW1/4, Section 27, Township 18 North, Range 3 East;

FURTHER SAVE AND EXCEPT:

A parcel of land situate in the SW1/4 SW1/4, Section 27, and the SE1/4 SE1/4, Section 28, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the South 1/16 corner common to Sections 27 and 28, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho, the Real Point of Beginning:

Thence, South 89° 57' 28" East, 655.28 feet along the northerly boundary of said SW1/4 SW1/4, Section 27;

thence, South 00° 38' 00" West, 503.18 feet to the center line of Lake Irrigation District Canal; thence, southwesterly along said canal center line:

South 75° 00' West, 85.87 feet;

South 66° 00" West, 175.00 feet;

South 61° 00' West, 116.00 feet;

South 58° 00' West, 207.00 feet;

South 63° 00' West, 127.00 feet;

South 72° 00' West, 65.00 feet;

thence, North 00° 38' 00" East, 840.86 feet to the northerly boundary of said SE1/4 SE1/4; thence, South 89° 51' 00" East, 35.77 feet to the Point of Beginning.

FURTHER SAVE AND EXCEPT:

A parcel of land situate in the SW1/4 SW1/4, Section 27, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the South 1/16 corner common to Sections 27 and 28, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho; thence, South 89° 57' 28" East, 655.28 feet along the northerly boundary of said SW1/4 SW1/4 to the Real Point of Beginning:

CONTINUED ON NEXT PAGE

thence, continuing South 89° 57' 28" East, 670.09 feet along said northerly boundary to a brass cap marking the Southwest 1/16 corner of said Section 27; thence, South 00° 41' 00" West, 819.51 feet to the center line of Lake Irrigation District Canal;

thence, westerly along said canal center line:

North 40° 00' West, 295.00 feet;

North 57° 00' West, 86.00 feet;

North 64° 00' West, 90.00 feet;

North 74° 00' West, 50.00 feet;

North 81° 00' West, 74.90 feet;

North 89° 00' West, 66.00 feet;

South 86° 00' West, 53.00 feet;

South 79° 00' West, 61.00 feet;

South 75° 00' West, 24.13 feet;

thence, North 00° 38' 00" East, 503.18 feet to the Point of Beginning.

**Parcel 2:**

All that certain lot, piece or parcel of land, situate in Valley County, Idaho, and shown as Lots 5 and 6, Knob Hill Estates Subdivision No. 2, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 17 day of May, 2013.

Osprey Properties LLC

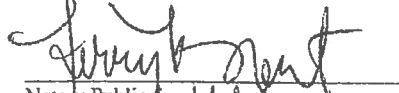
BY:

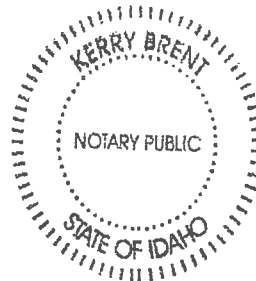
  
Frank Bruneel, Manager

STATE OF IDAHO )  
 )ss  
COUNTY OF PAYETTE

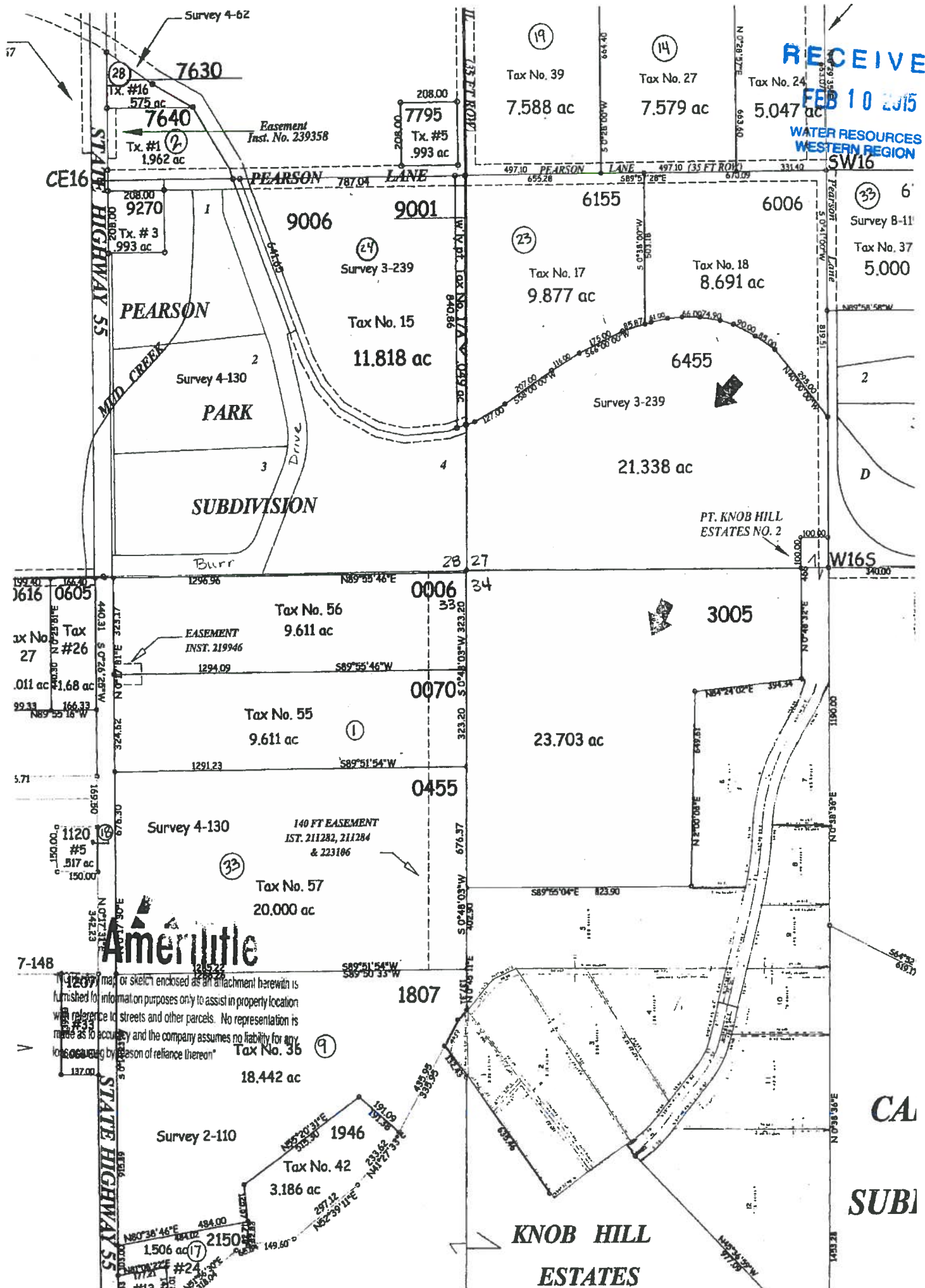
On this 1st day of May, 2013, before me, Kerry Brent the undersigned, a Notary Public in and for said State, personally appeared Frank Bruneel as the Manager of Osprey Properties LLC a Limited Liability Company, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in such capacity.

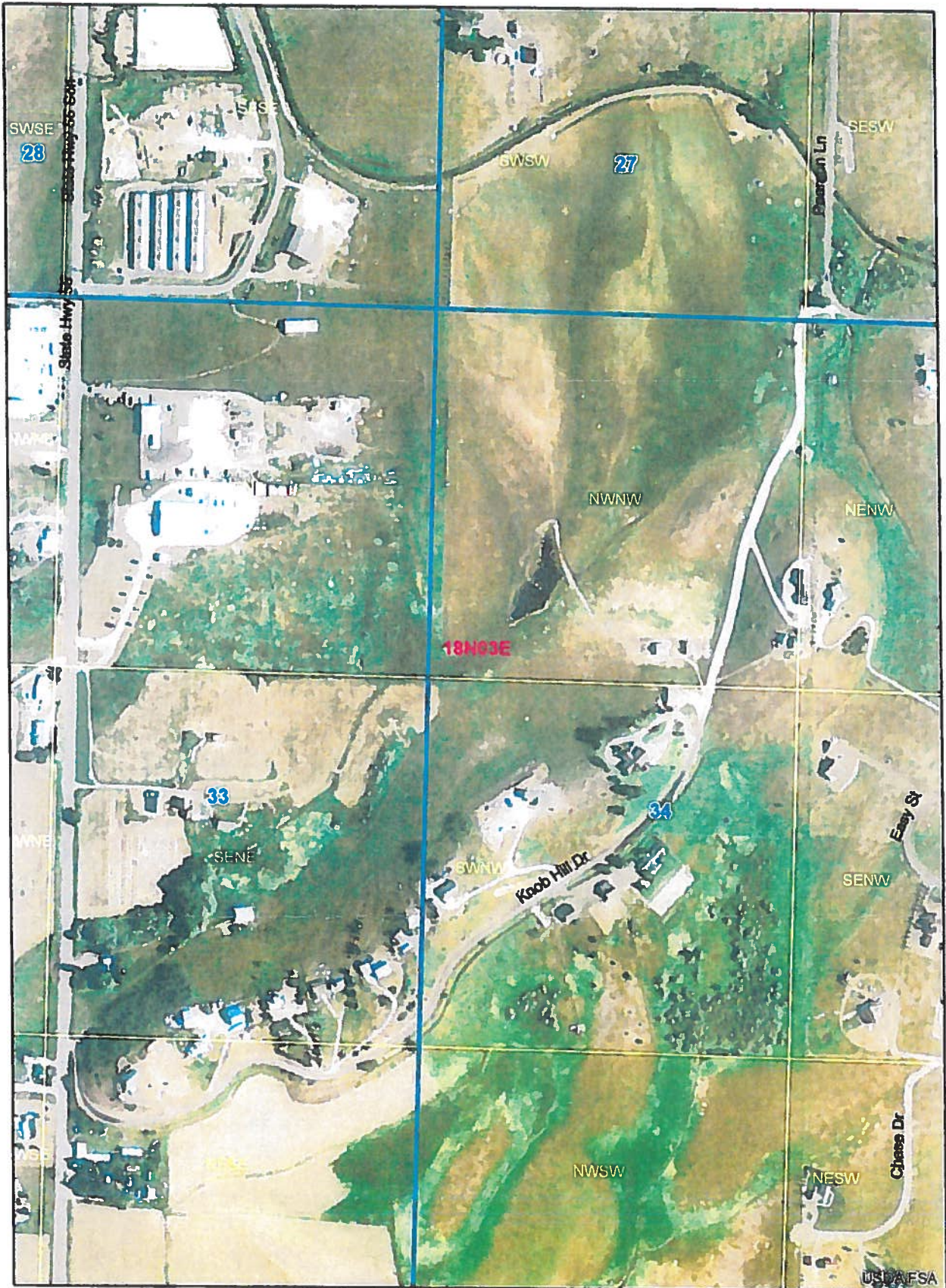
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this instrument first above written.

  
Notary Public for Idaho  
Residing at: Weiser, ID  
Commission Expires: 7-30-18



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FEB 10 2015  
WATER RESOURCES  
WESTERN REGION





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WESTERN REGION

**ADDENDUM #** 1 (All addendums shall be numbered sequentially)

**RE-11 ADDENDUM**

THIS IS A LEGALLY BINDING CONTRACT. READ THE ENTIRE DOCUMENT, INCLUDING ANY ATTACHMENTS  
IF YOU HAVE ANY QUESTIONS CONSULT YOUR ATTORNEY AND/OR ACCOUNTANT BEFORE SIGNING.

JULY 2012 EDITION  
Page 1 of 1

1 Date: 02/01/13

2

3 This is an ADDENDUM to the ☒ Purchase and Sale Agreement ☐ Other Real Estate Purchase and Sale Agreement

4 ("Addendum" means that the information below is added material for the agreement (such as lists or descriptions) and/or means the form is being

5 used to change, correct or revise the agreement (such as modification, addition or deletion of a term)).

6

7 AGREEMENT DATED: 02/01/13 ID # 21201360

8

9 ADDRESS: 60 Knob Hill Drive and adjoining parcels, McCall ID 83638

10

11 BUYER(S): Harrison Development or nominee

12

13 SELLER(S): Osprey Properties, LLC

14

15 The undersigned parties hereby agree as follows:

The two page legal description is attached as Exhibit A.  
The plat maps of the property subject to this agreement are attached as Exhibit B. The attached maps are not an exact depiction of the property, but are a reasonable depiction thereof.  
The property consists of approximately 54.19 acres.  
Buyer and Seller accept and acknowledge amendments to this agreement found on Page 3, Section 7, Line 134 through Line 135; Page 3, Section 12, Line 181 through Line 186; and Page 5, Section 25, Line 237, Line 238, Line 243 through Line 247, Line 249 through Line 250.

16 To the extent the terms of this ADDENDUM modify or conflict with any provisions of the Purchase and Sale Agreement including all prior

17 Addendums or Counter Offers, these terms shall control. All other terms of the Purchase and Sale Agreement including all prior

18 Addendums or Counter Offers not modified by this ADDENDUM shall remain the same. Upon its execution by both parties, this agreement

19 is made an integral part of the aforementioned Agreement.

20

21

22 BUYER: [Signature] Date: 2/1/2013

23 Harrison Development or nominee

24 BUYER: \_\_\_\_\_ Date: \_\_\_\_\_

25

26

27 SELLER: \_\_\_\_\_ Date: \_\_\_\_\_

28 Osprey Properties, LLC

29 SELLER: \_\_\_\_\_ Date: \_\_\_\_\_

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**JULY 2012 EDITION**

**RE-11 ADDENDUM**

Page 1 of 1

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**Instant Forms**

**AUG 22 2014**

**WATER RESOURCES  
WESTERN REGION**



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

February 12, 2015

HARRISON DEVELOPMENT LLC  
5112 N 40<sup>TH</sup> ST #105  
PHOENIX AZ 85018

**RE: Notice of Ownership Change in Water Right License No. 65-13797**

Dear Applicants:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report 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](http://www.idwr.idaho.gov).

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

 Rachel Sommer  
Administrative Assistant I  
Western Regional Office

Enclosures

## Sommer, Rachel

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**From:** Paula Metsopolos [paula@harrisonprops.com]  
**Sent:** Tuesday, February 10, 2015 2:13 PM  
**To:** Sommer, Rachel  
**Subject:** RE: Water Right 65-13797

No thank you!!!! Sorry for not understanding—please let me know if you need anything further.

### Paula Metsopolos

Harrison Properties, LLC  
5112 N. 40<sup>th</sup> Street, Suite 105  
Phoenix, AZ 85018  
(602) 840-4295 office  
(602) 840-8508 fax

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**From:** Sommer, Rachel [mailto:Rachel.Sommer@idwr.idaho.gov]  
**Sent:** Tuesday, February 10, 2015 2:11 PM  
**To:** Paula Metsopolos  
**Subject:** RE: Water Right 65-13797

This is what we needed. We will process this change and send an acknowledgment out this week.

Thank you for your patience.

Sincerely,

### Rachel Sommer

Administrative Assistant  
Dept. of Water Resources  
Western Regional Office  
2735 Airport Way, Boise ID 83705  
Phone 208-334-2190 | Fax 208-334-2348  
Email: [rachel.sommer@idwr.idaho.gov](mailto:rachel.sommer@idwr.idaho.gov)

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**From:** Paula Metsopolos [mailto:paula@harrisonprops.com]  
**Sent:** Tuesday, February 10, 2015 12:14 PM  
**To:** Sommer, Rachel  
**Subject:** FW: Water Right 65-13797

See attached of what the title company sent me.....

### Paula Metsopolos

Harrison Properties, LLC  
5112 N. 40<sup>th</sup> Street, Suite 105  
Phoenix, AZ 85018  
(602) 840-4295 office  
(602) 840-8508 fax

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**From:** Colleen Cole [<mailto:Colleen.Cole@ameri-title.com>]  
**Sent:** Tuesday, February 10, 2015 11:55 AM  
**To:** Paula Metsopolos  
**Subject:** FW: Water Right 65-13797

Here you go.

Let us know if you need anything further.

Best!

cc

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**From:** Brandee Nitzel  
**Sent:** Tuesday, February 10, 2015 11:21 AM  
**To:** Colleen Cole  
**Subject:** RE: Water Right 65-13797

Good Afternoon,  
I think this is the deed you are looking for. Please let me know if you need anything else. Have a great day!  
Thanks, Brandee

 **AmeriTitle** Brandee Nitzel, Title Officer  
700 S. Main Street | P.O. Box 798 | Cascade, Idaho 83611  
Phone: (208) 382-4206 | Fax: (208) 382-4218  
[Brandee.Nitzel@ameri-title.com](mailto:Brandee.Nitzel@ameri-title.com) | [www.Ameri-Title.com](http://www.Ameri-Title.com)

happy valentines

---

**From:** Colleen Cole  
**Sent:** Tuesday, February 10, 2015 11:14 AM  
**To:** Brandee Nitzel  
**Subject:** FW: Water Right 65-13797

I need a copy of the deed from Osprey Properties to Harrison's Properties for the property that is just to the North of Knob Hill.

Thanks!

cc

---

**From:** Paula Metsopolos [<mailto:Paula@harrisonprops.com>]  
**Sent:** Tuesday, February 10, 2015 11:06 AM  
**To:** Colleen Cole  
**Subject:** FW: Water Right 65-13797

Hi Colleen—I need a recorded deed for the above mentioned water right. Let me know if you have enough info to search for, or call me directly. Thanks!!

## Paula Metsopolos

Harrison Properties, LLC  
5112 N. 40<sup>th</sup> Street, Suite 105  
Phoenix, AZ 85018  
(602) 840-4295 office  
(602) 840-8508 fax

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**From:** Sommer, Rachel [<mailto:Rachel.Sommer@idwr.idaho.gov>]

**Sent:** Tuesday, February 10, 2015 10:51 AM

**To:** Paula Metsopolos

**Subject:** FW: Water Right 65-13797

Good Morning Paula,

Unfortunately the PDF's that were attached to your email did not include a copy of the recorded deed, and that is what we need.

## Rachel Sommer

Administrative Assistant  
Dept. of Water Resources  
Western Regional Office  
2735 Airport Way, Boise ID 83705  
Phone 208-334-2190 | Fax 208-334-2348  
Email: [rachel.sommer@idwr.idaho.gov](mailto:rachel.sommer@idwr.idaho.gov)

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**From:** Paula Metsopolos [<mailto:paula@harrisonprops.com>]

**Sent:** Tuesday, February 10, 2015 9:05 AM

**To:** Sommer, Rachel

**Subject:** FW: Water Right 65-13797

Hi Rachel—I think the pdf above is the missing piece. I was positive I already sent this, but I was mistaken (now that I look at all the copies I mailed you). Please let me know if I still don't have this right!!

## Paula Metsopolos

Harrison Properties, LLC  
5112 N. 40<sup>th</sup> Street, Suite 105  
Phoenix, AZ 85018  
(602) 840-4295 office  
(602) 840-8508 fax

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**From:** Collingwood, Rick [<mailto:Rick.Collingwood@idwr.idaho.gov>]

**Sent:** Tuesday, July 22, 2014 10:21 AM

**To:** Paula Metsopolos

**Subject:** FW: Water Right 65-13797

Rick Collingwood, P.E.  
Staff Engineer

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**From:** Collingwood, Rick  
**Sent:** Tuesday, July 22, 2014 11:17 AM  
**To:** 'paula@harrisonprop.com'  
**Subject:** Water Right 65-13797

Paula,

Although I could not find any documentation to verify that Water Right Permit No. 65-22640 is for the expansion of the wildlife storage pond, it appears that the place of use for Water Right Permit No. 65-22640 and Water Right 65-13797 are for the same wildlife storage pond. Water Right 65-13797 is owned by Osprey Properties, LLC. To transfer the water right ownership to Harrison Properties, LLC, you will need to submit a 'Change of Ownership' form to us. I have attached a copy of Water Right 65-13797 and the Change of Ownership form with instructions. If you have any questions on completing the form, please give me a call. I have also included an aerial photo which you will need to submit with the Change of Ownership form. Please label the wildlife storage pond as POD (Point of Diversion) and POU (Place of Use). It appears that the spring which feeds the pond is located in the pond, so the POD and POU will be the same.

With regards to the 41 acres adjacent to State Highway 55, the only irrigation water rights are 3 owned by the Lake Irrigation District. There are no irrigation water rights associated with the land. You may have shares through the Lake Irrigation District in which to use for irrigation. The contact information I have for the Lake Irrigation District is listed below:

Lake Irrigation District  
P.O. Box 644  
Lake Fork, ID 83635  
(208) 634-9672

If you have any questions, you can contact me at (208) 334-2190.

Thanks,

Rick Collingwood, P.E.  
Staff Engineer



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

January 20, 2015

HARRISON DEVELOPMENT LLC  
5112 N 40<sup>TH</sup> ST #105  
PHOENIX AZ 85018

*Sorry - I forgot  
to send Deed  
like I did for  
#65-22640.  
my mistake!  
Paula  
602-840-4299*

**RE: Notice of Change in Water Right Ownership: 65-13797**

Dear Applicants,

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. However, the application has not been processed.

On September 16, 2014 and October 22, 2014 IDWR communicated with Harrison Development requesting further documentation in order to change the ownership for the above referenced water rights. As of January 20, 2015 the Department has not received the requested documentation.

The following was either not submitted with the notice or needs some clarification.

- Submit a recorded Deed.

Because the Department cannot process this request at this time, we are returning the application and all attachments. A refund has been requested that will be sent to the payer under separate cover. You may submit the forms with the required documentation and fees at any time.

Should you have questions, please call this office at 208-334-2190.

Sincerely,

Rachel Sommer  
Administrative Assistant I  
Western Regional Office

Enclosures