

DEV #2500

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
33-70870K					

RECEIVED

2. The following **REQUIRED** information must be submitted with this form:

JAN 20 2010
Department of Water Resources
Eastern Region

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Pancheri

4. New Owner/Claimant(s)

Bell Mountain Hydro LLC

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

5203 South 11th East

City, State and ZIP Code

Idaho Falls, Id 83404

New Telephone Number

(208) 522-8065

Email: ted@tsorensen.net

5. Date you acquired the property _____
6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) _____

Paul D. Stevenson, Manager
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by BMK
 Receipted by _____
 Processed by _____ AJ

Date 1/20/2010
 Date _____
 Date _____

Receipt Amt. \$25
 Receipt No. E035554
 WR _____ Date _____

CORPORATION WARRANTY DEED

THIS INDENTURE is the 29th day of July, 2009, by **PANCHERI, INC** a corporation duly organized and existing under the laws of the State of Idaho, and having its principal office in Idaho at 1494 Highway 22, Howe, Idaho 83244, the "Grantor," and **BELL MOUNTAIN HYDRO LLC**, an Idaho limited liability company, whose mailing address is 5203 South 11th East, Idaho Falls, Idaho 83404, ("Grantee").

WITNESSETH:

That the Grantor having been duly authorized by resolution of its Board of Directors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee and to Grantee's successors and assigns forever, all the following described property in the County of Butte, State of Idaho, to-wit:

Part of Lot 1 (NW¼NW¼) of Section 18, Township 10 North, Range 27 East Boise Meridian, Butte County, Idaho described as follows:

Beginning at a point that is S. 89°47'52" E. 140.25 feet along the section line from the northwest corner of said Section 18, and running
thence S. 89°47'52" E. 467.00 feet along said section line;
thence S. 00°12'08" W. 466.00 feet;
thence N. 89°47'52" W. 467.00 feet;
thence N. 00°12'08" E. 466.00 feet to the point of beginning.

SUBJECT ONLY TO the following matters:

1. All real property taxes and assessments, all existing patent reservations, all applicable zoning ordinances, building codes, laws and regulations and all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the property.
2. Lack of access to and from said land.

NO. 0047060
RECORDED

AUG 11 2009

A.M. 8:50 PM
BUTTE COUNTY RECORDER
Kym Garnett

3. Option Agreement upon the terms, conditions and provisions contained therein:

Parties: D&D Stauffer - Dry Creek Hydroelectric Project - Rick and Rob Stauffer and Pancheri & Co. - Jerry Pancheri.

Recorded: December 27, 1984, Instrument No. 15309, Official Records of Butte County, Idaho.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, any reversions, any remainders, rents, issues and profits therefrom, and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD, the above described premises and appurtenances unto the Grantee and to the Grantee's successors and assigns forever. The Grantor shall warrant and defend the premises in the quiet and peaceable possession of the Grantee against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this deed and where the context so requires, the singular includes the plural.

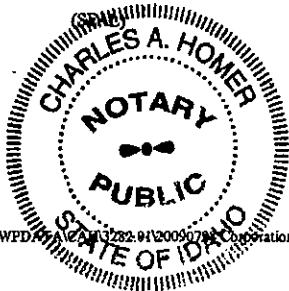
IN WITNESS WHEREOF, the Grantor has set its corporate name by its duly authorized officer.

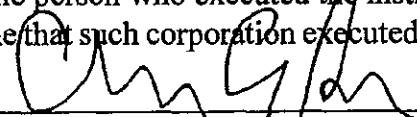
Pancheri, Inc., an Idaho corporation

By: 
Rick Pancheri, President

STATE OF IDAHO)
) SS.
County of Bonneville)

On the 29th day of July, 2009, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared Rick Pancheri, known to me to be the president of the corporation that executed the instrument or the person who executed the instrument on behalf of the corporation, and acknowledged to me that such corporation executed the same.





Notary Public for State of Idaho
Residing at: Elk River Falls, Idaho
My Commission Expires: 12/6/2010

G:\WPDP\1122\112282-91\20090729 Corporation Warranty Deed.wpd:

BILL OF SALE

Pancheri, Inc., an Idaho corporation ("Seller"), for and in consideration of the sum of Ten Dollars \$10.00, lawful money of the United States of America, and other good and valuable consideration, to Seller in hand paid by, **Bell Mountain Hydro LLC**, an Idaho limited liability company ("Buyer") the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Buyer and Buyer's successors and assigns, all of the following described property:

the personal property described on Exhibit "A" attached hereto (the "Personal Property").

SELLER MAKES NO REPRESENTATIONS OR WARRANTIES AS TO THE PHYSICAL CONDITION OF THE PERSONAL PROPERTY OR THE SUITABILITY THEREOF FOR ANY PURPOSE THAT BUYER MAY DESIRE TO USE IT. SELLER HEREBY EXPRESSLY DISCLAIMS ANY WARRANTIES AS TO MERCHANTABILITY AND/OR FITNESS FOR A PARTICULAR PURPOSE AND ANY OTHER WARRANTIES OR REPRESENTATIONS AS TO THE PHYSICAL CONDITION OF THE PERSONAL PROPERTY. BUYER ACKNOWLEDGES AND AGREES, BY ACCEPTING THIS BILL OF SALE, THAT IT HAS INSPECTED THE PERSONAL PROPERTY AND ACCEPTS THE SAME IN ITS PRESENT CONDITION, "AS IS, WHERE IS AND WITH ALL FAULTS."

DATED as of the 29th day of July, 2009.

SELLER:

Pancheri, Inc., an Idaho corporation

By: Rick Pancheri
Rick Pancheri, President

BUYER:

Bell Mountain Hydro LLC

By: Bell Mountain Inc., Manager

By: Ted S. Sorenson
Ted S. Sorenson, President
Manager
President TJS

**Bill of Sale
Exhibit A**

Personal Property

- (i) all existing power plant, equipment, pipeline, and rights associated with the Pancherei Hydropower Facility ("Facility") as described in FERC Exemption No. 5637, including but not limited to power house, turbine, generator, switchgear and all equipment located in, attached to, or used in, or helpful to the production of hydropower from the Facility, but specifically excluding therefrom the BLM right-of-way No. ID I-017569(943) and Forest Service Special Use Authorization ID LRS 32 for an open ditch and 16 inch water pipe at Magpie Springs Mahogany Creek;
- (ii) all plans, engineering and other reports, surveys and specifications pertaining to the Real Property deeded to Buyer simultaneously with the execution of this Bill of Sale which are in Seller's possession or within Seller's reasonable control;
- (iii) all licenses, permits, certificates of occupancy and other approvals issued by any governmental or quasi-governmental authority pertaining to the use, management, operation or maintenance of the Real Property;
- (iv) Power Generation Water Right No. 33-7087 issued by the State of Idaho Department of Water Resources Idaho for hydropower use and as amended, revised or restated;
- (v) FERC Exemption No. 5637, as amended, revised, or restated;
- (vi) Existing power line associated with Facility;
- (vii) Existing easements for canal, pond, and powerline associated with the Facility.

G:\WPDATA\CAH\3282.01\20090728 Bill of Sale (Bell).wpd