

February 17, 2006

To: Jeff Peppersack, Manager,
Water Rights Permits Section
Department of Water Resources
322 East Front Street
Boise, Id 83720-0098

Sent by FAX 208-287-6700

From: Ken Friedman, Managing Member
Eagle Meadows Village, LLC
540 San Pablo Ave.
Albany, CA 94706
415-383-6798
fax 415-383-6323

Re: Water Right # 63-7740

Dear Mr. Peppersack

The following is in reference to the enclosed letter by you to ESCO Inc. dated January 24, 2006. You do not have the correct information as to ownership of this water right. Please correct your records.

You agency was notified of the change of ownership from ESCO to Eagle Center Properties, LLC on 3/20/02 (copy of notice enclosed), and your agency sent us a document dated 12/12/05 (copy enclosed) verifying title to the subject water right in the name of Eagle Center Properties, LLC. However Eagle Center Properties, LLC transferred the subject water right to Eagle Meadows Village, LLC by notice to your agency dated received on 12/09/05 (copy enclosed). We also notified your agency of a security interest in the water right having been granted to Collateral Mortgage Capital, LLC.

Please update your records and please send all communications to the current record holder for water right # 63-7740:

Eagle Meadows Village, LLC
540 San Pablo Ave.
Albany, CA 94706.

notice + security interest forwarded to AJ.

JP 11/8/06



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 24, 2006

ESCO INC
C/O RICHARD B SMITH AGENCY
2417 BOGUS BASIN RD
BOISE ID 83702

IN CORRECT OWNER
IN CORRECT ADDRESS

RE: Change of Ownership for Water Right 63-7740

Dear Water Right Holder(s):

The department acknowledges 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.

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.

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

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

cc: COLLATERAL MORTGAGE CAPITAL LLC
524 LORNA SQUARE
BIRMINGHAM AL 35216

63-773

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 3/20/02

LEGAL DESCRIPTION OF PROPERTY: Township 4N Range 1E
Section 9 1/4 of 1/4 of 1/4 Govt. Lot BM.
Lot Block Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
See attached Exhibit "A"

☒ Water Right Number(s) Assigned by IDWR: 63-7740

☒ Name and Address of Former Owner/Claimant(s)(Seller): ESCO INC.
2417 BOGUS BASIN ROAD, BOISE, ID 83702

☒ New Owner/Claimant (Purchaser): EAGLE CENTER PROPERTIES, LLC, a limited liability company

☒ New Mailing Address: C/o ALBANY BOWL, XXX 540 SAN PABLO AVENUE
ALBANY, CA 94706

☐ New Telephone Number: ()

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: Deed copy attached

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): EAGLE CENTER PROPERTIES, LLC by Managing Member Date 3/20/02

☐ Signature of Former Owner/Claimant(s): ESCO, Inc. by Paul E. White Date 3-20-02

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY
Initial Review and Data-Entry
Date _____ By _____
Further Action Needed _____

Further Action Taken
Date _____

12/12/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7740

NAME AND ADDRESS: EAGLE CENTER PROPERTIES LLC
C/O ALBANY BOWL
540 SAN PABLO AVE
ALBANY CA 94706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS
73.20 APY

PRIORITY DATE: 03/13/1973

POINT OF
DIVERSION: T04N R01E S9 SESW Within ADA County
T04N R01E S9 SESW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01/01 12/31

QUANTITY
0.380 CFS
73.20 APY

Domestic use is for 61 mobile home units.

PLACE OF USE: DOMESTIC Within ADA County
T04N R01E S09 SESW

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
PARCEL NO: S0509346846.

COPY

Form 40-6400-14000 July, 2004

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

RECEIVED

DEC 09 2005

DEPARTMENT OF
WATER RESOURCES

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
63-07740		☒			

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

- 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 usually attached to your deed or on file with the county).

OR

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 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)

EAGLE CENTER PROPERTIES, LLC

4. New Owner/Claimant(s)

EAGLE MEADOWS VILLAGE, LLC

Name Commenter (Check one: ☐ and, ☐ or, ☐ and/or

New Mailing Address

540 SAN PABLO AVE

City, State and ZIP Code

ALBANY, CALIF. 94706

New Telephone Number

415-383-6798

5. Date you acquired the property

11/23/05

No Fee per Kay Walker-

12/9/05

LM

COPY

Form 42-200(4) July, 2004

RECEIVED

DEC 06 2

DEPARTMENT
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 63-07740
Adjudication Claim No(s): 63-07740
2. The following REQUIRED information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a DEED of TRUST, MORTGAGE, CONTRACT OF SALE or other legal document indicating your interest in the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - B) A FEE of \$25.00 per water right or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest
Collateral Mortgage Capital, LLC
524 Lorna Square
Birmingham, Alabama 35216
Phone: 205-978-1271
4. Name of Water Right Owner/Claimant(s)
Eagle Meadows Village LLC
5. Expiration Date of Notification Period December 1, 2015
6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO
7. Signature(s) (and title if applicable) See Attached

For Office Use Only

Received by MA
Receipted by MA
Processed by AJ

Date 12-6-05
Date 12-6-05
Date 12-6-05

Fee \$25.00/xc
Receipt No. C0579800
WR 63-07740
Date 12-6-05