

Should questions arise during the processing of this application please contact:
Steven Hannula - ERO Resources Corp. (208) 373-7983

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.

RECEIVED
 APR 13 2005
 DEPARTMENT OF WATER RESOURCES

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
63-11408	2 NEW # 63-32096	X			

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) Brighton Corporation
12601 W. Explorer Dr., Suite 200, Boise, ID 83713
4. New Owner/Claimant(s) Heritage Commons Owners Association
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 12601 W. Explorer Dr., Suite 200
- City, State and ZIP Code Boise, ID 83713
- New Telephone Number (208) 378-4000
5. Date you acquired the property 2/22/2005

SUPPORT DATA

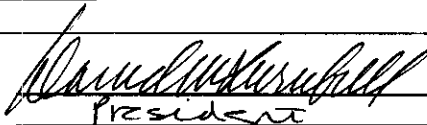
IN FILE # 63-11408

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>63-11408</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u>0.6 cfs / 135 afa</u>	30 acres of irrigation
Stock		
Domestic		
Other		
Total	<u>0.6 cfs / 135 afa</u>	

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)


President

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.

For Office Use Only

Received by _____ Date _____ Fee \$125.00
 Receipted by WESTERN REGION Date 12-3-04 Receipt No. W032443
 Processed by _____ AJ Date _____ WR _____ Date _____



When Recorded Return To:

Michael C. Creamer
Givens Pursley LLP
P.O. Box 2720
Boise, ID 83701
208-388-1200

WATER RIGHT DEED

FOR VALUE RECEIVED, BRIGHTON CORPORATION, an Idaho Corporation, ("Grantor"), does hereby grant, bargain, sell, and convey unto HERITAGE COMMONS OWNERS ASSOCIATION, INC., an Idaho Corporation ("Grantee") and to Grantee's heirs, successors and assigns forever, 30/73 of Grantor's right, title and interest in and to that certain water right to the use of ground water identified in the records of the Idaho Department of Water Resources as license number 63-11408.

IN WITNESS WHEREOF, the undersigned have caused their names to be hereunto subscribed this 21st day of February, 2005.

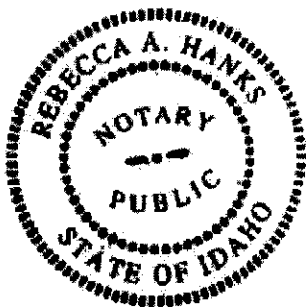
BRIGHTON CORPORATION

David W. Turnbull
President

STATE OF IDAHO)
) ss.
County of Ada)

On this 21st day of February, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared DAVID W. TURNBULL, known or identified to me to be the President of the corporation that executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Rebecca A. Hanks
Notary Public for Idaho
Residing at Springdale, Idaho
My commission expires: Feb - 2005