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15114 W. Heritage Dr.
Sun City West, AZ 85375

Water Right # 95-11160

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IDWR / NORTH

September 15, 2009

Idaho Water Board

Sir,

I have been asked by Mr. Pokorny to write the following letter to clarify the registered water rights on the farm that I sold to him in 1986. This property was addressed by the USPO, as W. 4550 Hidden Valley Road, at that time, but is currently addressed as 12817 Biggs Road, Rathdrum, ID 83858.

I purchased the property from Mr. Clair Lundin who was the nephew of Mr. Oscar Larson in August of 1969. Mr. Larson or his father had originally registered the water rights on the property. The property had been in the same family since the 1890's. The house was built in 1895.

The water rights to the creek and the spring were legally transferred to me in that title transfer and were recorded in the Kootenai County Recorder's Office. I continued to use the spring water for my domestic use, and the creek water to irrigate the 10 -12 acres directly south of what is now called "Biggs Road" throughout my time on that property, and until I sold it to Mr. Pokorny in 1986. It was my intent to transfer these water rights to Mr. Chris Pokorny when I sold him the property.

As I recall, when the issue of Idaho water rights came up in the early 1970's, I complied with the (new) State regulation and filed the appropriate paper work to certify and guarantee my water rights as required at that time; i.e., circa 1970-71.

If there are any additional questions regarding these water rights, feel welcome to contact me at the above address, telephone or email.

Sincerely,

James T. Kerns