

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-32484  
Date Received: 9/21/2005  
Receipt No:  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

LARKWOOD DEVELOPMENT CORP Phone: (208)376-8521

1951 S SATURN WAY SUITE 100  
BOISE ID USA 83709

2. Date of Priority: 05/23/1962

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 04N      | 01E   | 30      | SE SE                 | ADA    |      |

5. Description of diverting works:

WELL, 14" CASING, 80' DEEP, 20 HP PUMP AND MOTOR

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 0.78   |            |

7. Total Quantity Appropriated is:  
0.78 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use        | Acres |
|----------|-------|---------|----------------|------------|-------|
| 04N      | 01E   | 30      | NE SE          | IRRIGATION | 8.1   |
|          |       |         | SE SE          | IRRIGATION | 30.9  |

Section Acres 39  
Total Acres 39

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-3294B.

CHANGE IN OWNERSHIP LG- 9-25-2006 REVIEWED BY K. BROWN

This right is a split from former right 63-32174.

15. Basis of Claim: License

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

RECEIVED

AUG 24 2006

WATER RESOURCES  
WESTERN REGION

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split    | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|----------|-----------------------|------------------------------|-------|
| <u>63-32174</u>       | <u>63-32174</u>              | <u>X</u> | _____                 | _____                        | _____ |
| _____                 | _____                        | _____    | _____                 | _____                        | _____ |
| _____                 | _____                        | _____    | _____                 | _____                        | _____ |
| _____                 | _____                        | _____    | _____                 | _____                        | _____ |

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**

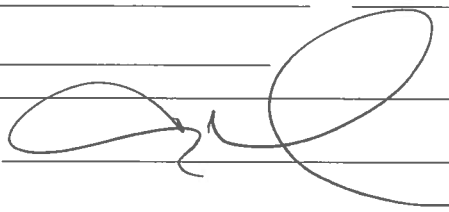
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Larkwood Development Corp  
1951 S. Saturn Way, Suite 100, Boise, ID 83709
4. New Owner/Claimant(s) Dyver Development Corp.  
 Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
- New Mailing Address 1977 E. Overland Road
- City, State and ZIP Code Meridian, ID 83642
- New Telephone Number (208) 288-5560
5. Date you acquired the property November 28, 2005

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<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number                                                                            |                                                                            | 63-32174                                                     |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | 0.11 cfs                                                                   | 5.4 acres                                                    |
| Stock                                                                                                                   |                                                                            |                                                              |
| Domestic                                                                                                                |                                                                            |                                                              |
| Other                                                                                                                   |                                                                            |                                                              |
| Total                                                                                                                   | 0.11 cfs                                                                   |                                                              |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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)

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 lg Date 8-24-06 Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by lg AJ Date 9-7-06 WR \_\_\_\_\_ Date \_\_\_\_\_  
 reviewed by K. Brown

NCS-186449

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 11/29/05 11:50 AM  
DEPUTY Gail Garrett  
RECORDED-REQUEST OF  
First American

AMOUNT 21.00 7



### SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, **Larkwood Development Corp.**, an Idaho corporation, whose address is 1951 S. Saturn Way, Suite 100, Boise, Idaho 83709, ("Grantor"), does hereby GRANT AND CONVEY unto **Dyver Development LLC**, an Idaho limited liability company ("Grantee"), whose address is 1977 E. Overland, Meridian, Idaho 83642, the real property located in Ada County, Idaho which is more particularly described in the attached **Exhibit A**, which exhibit is attached hereto and made a part hereof by this reference ("Premises").

TO HAVE AND TO HOLD said Premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. The Grantor does hereby warrant to said Grantee, that the Grantor has not created or permitted to be created any lien, charge, or encumbrance against the Premises except current year's taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, easements visible upon the Premises, and the exceptions described in **Exhibit B** attached hereto and made a part hereof by this reference; and that Grantor will warrant and defend the same forever from all lawful claims whatsoever.

Seller reserves to itself and does not grant or convey with this special warranty deed the water rights to thirty-nine (39) acres of ground water or well water rights referred to on Claim Identification Number 63-32174 filed with the Idaho Department of Water Resources.

DATED: November 28, 2005

#### GRANTOR:

Larkwood Development Corp.,  
an Idaho corporation

By: Kenneth B. Christensen  
Kenneth B. Christensen, President

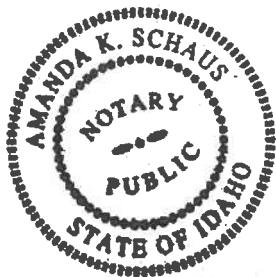
SPECIAL WARRANTY DEED

U:\mccurdy\Trish\RLP\Tustin\Special Warranty Deed (11-8-05).doc

STATE OF IDAHO                    )  
                                          ) ss.  
County of Ada                    )

On this 14<sup>th</sup> day of November, 2005, before me, a Notary Public in and for the State of Idaho, personally appeared **Kenneth B. Christensen**, known or identified to me to be the President of Larkwood Development Corp., an Idaho corporation, who subscribed said name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

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



A. Schaus  
Notary Public for Idaho  
Residing at: Boise, ID  
My commission expires: 1.24.11

## EXHIBIT A

### Legal description

A parcel of land being a portion of Lot 13 and Lot 14 in Block 2 of LARKWOOD SUBDIVISION, according to the plat thereof, filed in Book 58 of Plats at Page(s) 5494 and 5495; AND AMENDED by an Affidavit recorded January 15, 1991, as Instrument No. 9102501, Records of Ada County, Idaho, as adjusted by Lot Line Adjustment Survey No. 2109, recorded April 9, 1992, as Instrument No. 9221864, and Property Line Adjustment Survey No. 5410, recorded June 8, 2001, as Instrument No. 101055990, and being more particularly described as follows:

Commencing at the section corner common to Sections 29, 30, 31 and 32 of Township 4 North, Range 1 East, Boise Meridian, Ada County,

Idaho; thence  
North 00°00'00" East, 1784.77 feet on the section line common to  
said Sections 29 and 30; thence  
North 89°13'04" West, 30.00 feet to the Northeast corner of said  
adjusted Lot 13, Block 2 of LARKWOOD SUBDIVISION, said point being the REAL POINT OF  
BEGINNING; thence on the exterior boundary line of said adjusted Lot 13, Block 2 for the following  
courses and  
distances;  
South 00°00'00" West, 1334.25 feet; thence  
North 88°26'38" West, 115.94 feet; thence  
North 62°18'07" West, 292.55 feet; thence  
North 90°00'00" West, 20.36 feet; thence  
South 00°00'00" West, 561.53 feet (formerly shown as 561.54 feet);  
thence  
South 89°48'09" West 820.72 feet; thence  
North 00°00'00" East, 1356.55 feet; thence  
South 90°00'00" East, 60.00 feet; thence  
North 00°00'00" East, 418.71 feet; thence  
South 89°13'04" East, 1156.11 feet to the REAL POINT OF BEGINNING.

APN: R-5147-49-0513

SPECIAL WARRANTY DEED

U:\tmccurdy\Trish\RLP\Tustin\Special Warranty Deed (11-8-05).doc

# EXHIBIT B

## PERMITTED EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (A) Unpatented mining claims; (B) Reservations or exceptions in patents or in Acts authorizing the issuance thereof; (C) Water rights, claims or title to water; whether or not the matters excepted under (A), (B) or (C) are shown by the public records.
6. INTENTIONALLY DELETED.
7. General and Special Taxes for the year 2005, in the original amount of \$1,512.24, Code Area 242, A.P. No. R-5147-49-0513, first half now due and payable, but not delinquent until after December 20, 2005.
8. General taxes which may be assessed and extended on any "subsequent" or "occupancy" tax roll, which may escape assessment of the regular tax roll; which are a lien not yet due or payable.
9. Liens, levies and assessments by City of Meridian.
10. Liens, levies and assessments by Settlers Irrigation District.
11. Liens, levies and assessments by Larkwood Homeowners Association.
12. Right of way for North Slough & Lemp Canal.

13. Easements, reservations, restrictions and dedications as shown on the plat of said Subdivision.

Resolution and Vacation, recorded May 10, 2005, as Instrument No. 105058637, Records of Ada County, Idaho

14. Covenants, Conditions, Restrictions and Easements recorded November 28, 1990 and re-recorded July 5, 1991, as Instrument No. 9064519 and re-recorded as 9136789, Ada County Records, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

Notice of Exclusion and Agreement, recorded June 3, 1992, as Instrument No. 9235985 and recorded June 3, 1992, as Instrument No. 9235986, Records of Ada County, Idaho

(AS TO LOTS 14 & 15 ONLY)

15. Restrictions contained in Warranty Deed, recorded April 3, 1992, as Instrument No. 9220575, Records of Ada County, Idaho.
16. Easement contained in Warranty Deed, recored April 3, 1992, as Instrument No. 9220575, Records of Ada County, Idaho.
17. The effect of a map purporting to show the land and other property, filed Survey No. 2109, Instrument No. 9221864 of Record of Surveys.
18. Easement, including terms and provisions contained therein:  
Recording Information: 98105430  
In Favor of: IDAHO POWER COMPANY  
For: power lines
19. Easement, including terms and provisions contained therein:  
Recording Information: 98105431  
In Favor of: IDAHO POWER COMPANY  
For: power lines
20. Crossing Agreement upon the terms, conditions and provisions contained therein:

Dated: April 26, 1999  
Parties: SETTLERS IRRIGATION DISTRICT & IDAHO POWER  
COMPANY  
Recorded: April 27, 1999  
Instrument No.:99041675

21. The effect of a map purporting to show the land and other property, filed Survey No. 5410, Instrument No. 101055990 of Record of Surveys.

22. INTENTIONALLY DELETED

23. Crossing Agreement upon the terms, conditions and provisions contained therein:

Dated: December 14, 2004  
Parties: Settlers Irrigation District and City of Meridian  
Recorded: January 6, 2005  
Instrument No.:105002046

24. License Agreement upon the terms, conditions and provisions contained therein:

Dated: April 12, 2005  
Parties: North Slough Lateral Users Association and City of Meridian  
Recorded: April 12, 2005  
Instrument No.:105044010

Addendum to License Agreement, recorded October 7, 2005, as Instrument No. 105150249, Records of Ada County, Idaho

25. INTENTIONALLY DELETED.

26. Easement, including terms and provisions contained therein:

Recording Information: 105079783  
In Favor of: CITY OF MERIDIAN  
For: sanitary sewer lines

27. Any facts, rights, interests or claims which would be disclosed by a correct ALTA/ACSM survey.

28. Crossing Agreement upon the terms, conditions and provisions contained therein:

Dated: October 4, 2005  
Parties: Settlers Irrigation District & City of Meridian  
Recorded: October 13, 2005

3 of 4

29. Memorandum of Lease conveyed the same date as this Special Warranty  
Deed, by and between Dyver Development, LLC and Stephen C. Smith

Steven

cc

T4N R1E

Tustin Subdivision boundary

NWSE

NESE

NWSW

29

SWSW

SWSE

SESE

Irrigated Common Area

E. McMILLAN ROAD

|               |              |
|---------------|--------------|
| DESIGNED BY:  | DATE:        |
| DRAWN BY: RDC | DATE: MAR 06 |
| CHECKED BY:   | DATE:        |
| APPROVED:     | DATE:        |

Engineering NorthWest, LLC

423 N. ANCESTOR PL.  
SUITE 180  
BOISE, IDAHO 83704  
(208) 376-5000

TUSTIN SUBDIVISION

NWNE

NENE

31

Irrigated acres per quarter-quarter

- NESE: 1.3
- SESE: 4.1

Tustin Subdivision Irrigated  
Common Area: 5.4 acres

0 125 250  
Feet

August 16, 2006



Water Engineering, LLC  
water resource consultants  
200 E. River Park Lane, Ste. 100, Boise, Idaho 83706  
PH: 208.383.4143 Fax: 208.383.4198





STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING  
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

**Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.**

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an “and” connector is used at Item 4, all parties must sign this form. If an “and/or” or “or” connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

**IDWR Northern Region**  
**1910 Northwest Blvd., Suite 210**  
**Coeur d'Alene, ID 83814-2615**  
**(208) 769-1450**

**IDWR Eastern Region**  
**900 N. Skyline Dr., Suite A**  
**Idaho Falls, ID 83402-1718**  
**(208) 525-7161**

**IDWR Western Region**  
**2735 Airport Way**  
**Boise, ID 83705-5082**  
**(208) 334-2190**

**IDWR Southern Region**  
**1341 Fillmore St., Suite 200**  
**Twin Falls, ID 83301-3380**  
**(208) 736-3033**

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-32174  
Date Received: 9/21/2005  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LARKWOOD DEVELOPMENT CORP Phone: (208) 376-8521  
1951 S SATURN WAY SUITE 100  
BOISE ID USA 83709

2. Date of Priority: 05/23/1962

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 04N      | 01E   | 30      | SE SE                 | ADA    |      |

5. Description of diverting works:

WELL, 14" CASING, 80' DEEP, 20 HP PUMP AND MOTOR

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 0.89   |            |

7. Total Quantity Appropriated is:  
0.89 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 | of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|--------|-----|---------------|-------|
| 04N      | 01E   | 30      | SE  | SE     |     | IRRIGATION    | 35    |
|          |       |         | NE  | SE     |     | IRRIGATION    | 9.4   |
|          |       |         |     |        |     | Section Acres | 44.4  |
|          |       |         |     |        |     | Total Acres   | 44.4  |

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-3294B.

15. Basis of Claim: License

RECEIVED

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

JUL 15 2005

WATER RESOURCES  
WESTERN REGION

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 63-3294B              |                              | ✓     |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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

- ✓ A. The appropriate **FILING FEE**. See instructions for fee amounts. *N/A*
- ✓ 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)  
*Terry Porter 7352 Winward Dr. Meridian ID 83642*     *Steven Smith 5780 N. Locust Grove Meridian ID 83642*     *Rebecca Smith 1951 S. Saturn Way Ste 100 Boise, ID 83709*
4. New Owner/Claimant(s)  
*Larkwood Development Corp*  
 Name Connector (Check one): [ ] and, [ ] or, [ ] and/or  
 New Mailing Address *1951 S. Saturn Way Suite 100*  
 City, State and ZIP Code *Boise, ID 83709*  
 New Telephone Number *(208) 376-8521*
5. Date you acquired the property *6/2/2005*

AFTER RECORDING MAIL TO:

LARKWOOD DEVELOPMENT CORP.  
1951 West Saturn  
Boise, ID 83709

---

## WARRANTY DEED

File No.: **NCS-168584-BOI (eg)**

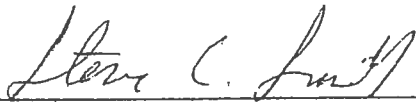
Date: **June 02, 2005**

For Value Received, **Steven C. Smith and Rebecca B. Smith, husband and wife**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **LARKWOOD DEVELOPMENT CORP., an Idaho corporation**, hereinafter referred to as Grantee, whose current address is **1951 West Saturn, Boise, ID 83709**, the following described premises, situated in **Ada County, Idaho**, to wit:

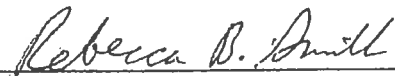
**As set forth on the attached Exhibit "A", which by this reference becomes a part hereof, and which is comprised of one (1) page**

APN:

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.



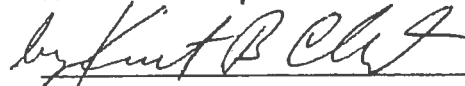
Steven C. Smith, by his attorney-in-fact



Rebecca B. Smith, by her attorney-in-fact



Robert L. Phillips



Kenneth B. Christensen

APN: 7

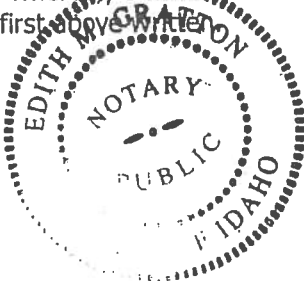
Warranty Deed  
- continued

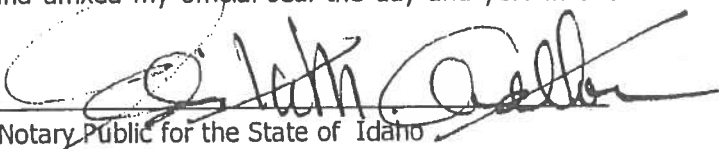
File No.: NCS-168584-BOI (eg)  
Date: 06/02/2005

STATE OF Idaho )  
SS.  
COUNTY OF Ada )

On this Second day of June, 2005, before me, a Notary Public in and for said State, personally appeared **Robert L. Phillips**, known or identified to me to be the individual who executed the foregoing Instrument as Attorney In Fact for **Steven C. Smith**, and acknowledged that he/she signed the same as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this Instrument has not been revoked and that the said principal is now living, and is not incompetent.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

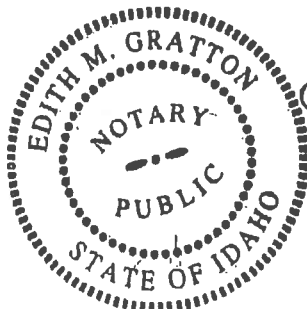


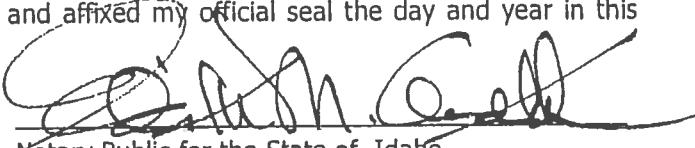
  
Notary Public for the State of Idaho  
Residing at: Boise, ID  
My Commission Expires: 10-14-10

STATE OF Idaho )  
SS.  
COUNTY OF Ada )

On this Second day of June, 2005, before me, a Notary Public in and for said State, personally appeared **Kenneth B. Christensen**, known or identified to me to be the individual who executed the foregoing instrument as Attorney in Fact for **Rebecca B. Smith**, and acknowledged that he/she signed the same as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that the said principal is now living, and is not incompetent.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



  
Notary Public for the State of Idaho  
Residing at: Ada, ID  
My Commission Expires: 10-14-10

## EXHIBIT "A"

A parcel of land being a portion of Lot 13 and Lot 14 in Block 2 of LARKWOOD SUBDIVISION, according to the plat thereof, filed in Book 58 of Plats at Page(s) 5494 and 5495; AND AMENDED by an Affidavit recorded January 15, 1991, as Instrument No. 9102501, Records of Ada County, Idaho, as adjusted by Lot Line Adjustment Survey No. 2109, recorded April 9, 1992, as Instrument No. 9221864, and Property Line Adjustment Survey No. 5410, recorded June 8, 2001, as Instrument No. 101055990, and being more particularly described as follows:

Commencing at the section corner common to Sections 29, 30, 31 and 32 of Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence

North 00°00'00" East, 1784.77 feet on the section line common to said Sections 29 and 30; thence

North 89°13'04" West, 30.00 feet to the Northeast corner of said adjusted Lot 13, Block 2 of LARKWOOD SUBDIVISION, said point being the REAL POINT OF BEGINNING; thence on the exterior boundary line of said adjusted Lot 13, Block 2 for the following courses and distances;

South 00°00'00" West, 1334.25 feet; thence

North 88°26'38" West, 115.94 feet; thence

North 62°18'07" West, 292.55 feet; thence

North 90°00'00" West, 20.36 feet; thence

South 00°00'00" West, 561.53 feet (formerly shown as 561.54 feet); thence

South 89°48'09" West 820.72 feet; thence

North 00°00'00" East, 1356.55 feet; thence

South 90°00'00" East, 60.00 feet; thence

North 00°00'00" East, 418.71 feet; thence

South 89°13'04" East, 1156.11 feet to the REAL POINT OF BEGINNING.

N 1385783.94

E 2308505.54

0.303186

3

AFTER RECORDING MAIL TO:

Steven C. Smith and Rebecca B. Smith  
c/o Hawkins-Smith, 1951 South Saturn, Suite .  
Boise, ID 83709

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 02/12/04 04:21 PM  
DEPUTY Kathy Ingraham  
RECORDED - REQUEST OF  
First American  
AMOUNT 9.00



3

## WARRANTY DEED

File No.: **303186DOC (emg)**

Date: **February 06, 2004**

For Value Received, **M. Terry Porter**, an unmarried man and **Verdon D. Smith**, who acquired title as **Verdon D. Porter**, a married woman, as to their entire interest in the premises, which consists of an undivided one-half interest, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Steven C. Smith** [REDACTED] hereinafter referred to as Grantee, whose current address is **c/o Hawkins-Smith, 1951 South Saturn, Suite 100, Boise, ID 83709**, the following described premises, situated in **Ada County, Idaho**, to wit:

\*a married man

As set forth in the attached Exhibit "A", which by this reference becomes a part hereof, and which is comprised of three (3) pages.

APN: **R5147490513**

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

M. Terry Porter

Verdon D. Smith

PROJECT: **LAKKWOOD**  
FILE NAME: **DEED**  
FILE # **S-3600** PG: **-**  
CD **003** LOC: **193** PROJ: **19301**  
FILE **TM** DESC: **WARRANTY DEED -**  
**LAKKWOOD**

APN: R5147490513

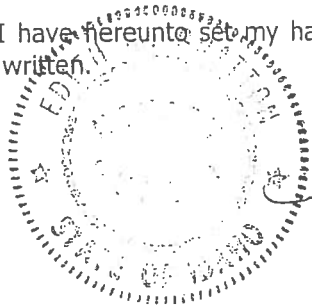
Warranty Deed  
- continued

File No.: 303186DOC (emg)  
Date: 02/06/2004

STATE OF Idaho )  
SS.  
COUNTY OF Ada )

On this Sixth day of February, 2004, before me, a Notary Public in and for said State, personally appeared **Verdon D. Smith**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they 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.



  
Notary Public for the State of Idaho

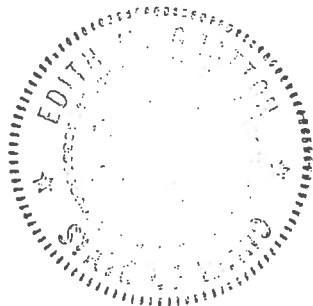
Residing at: Boise, ID

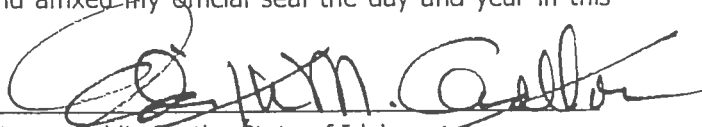
My Commission Expires: 10-1-04

STATE OF Idaho )  
SS.  
COUNTY OF Ada )

On this ~~Sixth~~ day of February, 2004, before me, a Notary Public in and for said State, personally appeared **M. Terry Porter**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they 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.



  
Notary Public for the State of Idaho

Residing at: Boise, ID

My Commission Expires: 10/1/04

EXHIBIT "A"

A parcel of land being a portion of Lot 13 and Lot 14 in Block 2 of LARKWOOD SUBDIVISION, according to the plat thereof, filed in Book 58 of Plats at Page(s) 5494 and 5495; AND AMENDED by an Affidavit recorded January 15, 1991, as Instrument No. 9102501, Records of Ada County, Idaho, as adjusted by Lot Line Adjustment Survey No. 2109, recorded April 9, 1992, as Instrument No. 9221864, and Property Line Adjustment Survey No. 5410, recorded June 8, 2001, as Instrument No. 101055990, and being more particularly described as follows:

Commencing at the section corner common to Sections 29, 30, 31 and 32 of Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence  
North 00°00'00" East, 1784.77 feet on the section line common to said Sections 29 and 30; thence  
North 89°13'04" West, 30.00 feet to the Northeast corner of said adjusted Lot 13, Block 2 of LARKWOOD SUBDIVISION, said point being the REAL POINT OF BEGINNING; thence on the exterior boundary line of said adjusted Lot 13, Block 2 for the following courses and distances;  
South 00°00'00" West, 1334.25 feet; thence  
North 88°26'38" West, 115.94 feet; thence  
North 62°18'07" West, 292.55 feet; thence  
North 90°00'00" West, 20.36 feet; thence  
South 00°00'00" West, 561.53 feet (formerly shown as 561.54 feet); thence  
South 89°48'09" West 820.72 feet; thence  
North 00°00'00" East, 1356.55 feet; thence  
South 90°00'00" East, 60.00 feet; thence  
North 00°00'00" East, 418.71 feet; thence  
South 89°13'04" East, 1156.11 feet to the REAL POINT OF BEGINNING.

# PROPERTY LINE ADJUSTMENT SURVEY

LOTS 13 AND 14, BLOCK 2 OF LARKWOOD SUBDIVISION,  
IN THE SE1/4 OF SECTION 30, T.4N., R.1E., B.M.,  
ADA COUNTY, IDAHO

2001  
**Engineering Northwest, LLC**  
BOISE, IDAHO

RECORD OF SURVEY NO. 5410



SCALE: 1" = 100'

- LEGEND**
- FOUND BRASS OR ALUMINUM CAP
  - FOUND 1/2" IRON PIN
  - SET 1/2" = 24" IRON PIN
  - W/ PLASTIC CAP PLS-7880
  - BOUNDARY LINE
  - CENTER LINE
  - OLD LOT LINE
  - NEW LOT LINE
  - EASEMENT LINE
  - (14) EXIST. LOT NUMBER

**NOTE:**  
FOR FURTHER BOUNDARY AND EASEMENT INFORMATION REFER  
TO LOT LINE ADJUSTMENT RECORD-OF-SURVEY NO. 2100,  
ADJUSTMENT, PRELIMINARY AND ADJUSTED SURVEY, BOOK 58  
OF PLATS AT PAGE 244, OF ADA COUNTY RECORDS.

**CERTIFICATE OF SURVEYOR**  
I, JAMES R. WASHINGTON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE  
STATE OF IDAHO, LICENSE NO. 7880, AND THAT I HAVE PERSONALLY CONDUCTED THE SURVEY AND  
BY DIRECT SUPERVISION, AND ACCURATELY REPRESENTS THE PARCEL OF LAND MAPPED HEREON; AND IS IN  
CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

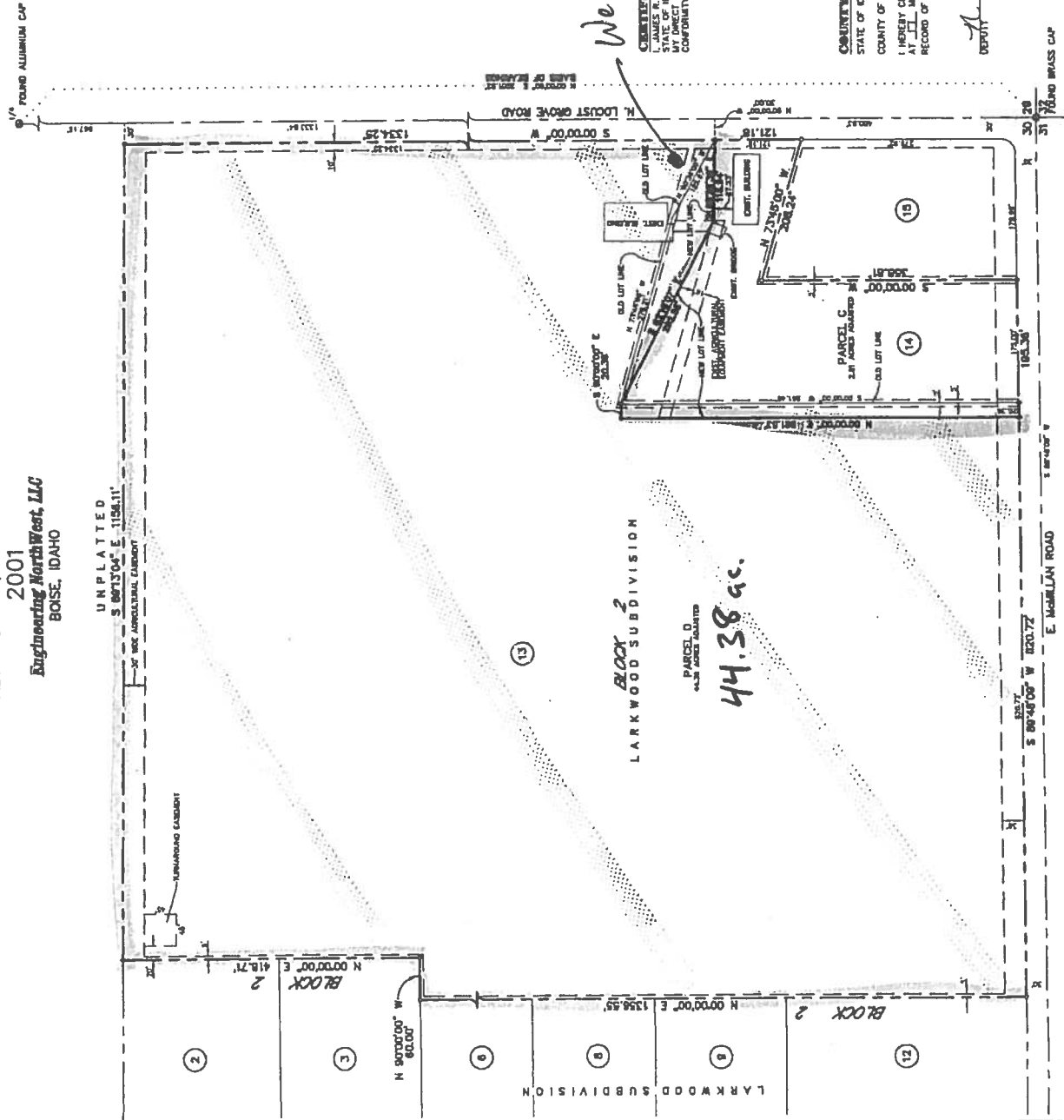


## COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO } S.S.  
COUNTY OF ADA }

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF Stacie Smith  
AT 11 MINUTES PAST ONE O'CLOCK P.M. ON THIS 11 DAY OF MAY, 2001, AS  
RECORD OF SURVEY NUMBER 5410 INSTRUMENT NO. 101055566

DEPUTY A. Olson Fac: 3.5. - J. Davis  
COUNTY RECORDER



19

T4N R1E SEC 30

30

31

## Data and Deed Call Listing of File: LARKWOOD.des

---

Tract 1: 0.0000 Hectares: 0.0 Sq M.: Closure = n00.0000e 0.00 M.: Precision >1/999999: Perimeter = 0 M.

---

001=N+1385783.94M E+2308505.54M  
002=ROTATE +0.0000E+2308505.54M  
003=N0.0000E 1784.772308505.54M  
004=N89.1304W 30.0072308505.54M  
005=S00.0000W 1334.25308505.54M  
006=N88.2638W 115.945308505.54M  
007=N62.1807W 292.555308505.54M  
008=N90.0000W 20.3655308505.54M  
009=S0.0000W 561.5355308505.54M  
010=S89.4809W 820.725308505.54M  
011=N00.0000E 1356.55308505.54M  
012=S90.0000E 60.0055308505.54M  
013=N00.0000E 418.715308505.54M  
014=S89.1304E 1156.11308505.54M

**63-3294B**

PORTER/SMITH

97.3 ACRES

1.95 CFS

$$1.95 \div 97.3 = .02 \times 52.9 = 1.06 \text{ CFS}$$

$$.02 \times 44.4 = .89 \text{ CFS}$$

**63-32173**

PORTER/SMITH

52.9 ACRES

1.06 CFS

**63-32174**

LARKWOOD

44.4 ACRES

.89 CFS

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-03294B

Date Received: 7/27/1993

Receipt No: W012567

Received By: 4008237

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: TERRY PORTER 208-888-6363  
Address: 7352 WINWARD DR  
MERIDIAN ID 83642

AND/OR

Name: STEVEN SMITH 208-939-2343  
Address: 5780 N LOCUST GROVE RD  
MERIDIAN ID 83642

2. Date of Priority: MAY 23, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N      | 01E   | 30      | SE     | SE     |        |     | ADA    |

5. Description of diverting works:  
WELL, 14" CASING, 80' DEEP, 20 HP PUMP AND MOTOR

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.950 |      |        |

7. Total Quantity Appropriated is:  
1.950 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 04N      | 01E   | 30      | NE     | SE     |     | IRR | 24.3  |

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 04N           | 01E   | 30      | NW     | SE  |     | IRR | 19.0  |
|               |       |         | SW     | SE  |     | IRR | 19.0  |
|               |       |         | SE     | SE  |     | IRR | 35.0  |
| Section Acres |       |         |        |     |     |     | 97.3  |
| Total Acres   |       |         |        |     |     |     | 97.3  |

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 30505

16. Signature(s)

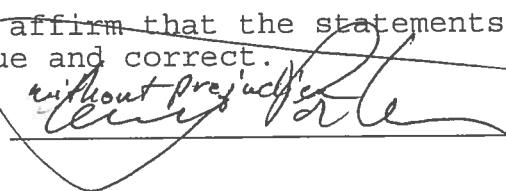
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

*without prejudice*  


Date:

7-27-93

Date:

State of Idaho )  
County of Ada ) SS.

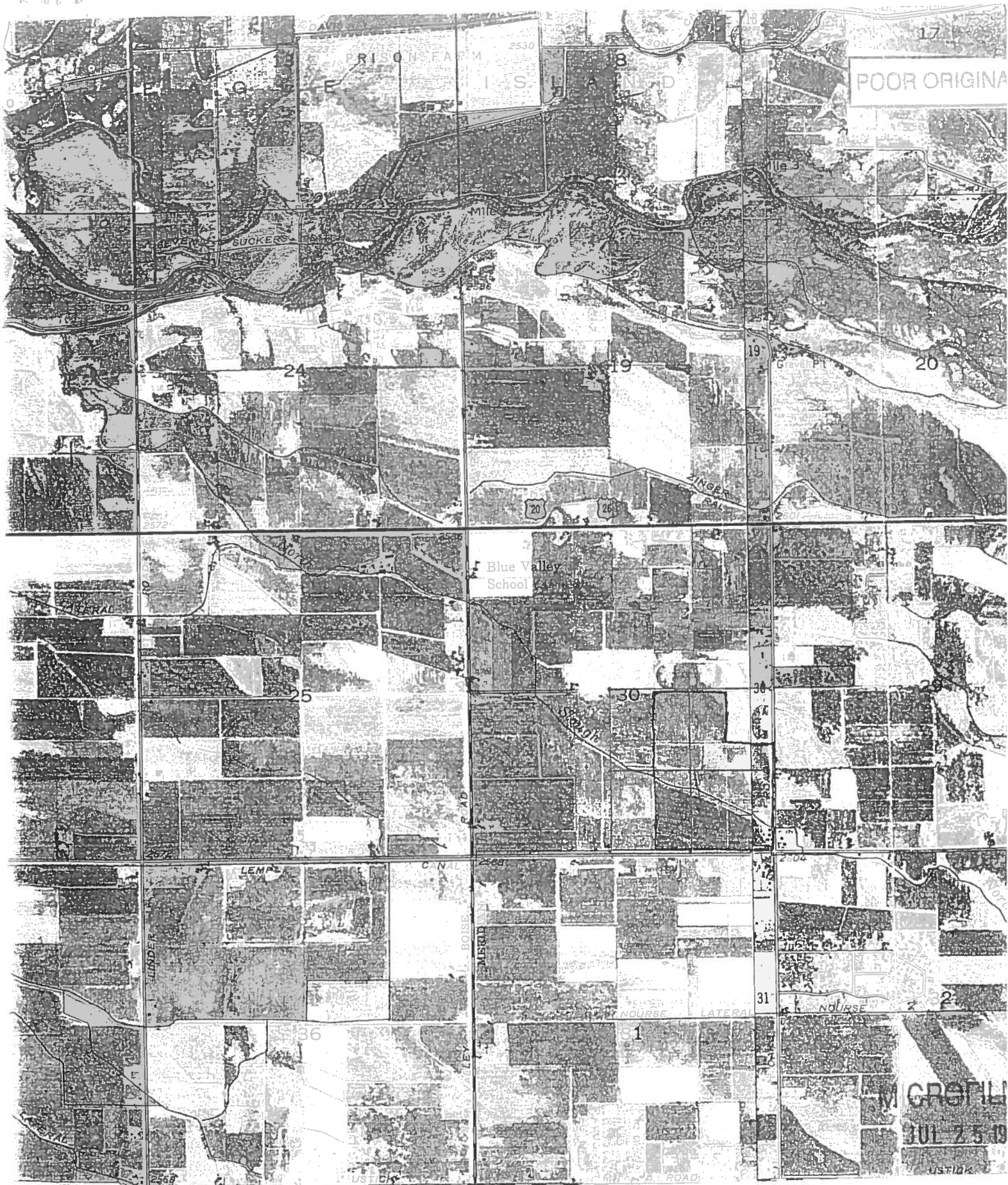
Subscribed and sworn (or affirmed) before me this 27TH day

of July 19 93

Seal

Roxanne McCarthy  
Notary Public

Residing at Roxanne McCarthy, Notary Public  
Residing at Boise, Idaho  
My Commission Expires May 16, 1996.  
My Commission Expires \_\_\_\_\_



09/27/2006

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32484

NAME AND ADDRESS: LARKWOOD DEVELOPMENT CORP  
1951 S SATURN WAY SUITE 100  
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.780 CFS  
175.500 AFY

PRIORITY DATE: 05/23/1962

POINT OF DIVERSION:

T04N R01E S30 SESE Within ADA County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.780 CFS

175.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S30 NESE 11.10

T04N R01E S30 SESE 27.90

39 ACRES TOTAL

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

Use of this right is combined with water from Settlers Irrigation District.

Property is also known as the Tustin Subdivision.

This right is a split from former right 63-32174.

# Idaho Department of Water Resources

**T04N, R01E,  
S30**

**Claim No: 63-32484**

**Prepared By: Kimberly Brown**

**Date: September 27, 2006**



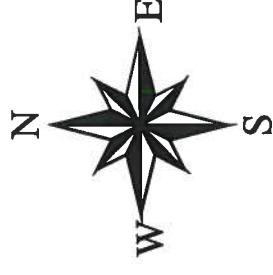
## Place of Use

## Section Lines

**1/4 1/4**

## Point of Diversion

Acres Irrigated = 39



# 2003 NAPP

**IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-32484**

09/27/2006

1

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use          | Acres/Total | Name                                               |
|---------|-------------|-----|-----|-----|----|----|-----|-------------------------|-------------|----------------------------------------------------|
| 3294A   | Claim       | 04N | 01E | 30  | NE | SE |     | IRRIGATION              | 14.7/14.7   | CORP OF THE PRESIDING BISHOP                       |
| 32173   | Claim       | 04N | 01E | 30  | NE | SE |     | IRRIGATION              | 14.9/52.9   | TERRY PORTER                                       |
| 32484   | Claim       | 04N | 01E | 30  | NE | SE |     | IRRIGATION              | 8.1/39      | LARKWOOD DEVELOPMENT CORP                          |
| 32485   | Claim       | 04N | 01E | 30  | NE | SE |     | IRRIGATION              | 1.3/5.4     | DYVER DEVELOPMENT                                  |
| 3294    | Water Right | 04N | 01E | 30  | NE | SE |     | IRRIGATION              | 39/112      | CHURCH OF JESUS CHRIST OF THE<br>LATTER DAY SAINTS |
| 5320    | Water Right | 04N | 01E | 30  | NE | SE |     | IRRIGATION              | 40/112      | MARTIN ZACHRESON                                   |
| 3614B   | Claim       | 04N | 01E | 30  | NE | SE |     | IRRIGATION FROM STORAGE | 40/10964.2  | SETTLERS IRRIGATION DISTRICT                       |
| 3618B   | Claim       | 04N | 01E | 30  | NE | SE |     | IRRIGATION FROM STORAGE | 40/10964.2  | SETTLERS IRRIGATION DISTRICT                       |
| 3262B   | Claim       | 04N | 01E | 30  | NE | SE |     | IRRIGATION FROM STORAGE | 40/10964.2  | SETTLERS IRRIGATION DISTRICT                       |
| 32484   | Claim       | 04N | 01E | 30  | SE | SE |     | IRRIGATION              | 30.9/39     | LARKWOOD DEVELOPMENT CORP                          |
| 32485   | Claim       | 04N | 01E | 30  | SE | SE |     | IRRIGATION              | 4.1/5.4     | DYVER DEVELOPMENT                                  |
| 3294    | Water Right | 04N | 01E | 30  | SE | SE |     | IRRIGATION              | 35/112      | CHURCH OF JESUS CHRIST OF THE<br>LATTER DAY SAINTS |
| 5320    | Water Right | 04N | 01E | 30  | SE | SE |     | IRRIGATION              | 32/112      | MARTIN ZACHRESON                                   |
| 3614B   | Claim       | 04N | 01E | 30  | SE | SE |     | IRRIGATION FROM STORAGE | 40/10964.2  | SETTLERS IRRIGATION DISTRICT                       |
| 3618B   | Claim       | 04N | 01E | 30  | SE | SE |     | IRRIGATION FROM STORAGE | 40/10964.2  | SETTLERS IRRIGATION DISTRICT                       |
| 3262B   | Claim       | 04N | 01E | 30  | SE | SE |     | IRRIGATION FROM STORAGE | 40/10964.2  | SETTLERS IRRIGATION DISTRICT                       |

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 63-32484

WATER RIGHT NUMBER: 63-32484 ✓

Owner Type                      Name and Address

Original Owner              STEVEN SMITH  
5780 N LOCUST GROVE RD  
MERIDIAN, ID 83642  
(208)939-2343

Original Owner              TERRY PORTER  
7352 WINWARD DR  
MERIDIAN, ID 83642  
(208)888-6363

Current Owner              LARKWOOD DEVELOPMENT CORP  
1951 S SATURN WAY SUITE 100  
BOISE, ID 83709

Priority Date: 05/23/1962 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

Tributary

Beneficial Use ✓

IRRIGATION ✓

From   To ✓

03/15 to 11/15 ✓

Diversion Rate ✓

0.780 CFS ✓

Annual Volume

175.5 AFA

Total Diversion:

0.780 CFS ✓

175.5 AFA

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4 ✓

Sec. 30, Twp 04N, Rge 01E, B.M. ✓

ADA County ✓

Place of Use ✓

IRRIGATION ✓

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE   |    |    |      | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|------|----|----|------|--------|
| 04N | 01E | 30  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW | SW | SE   |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    | 8.1  |    |    | 80.9 | 39.0   |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    | 11.1 |    |    | 27.9 |        |

Total Acres: 39 ✓

Conditions of Approval:

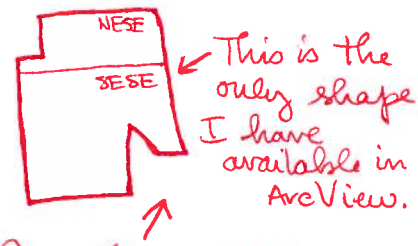
1. ~~This right is a split from former right 63-3294B.~~
2. This right is a split from former right 63-32174.
3. CHANGE IN OWNERSHIP LG- 9-25-2006 REVIEWED BY K. BROWN

Remarks:

ADD 339 - Season of use is 3/01 - 11/15.

ADD W54 - Use is combined with water from Settlers Irr. Distri

ADD - This right is a split from former right 63-32174.



\* Regarding my POU shape, Terry Scanlan of SPF Engineering did not send an electronic image of subdivision's irrigated common area (63-32485) and the Ada County tax lot shape of the subdivision is currently only the 44.4 acre shape above in ArcView (nothing shows the roads, lots, etc. on my screen).

CFS FACTOR = 0.02 cfs/ac

AF FACTOR = 4.5 af/acre

Tustin Subdivision  
12.4 AC total  
32.0 AC total



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

September 26, 2006

Larkwood Development  
1951 S. Saturn Way Suite 100  
Boise, ID 83709

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

Re: Original Notice of Claim to a Water Right No. 63-32174 of Claimant's Water Right  
Renumbered to Notice of Claim to a Water Right No. 63-32485

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your right. This claim represents the remaining portion of the claim filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section  
Western Region Office

LG: lg

Enclosure

09/25/2006

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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RIGHT NUMBER: 63-32484

NAME AND ADDRESS: LARKWOOD DEVELOPMENT CORP  
1951 S SATURN WAY SUITE 100  
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.890 CFS

PRIORITY DATE: 05/23/1962

POINT OF DIVERSION:

T04N R01E S30 SESE Within ADA County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.890 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S30

NESE

8.10

T04N R01E S30

SESE

30.90

39 ACRES TOTAL

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

This right is a split from former right 63-32174.

This right is a split from former right 63-3294B.

09/07/2006

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32174

NAME AND ADDRESS: DYVER DEVELOPMENT  
1977 E OVERLAND RD  
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.890 CFS

PRIORITY DATE: 05/23/1962

POINT OF DIVERSION:

T04N R01E S30 SESE Within ADA County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.890 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S30

NESE 9.40

T04N R01E S30

SESE 35.00

44.4 ACRES TOTAL

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

This right is a split from former right 63-3294B.



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

September 7, 2006

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

Dyver Development Corporation  
1977 E Overland Road  
Meridian, ID 83642

Notice of Claim to a Water Right No. 63-32174

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon  
Office Specialist 1  
Adjudication Section  
Western Region Office

LG: lg

Enclosure

09/21/2005

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

RIGHT NUMBER: 63-32174

NAME AND ADDRESS: LARKWOOD DEVELOPMENT CORP  
1951 S SATURN WAY SUITE 100  
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.890 CFS

PRIORITY DATE: 05/23/1962

POINT OF DIVERSION:

T04N R01E S30 SESE Within ADA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.890 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S30

NESE

9.4

T04N R01E S30

SESE

35.0

44.4 ACRES TOTAL

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

This right is a split from former right 63-3294B.

Water Right 63-32174

1



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

September 21, 2005

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Larkwood Development Corp  
1951 S. Saturn Way Suite 100  
Boise, ID 83709

Re: Original Notice of Claim to a Water Right No. 63-3294B

Renumbered Notice of Claim to a Water Right No. 63-32174

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section  
Western Region

LG: lg

Enclosure

07/15/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3294B

NAME AND ADDRESS: TERRY PORTER  
7352 WINWARD DR  
MERIDIAN ID 83642

STEVEN SMITH  
5780 N LOCUST GROVE RD  
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.946 CFS  
437.850 AFY

PRIORITY DATE: 05/23/1962

POINT OF DIVERSION:

T04N R01E S30 SESE Within ADA County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
03/15 11/15

QUANTITY  
1.946 CFS  
437.85 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S30 NESE 24.3  
T04N R01E S30 SWSE 19.0

T04N R01E S30 NWSE 19.0  
T04N R01E S30 SESE 35.0

97.3 ACRES TOTAL

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: License

Use of this right is combined with water from Settlers Irrigation District.

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3294B V1

WATER RIGHT NUMBER: 63-3294B V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                          |
|-------------------|--------------------------------------------------------------------------------------------------|
| Original Owner    | CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS<br>BOISE STAKE<br>PO BOX 2156<br>BOISE, ID 83701 |
| Current Owner     | TERRY PORTER<br>7352 WINWARD DR<br>MERIDIAN, ID 83642<br>(208)888-6363                           |
| Current Owner     | STEVEN SMITH<br>5780 N LOCUST GROVE RD<br>MERIDIAN, ID 83642<br>(208)939-2343                    |

Priority Date: 05/23/1962

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15          | 1.946 CFS             | 437.85 AF            |
|                       | <u>Total Diversion:</u> | 1.946 CFS             | 437.85 AF            |

Location of Point(s) of Diversion

|              |            |                                 |
|--------------|------------|---------------------------------|
| GROUND WATER | SE1/4SE1/4 | Sec. 30, Twp 04N, Rge 01E, B.M. |
| ADA County   |            |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE   |      |      |      | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|------|------|------|------|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   |        |
| 04N | 01E | 30  |    |    |    |    |    |    |    |    |    |    |    |    | 24.3 | 19.0 | 19.0 | 35.0 | 97.3   |

Total Acres: 97.3

Conditions of Approval:

1. C18 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.
2. W54 Use of this right is combined with water from Settlers Irrigation District.

Remarks:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-3294B V1

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. kbrown 7/15/2003 2002 Tax Lot Info.

Comment: According to 2002 Tax Lot information, approximately half of this property has been subdivided, with multiple owners - specifically, 19 acres in the SWSE, 19 acres in the NWSE, and the northern half of the NESE.

Dates and Other Information:

Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Defendant:  
Plaintiff:  
Civil Case Number:  
Judicial District:  
Notice of Error Flag:  
State or Federal: S  
Owner Name Connector: AND  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

# Idaho Department of Water Resources



T04N, R01E,  
S30

Claim No: 63-03294B

Prepared By: Kimberly Brown

Date: July 2, 2003

⊙ Point of Diversion



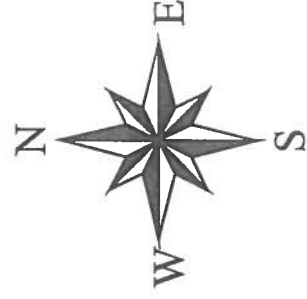
Place of Use



Section Lines

1/4 1/4

Acres Irrigated = 97.3



1987 NAPP

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3294B

WATER RIGHT NUMBER: 63-3294B

Owner Type                      Name and Address  
 Original Owner              CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS ✓  
                                          BOISE STAKE  
                                          PO BOX 2156  
                                          BOISE, ID 83701  
 Current Owner              TERRY PORTER ✓  
                                          7352 WINWARD DR  
                                          MERIDIAN, ID 83642  
                                          (208)888-6363  
 Current Owner              STEVEN SMITH ✓  
                                          5780 N LOCUST GROVE RD ✓  
                                          MERIDIAN, ID 83642  
                                          (208)939-2343  
 Priority Date: 05/23/1962 ✓  
 Basis: License ✓  
 Status: Active

Source                                      Tributary  
 GROUND WATER ✓

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u>      | <u>Annual Volume</u> |               |
|-----------------------|-------------------------|----------------------------|----------------------|---------------|
| IRRIGATION ✓          | 3/15 to 11/15 ✓         | <del>1.950</del> CFS 1.946 | 437.85               | 97.3          |
|                       |                         |                            |                      | 4.5           |
|                       | <u>Total Diversion:</u> | <del>1.950</del> CFS 1.946 | 437.85               | <u>437.85</u> |

Location of Point(s) of Diversion

GROUND WATER  
 ADA County ✓

SE1/4SE1/4 ✓

Sec. 30, Twp 04N, Rge 01E, B.M. ✓

Place of Use

IRRIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE   |      |      |      | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|------|------|------|------|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   |        |
| 04N 01E 30  |    |    |    |    |    |    |    |    |    |    |    |    | 24.3 | 19.0 | 19.0 | 35.0 | 97.3 ✓ |
|             |    |    |    |    |    |    |    |    |    |    |    |    | ✓    | ✓    | ✓    | ✓    |        |

Total Acres: 97.3 ✓

Conditions of Approval: ADD W54 - Use of right combined with Settlers Irr. Di

Remarks: Season of use is 3/1 to 11/15 - ADD S04.

Comments: - According to 2002 Tax lot information, approximately half of this property has been subdivided, with multiple owners - specifically 19 acres in the SWSE, 19 acres in the NWSE, and the northern half of the NESE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3294B

Dates and Other Information:

Claim Received Date: 7/23/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

\* no electronic back file available

Field Exam Date 7.2.03

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$ 150.<sup>00</sup>
- ☒ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-03294 B

Owner: \_\_\_\_\_ Phone No. \_\_\_\_\_

Current Address: \_\_\_\_\_

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Terry Porter and Steven Smith
- ☐ No change Address
- ☐ NEW ADDRESS 7352 Winward Dr. / 5780 N. Locust Grove Rd, Meridian
- ☐ How long owned property? \_\_\_\_\_ 83642

Accompanied by: N/A

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 5/23/1962

(If priority date, based on your exam, seems questionable, explain below.)

\_\_\_\_\_  
\_\_\_\_\_

Source: Ground Water Tributary to \_\_\_\_\_

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: \_\_\_\_\_

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: \_\_\_\_\_
- ☐ If different, when did POD change? \_\_\_\_\_



## CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right No. A63-3294B**

July 7, 2005

Kenny Christensen called in response to the *Notice of Error* packet that a neighbor delivered to his home. The 97.3 acres associated with this right no longer belongs to Terry Porter and Steven Smith. According to 2002 Ada County Tax Lot information, approximately half of this property has been subdivided into multiple ownership; more specifically the 19 acres in the SWSE, the 19 acres in the NWSE, and the northern half of the NESE.

According to Mr. Christensen, this property began being developed about 15 years ago. Since Mr. Christensen owns approximately 43 acres, I suggested that he file the *Change in Water Right Ownership* form that was included in the packet of NOE information with our office.

Since Mr. Christensen was the only property owner to receive this information, he questioned what to do about the other multitude of owners. I informed him that they would also need to file the same form and supply the required information. I also mentioned that if there is a Larkwood Subdivision Association, that they may be interested in filing as an association; not individually. He said that he would attempt to contact the president of the Larkwood Subdivision and inform him of this.

Kimberly Brown  
Senior Water Resource Agent  
Western Region