

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 37-20832

Date Received:

Receipt No:

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

AIRPORT WEST PARTNERS Phone: (208)726-4421
C/O JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

2. Date of Priority: 10/14/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	15	NE NW SW	BLAINE	

5. Description of diverting works:

EXISTING WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.18	26.7

7. Total Quantity Appropriated is:
0.18 C.F.S. and/or 26.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	15	NW	NW	IRRIGATION	0.1
			SW	NW	IRRIGATION	3.4
			NE	SW	IRRIGATION	1.3
			NW	SW	IRRIGATION	3.2
			SW	SW	IRRIGATION	0.4
			SE	SW	IRRIGATION	0.2
Section Acres						8.6
02N	18E	16	NE	NE	IRRIGATION	0.1
			SE	NE	IRRIGATION	0.2
Section Acres						0.3
Total Acres						8.9

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-7683.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: License

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 37-20832
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Bv15

1. Name of Claimant(s)

AIRPORT WEST BUSINESS PARK OWNERS ASSN INC Phone: (208)578-7905
C/O ENGEL & ASSOCIATES LLC
101 BULLION ST E SUITE 3C
HAILEY ID 83333

2. Date of Priority: 10/14/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
02N	18E	15	NE	NW	SW	BLAINE	

5. Description of diverting works:

EXISTING WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.18	26.7

7. Total Quantity Appropriated is:
0.18 C.F.S. and/or 26.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02N	18E	15	NW	NW		IRRIGATION	0.1
			SW	NW		IRRIGATION	3.4
			NE	SW		IRRIGATION	1.3
			NW	SW		IRRIGATION	3.2
			SW	SW		IRRIGATION	0.4
			SE	SW		IRRIGATION	0.2
						Section Acres	8.6
02N	18E	16	NE	NE		IRRIGATION	0.1
			SE	NE		IRRIGATION	0.2
						Section Acres	0.3
						Total Acres	8.9

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-7683.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: License

RECEIVED

JAN 23 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	37-20832				

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

3. Name and Address of
Owner/Claimant(s) Airport West Partners c/o James P. Speck
P.O. Box 987, Ketchum, Idaho 83340
4. New Owner/Claimant(s) Airport West Business Park Owners' Assoc., Inc.
Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address c/o Engel & Associates, LLC, 101 Bullion St. E.,
City, State and ZIP Code Suite 3C, Hailey, ID 83333
New Telephone Number (208) 578-7905

5. Date you acquired the property _____

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

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

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

7. Signature(s) of New Owner(s) or Claimant(s) Airport West Business Park Owners' Assoc., Inc.

By George Kirk, President (title if applicable)

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

For IDWR Office Use Only:

Received by _____	Receipt Amt. _____	Date _____
Receipted by _____	Receipt No. _____	Date _____
Processed by _____	AJ Date _____	WR _____
_____	Date _____	

Processed by AJ Date
 Date

WR

**RECORDING REQUESTED BY AND
WHEN RECORDED, MAIL TO:**

**James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340**

(Space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, AIRPORT WEST PARTNERS, LTD. an Idaho limited partnership ("Grantor"), does hereby convey, release, remise and forever quitclaim unto AIRPORT WEST BUSINESS PARK OWNERS' ASSOCIATION, INC., an Idaho corporation, c/o Engel & Associates, LLC, 101 Bullion Street East, Suite 3C, Hailey, Idaho 83333 ("Grantee"), its heirs and assigns forever, all its right, title and interest in and to Water Right No. 37-20832.

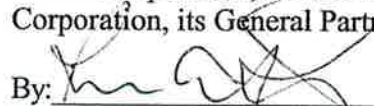
DATED this 17 day of January, 2007.

AIRPORT WEST PARTNERS, LTD, an Idaho limited partnership

By: ROKAN IDAHO, LLC, an Idaho limited liability company,
its General Partner

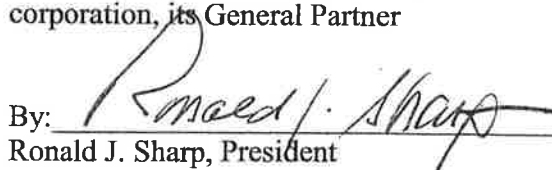
By: ROKAN PARTNERS, a California limited
partnership, Managing Member

By: Rokan Corporation, a Delaware
Corporation, its General Partner

By: 
Robert A. Kantor, President

By: RJS LIMITED, an Idaho limited Partnership,
Managing Member

By: RONALD J. SHARP, Inc., an Idaho
corporation, its General Partner

By: 
Ronald J. Sharp, President

STATE OF IDAHO)
) ss.
County of Blaine)

On this 17 day of January, 2007, before me, the undersigned notary public in and for said state, personally appeared ROBERT A. KANTOR, known or identified to me to be the president of Rokan Corporation, a Delaware corporation, and the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same as the general partner of ROKAN PARTNERS, a managing member of ROKAN IDAHO, LLC, the general partner of AIRPORT WEST PARTNERS, LTD.

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

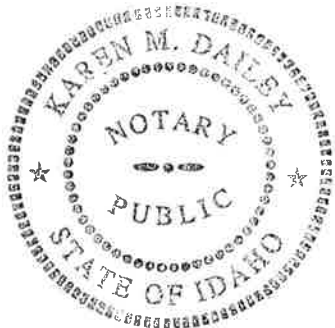


Karen M. Dailey
Notary Public for Idaho
Residing at: Blaine, ID
Comm. Expires: 9/17/11

STATE OF Idaho)
) ss.
County of Blaine)

On this 17 day of January, 2007, before me, the undersigned notary public in and for said state, personally appeared RONALD J. SHARP, known or identified to me to be the president of Ronald J. Sharp, Inc., an Idaho corporation, and the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same as the general partner of RJS LIMITED, a managing member of ROKAN IDAHO, LLC, the general partner of AIRPORT WEST PARTNERS, LTD.

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



Karen M. Dailey
Notary Public for Idaho
Residing at: Blaine, ID
Comm. Expires: 9/17/11

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

RECEIVED
JAN 23 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

January 18, 2007

Ms. Trish Fawcett
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

**Re: Claim No.: 37-20832;
Airport West Business Park Owners' Assoc., Inc.
Notice of Change in Water Right Ownership**

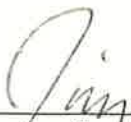
Dear Trish:

Enclosed is a n original and one copy of the Notice of Change in Water Right Ownership in the above-referenced claim. Please arrange to have the copy receipt date-stamped and returned to my office in the postage prepaid, self-addressed envelope provided for that purpose.

If you have any questions please call me. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation



James P. Speck

Enclosures

cc: Client (w/out encl.)

09/16/2006

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

RIGHT NUMBER: 37-20832

NAME AND ADDRESS: AIRPORT WEST PARTNERS
C/O JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

QUANTITY: 0.180 CFS
26.700 AFY

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/14/1977

POINT OF DIVERSION:

T02N R18E S15 NENWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.180 CFS 26.70 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T02N R18E S15	NWNW	0.10	T02N R18E S15	SWNW	3.40
T02N R18E S15	NESW	1.30	T02N R18E S15	NWSW	3.20
T02N R18E S15	SWSW	0.40	T02N R18E S15	SESW	0.20
T02N R18E S16	NENE	0.10	T02N R18E S16	SENE	0.20

8.9 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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-20832.



Idaho Department of Water Resources

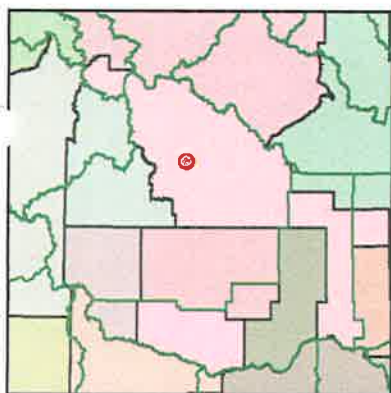
SRBA Recommendation:

37-20832

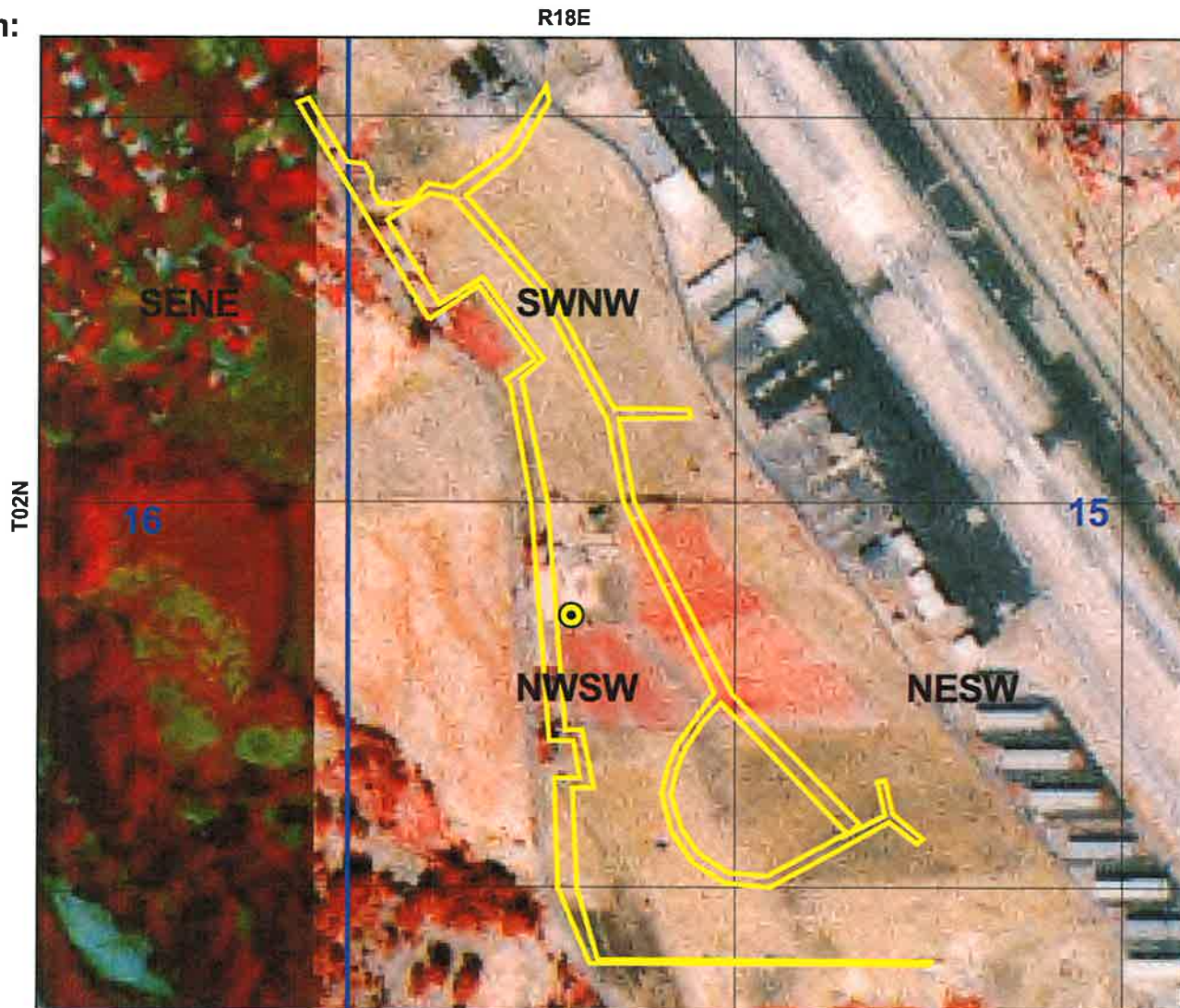
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles



Prepared by E. NORQUES
On Wednesday, September 20, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

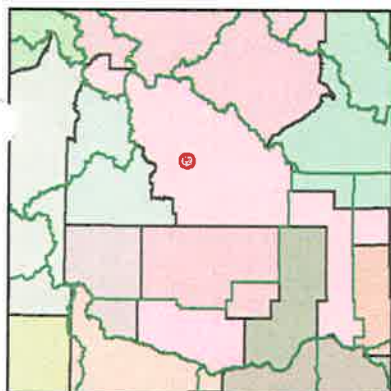
SRBA Recommendation:

37-20832

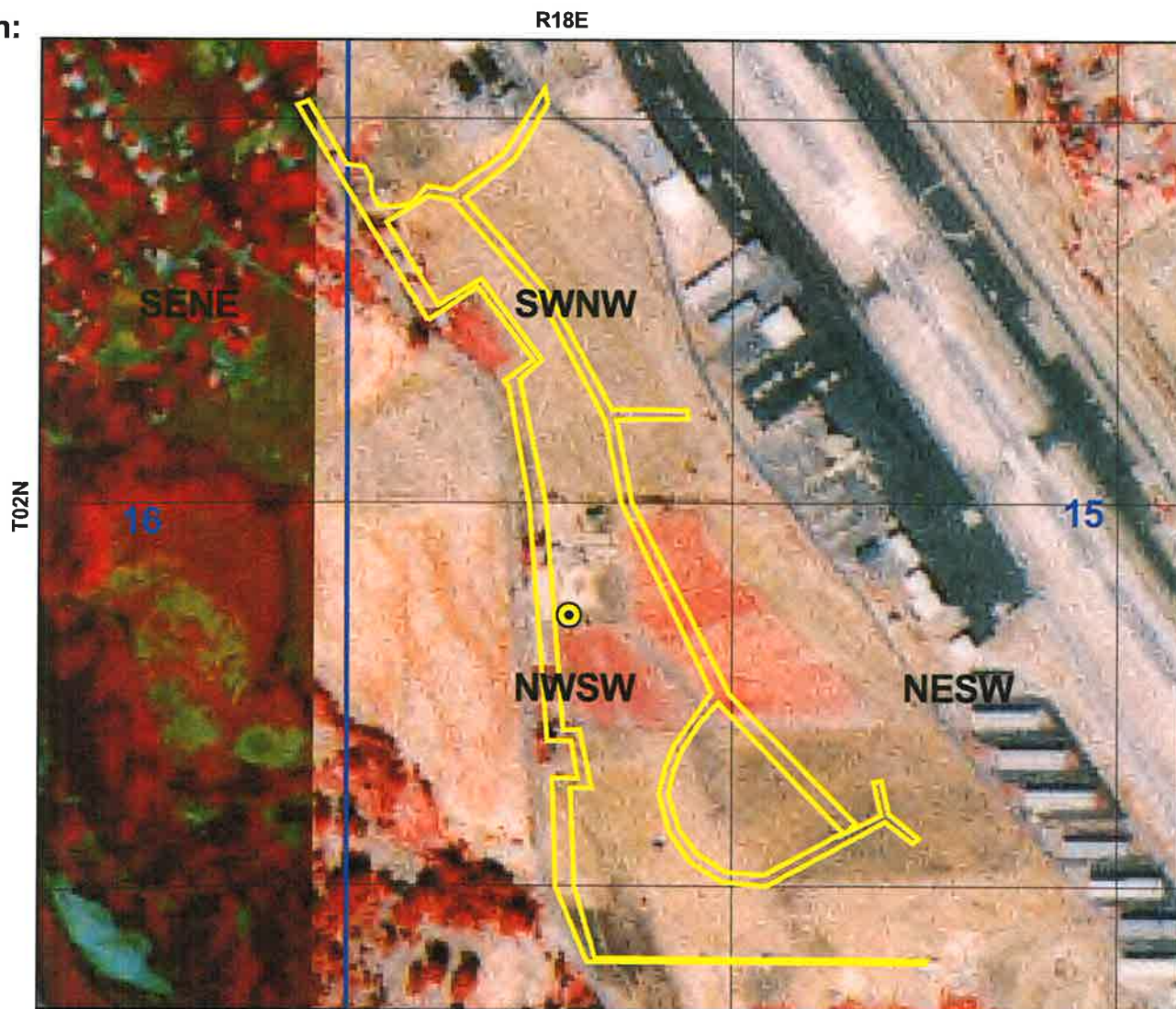
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles



Prepared by E. NORQUES
On Wednesday, September 20, 2006
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70260

This is to certify that: AIRPORT WEST PARTNERS

C/O JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340
(208)726-4421

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-7683	AJC/License	10/14/1977	0.42 cfs	N/A		18.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

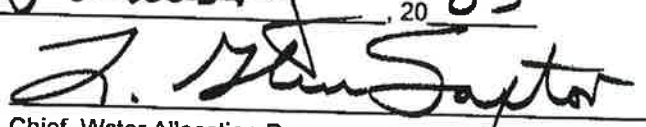
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-7683	YES	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-7683	37-20832	0.18 cfs	26.7 af	N/A	8.9	37-20831	0.21 cfs	N/A	N/A	9.1
COMBINED										
TOTALS		0.18 cfs	26.7 af	N/A	8.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28th day of January, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20831
As Modified by Transfer No. 70260

In accordance with the approval of Transfer No. 70260, Water Right No. 37-20831 is now described as follows.

Right Holder: AIRPORT WEST PARTNERS
C/O JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Priority Date: October 14, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.21 CFS	
			0.21 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWSW Sec. 15 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
02N	18E	15	NE	NW	SW	SE	9.1

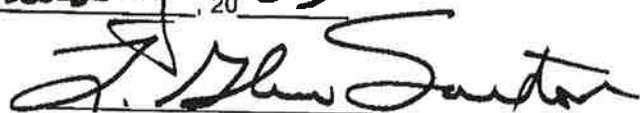
Total Acres: 9.1

CONDITIONS OF APPROVAL

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of January, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20832
As Modified by Transfer No. 70260

In accordance with the approval of Transfer No. 70260, Water Right No. 37-20832 is now described as follows.

Right Holder: AIRPORT WEST PARTNERS
 C/O JAMES P SPECK
 SPECK & AANESTAD
 PO BOX 987
 KETCHUM ID 83340

Priority Date: October 14, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.18 CFS	26.7 AF
			0.18 CFS	26.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWSW Sec. 15 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
02N 18E 15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	8.6
02N 18E 16	.1			.2													.3

Total Acres: 8.9

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

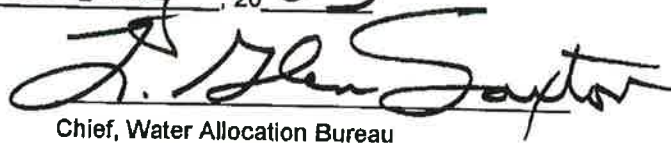
WATER RIGHT NO. 37-20832
As Modified by Transfer No. 70260

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of January, 2003


Chief, Water Allocation Bureau