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WATER RESOURCES
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BEFORE THE STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

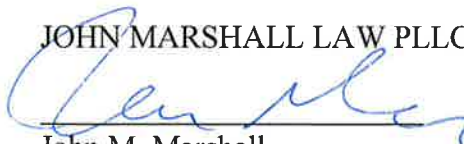
IN THE MATTER OF TRANSFER NO.
82161

LEXINGTON HILLS, INC.'S PETITION TO INTERVENE

Pursuant to the Rule of Procedure 351, Lexington Hills, Inc., c/o John Marshall, 575 W Bannock St, Ste B, Boise, Idaho 83702, petitions to intervene in this matter. As the owner of the right sought to be transferred, Lexington Hills, Inc. has a direct and substantial interest in the outcome of this proceeding. In particular, Lexington Hills, Inc. is under contract to sell right 63-123F to the Applicant, predicated on the successful processing of the Application. Accordingly, the outcome of this proceeding is a significant matter to Lexington Hills, Inc. Moreover, protestant Farmers Union Canal Company has raised the issues of forfeiture and the non-transferability of the right outside of the canal company's system. As the owner of right 63-123F, Lexington Hills, Inc. has an obvious stake in a proceeding where a protestant has challenged the existence and the transferability of the water right. Lexington Hills, Inc. does not seek to broaden the issues, only to defend its water right and its interests against the issues raised by protestants (noting, however, that the Lexington Hills Homeowners Association has failed to identify any issue in its protest letter).

Dated this 5th day of October, 2018.

JOHN MARSHALL LAW PLLC



John M. Marshall

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of October, 2018, I caused the original of this document to be filed with the Idaho Department of Water Resources via hand delivery and a true and correct copy of the foregoing to be served by the method indicated below, and addressed to the following.

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LEXINGTON HILLS HOMEOWNERS
ASSN INC
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BOISE, ID 83714

☒ U.S. Mail
☐ Overnight Mail
☐ Hand Delivery
☐ Fax
☐ Email



John M. Marshall