

VIALFOTHERINGHAM^{LLP}
LAWYERS

RECEIVED

JAN 10 2014

DEPARTMENT OF
WATER RESOURCES

JEREMY O. EVANS

208.629.4567

JOE@VF-LAW.COM

I7932-001

1/9/2014

Via U.S. Mail

Craig L. Saxton
State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

**Re: Licenses 63-12163
63-12281**

Mr. Saxton:

Thank you for taking the time to speak to me on the telephone last week. We represent the Summerfield Homeowners Association, Inc. ("Association"). The Association is the legal entity that represents the homeowners in the Summerfield Subdivision, as indicated Article I, Section 1.3 of the Declaration of Covenants, Conditions and Restrictions for Summerfield Subdivision, ("Declaration") dated March 2, 1994 and recorded by G L Voight in the Records of Ada County starting at page 17232000897.

The members of the Association are the homeowners that are benefitted by the water rights licensed by the licenses indicated above ("licenses"). Per your letter of October 17, 2011, the licenses were established in the name of G L Voight Construction. However, the lots and rights belonging to G L Voight have all been transferred to the Association and members of the Association.

Pursuant to Article II, Section 2.11, the Association is charged with enforcing certain water-related restrictions in the subdivision, and is empowered to approve irrigation systems and combine lots for water assessment purposes. More generally, the Association is already organized and run by the owners, and is charged with the welfare of the property owners.

In order to keep the current property owners apprised of any news or developments relating to the licenses, please add the Association to your records as the representative of the current property owners, and copy the Association on any and all correspondence relating the license or water rights. I have been authorized to accept such correspondence:

12828 W. LaSalle Street, Ste 101, Boise, ID 83713 208.629.4567 Fax: 208.392.1400
Now Representing Homeowner and Condominium Associations With Offices In
Portland, OR; Salt Lake City, UT; Saint George, UT; Chandler, AZ

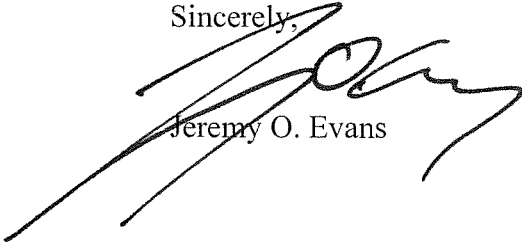
Website: www.vf-law.com

Summerfield Homeowners Association, Inc.
c/o Jeremy Evans, re I7392-001
Vial Fotheringham LLP
12878 LaSalle Drive, Suite 101
Boise, ID 83713

I am also copying G L Voight on this letter in the hopes that they will complete their development work and properly transfer the water rights into the name of the Association at this time.

If any questions or concerns should arise, please contact me directly. My number is (208) 629-4567, and my email is joe@vf-law.com.

Sincerely,


Jeremy O. Evans

Cc: Clients
G L Voight



P.O. Box 2044, Idaho Falls, Idaho 83403, (208) 227-9600

October 19, 2011

Summerfield Homeowners Association, Inc.
C/O Tricia Callies
1715 West Bannock
Boise, ID 83702

RE: Irrigation Water Rights

To whom it may concern:

Enclosed you will find copies of communications from the Idaho Department of Water Resources (IDWR) concerning water rights licenses which appear to be for the domestic and irrigation water serving the Summerfield Subdivision. The originals remain in the offices of GL Voigt Development and will be forwarded to the Summerfield HOA once we have received confirmation of the responsible party within the HOA.

The IDWR letter was sent to and the licenses issued to GL Voigt Construction, the original developer of the Summerfield Subdivision and Incorporator and Declarant of the Summerfield HOA. However, these water rights and licenses belong to the Summerfield HOA and should run appurtenant with the land. We are not sure why this transfer of rights to the Association was not completed previously; however, at this time we believe the ownership of the rights and licenses should be transferred to the Summerfield HOA to protect the rights and interests in groundwater associated with the subdivision.

Our recommendation is for an authorized representative of the Summerfield HOA contact the Idaho Department of Water Resources and request instructions and documentation to process the transfer of ownership from GL Voigt Construction to the Summerfield HOA. Once the HOA has obtained and completed all the necessary paperwork, please forward to:

GL Voigt Development Company
P.O. Box 2044
Idaho Falls, ID 83403

Once received, we will execute the necessary documents and return to Summerfield HOA for submittal to the IDWR to effect the transfer of ownership to the HOA.

Thank you for your prompt attention to this matter and if you have any questions, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric C. Guanell', is written over a horizontal line.

Eric C. Guanell
Vice President
GL Voigt Development Company

cc: Chris Ishizu
President, Summerfield HOA
3320 North Summerfield
Meridian, ID 83646

Miriam Thompson
Secretary, Summerfield HOA
1964 East Summercove
Meridian, ID 83646

Carolyn Jones
Treasurer, Summerfield HOA
1910 Summercove
Meridian, ID 83646