

WA

RECEIVED

MAY 13 2009

SEA CORP. INC

7189 W. COHO DRIVE

DEPARTMENT OF
WATER RESOURCES
BOISE, IDAHO 83709

May 9, 2009

Idaho Department of Water Resources
Ms. Emalee Rushing
P.O. box 83720
Boise, Idaho 83720-0098

Re; 63-11636

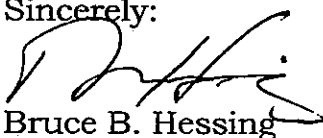
Dear Ms. Rushing;

I purchased this forty acres in 1988 with the intent some day of developing it. This property was dry land. My neighbor to the north Jim Ricsh helped me get the right to put a well on it. In 2003 I was granted the approval for a 129 subdivision. When I created the project and the home owners association it was the intended to have Sea Corp. provide irrigation water to each lot since they owned the well and the water rights to it. I have enclosed the amendment to South Fork Subdivision done in 2004. This amendment was recorded before any lot was sold or transferred. In the earnest money agreement and closing statement of each lot it shows that a fee of \$300.00 a year will be assessed to each lot for irrigation water to that lot for each year.

It is my position that the HOA should not have been granted a split in water rights based on Sea Corps rights from 1993 and the transfer of any right the HOA may have had in 2004 to Sea Corp.

I understand that some of the homeowners in South Fork believe that they can get around Sea Corps claim to the water by just recording a deed to the water. Please put a stop to this, and do not split any more water rights away from Sea Corp. Sea Corp. Inc has the right granted to it from the beginning of water rights to the present.

Sincerely:



Bruce B. Hessing
President

92

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 03/31/04 04:25 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
First American
AMOUNT 9.00

3



104037973

THIS INSTRUMENT FILED FOR
RECORD BY FIRST AMERICAN
TITLE COMPANY AS AN
ACCOMMODATION ONLY. IT
HAS NOT BEEN EXAMINED AS
TO ITS EXECUTION OR AS TO
ITS EFFECT UPON THE TITLE.

AMENDMENT

TO THE

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

FOR

SOUTHFORK SUBDIVISION

As recorded in Ada County Instrument Number: 104035143, book 88 pages 10,173 thru 10,174

The following are Amended Declarations of Conditions and Restrictions:

Section 5.8, Shall be amended to: "A ten feet side set back on the bonus room side of the home only".

Section 5.10, Shall be amended to: "Two dogs, cats or combination thereof totaling Three."

* Section 5.18, Shall be amended to: "The Grantor has conveyed its entire right, title and interest to all irrigation facilities, including all wells, pumps and pipelines to Sea Corp. Inc. an Idaho Corporation. The HOA may not convey the irrigation system as described to another private or public entity."

Section 5.24, Shall be amended to: "First floor not to be less then 1400 square feet. Including a bonus room, the minimum living area of the main floor shall be One Thousand Five Hundred (1,500) square feet."

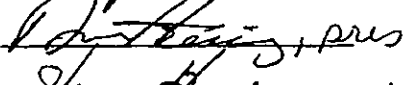
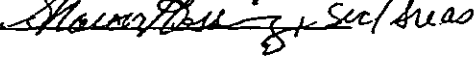
The above amendments have been made and approved by the grantor and members of the SouthFork Subdivision Homeowners' Association.

Dated: March 31st, 2004

LANDSING DEVELOPMENT GROUP, LLC,
AN IDAHO LIMITED LIABILITY COMPANY,
GRANTOR/OWNER

By: 
Bruce B. Hessing
Its: General Member

SOUTHFORK SUBDIVISION
HOMEOWNERS'
ASSOCIATION, INC.

By: , v-pres.
By: , pres
By: , sec/treas