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WATER RESOURCES
WESTERN REGION

March 13, 2009

Steve Lester
Water Right Supervisor
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: (1) Change of Ownership Water Right 63-32045 and (2) Abandonment of
Use of Water Right 63-32045 as Mitigation for Permit 63-31829

Dear Steve:

On behalf of Touchmark of the Treasure Valley, LLC, enclosed please find a Notice of Change in Water Right Ownership for water right 63-32045 and a statement attesting to the permanent abandonment of use of water right 63-32045 for mitigation of consumptive use under permit 63-31829 as required by condition No. 4 of the permit.

Water right permit 63-31829 authorizes storage of 10 acre feet of water in a pond at Touchmark's Meadow Lake Village development in Meridian. The permit was approved in 2004 based on Touchmark's proposal to mitigate for evaporation losses from the pond. Condition No. 4 of water right permit 63-31829 requires that a 2.2-acre portion of licensed irrigation water right 63-9972 be permanently retired to mitigate for consumption of water (i.e., evaporation) from the surface of the pond. IDWR was supposed to be notified of retirement of the water right through (1) a Notice of Change in Water Right Ownership and (2) a notarized affidavit attesting to the permanent abandonment of the water right.

Touchmark purchased the 2.2-acre water right from Renata Ham on April 30th, 2004. A copy of the deed for the water right is enclosed. However, it appears that Touchmark did not submit a Notice of Change in Water Right Ownership or a notarized affidavit attesting to the permanent abandonment of the water right. As a result, IDWR records were never changed to show the new water right owner as Touchmark. Instead, the water right records currently show ownership by Frank Ham and Wyoma Ham, who were the original owners of the water right. The water right was decreed to Frank Ham and Wyoma Ham in January of 2007.

The 2.2-acre portion of the water right has been renumbered as 63-32045 after being split off of parent water right 63-9972. Two documents detailing the water right split information are provided for reference purposes.

In compliance with permit condition No. 4, Touchmark is now submitting a Notice of Change in Water Right Ownership and a notarized affidavit attesting to the permanent abandonment of the water right.

A \$25 check for the filing fee is enclosed. Please contact me with any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry M. Scanlan". The signature is fluid and cursive, with the first name "Terry" and last name "Scanlan" clearly distinguishable.

Terry M. Scanlan, P.E., P.G.

Cc: Mathew Hoskin – Touchmark at Meadow Lake Village