

RECEIVED

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

FEB 23 2007

RECEIVED

FEB 28 2007

WATER RESOURCES  
WESTERN REGION

RECEIVED

SEP 05 2007

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 division of the existing water right or adjudication claim record will be required.

WATER RESOURCES  
WESTERN REGION

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 63-32233              | 63-32233                     | N     |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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 usually attached to your deed or on file with the county).

OR

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 **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 Former Owner/Claimant(s) Darwin Mc Kay  
6100 S. Eagle Rd., Meridian, ID 83642
4. New Owner/Claimant(s) Parkland Development, LLC  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 344
- City, State and ZIP Code Meridian, ID 83680
- New Telephone Number (208) 888-9946
5. Date you acquired the property January 9, 2006

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

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

7. Signature of New Owner(s) or Claimant(s)  
(include title if applicable)

*Greg Johnson*  
Managing Member

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.

**For Office Use Only**

Received by *[Signature]* Date 2-23-07 Fee \$25<sup>00</sup>  
 Receipted by *[Signature]* Date 2-23-07 Receipt No. W035108  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR *[Signature]* Date 11-20-07

GRANT DEED

THIS INDENTURE, made this 9<sup>th</sup> day of January, 2006, between Darwin L. McKay, 6100 S. Eagle Road, Meridian, ID 83642 ("Grantor"), and Parkland Development LLC, whose address is P.O. Box 344, Meridian, ID 83680 (Grantee").

WITNESSETH

The Grantor for and in consideration of ten dollars (\$10.00) and other good, and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain and sell, convey and confirm unto the Grantee, and to the successors and assigns of Grantee forever, the right, title and interest in and to the following portion of Water Right #63-31886.

Quantity: 0.07 Cubic feet per second / 18 acre feet per year

Acres: 4.0 acres (SESE Section 32, Township 3 North, Range 1 East, Ada County, Idaho)

TO HAVE AND TO HOLD, all and singular the above-mentioned and described portion of Water Right #63-31886, unto the Grantee and to the successors and assigns of Grantee forever.

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

DARWIN L. MCKAY

*see  
corrected  
grant deed*

By: L. Darwin McKay  
Its: Pres

CORRECTED GRANT DEED

THIS INDENTURE, made this 24 day of October, 2007, between Darwin L. McKay, 6100 S. Eagle Road, Meridian, ID 83642 ("Grantor"), and Parkland Development LLC, whose address is P.O. Box 344, Meridian, ID 83680 (Grantee").

WITNESSETH

The Grantor for and in consideration of ten dollars (\$10.00) and other good, and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain and sell, convey and confirm unto the Grantee, and to the successors and assigns of Grantee forever, the right, title and interest in and to Water Right No. 63-32233.

TO HAVE AND TO HOLD, all and singular, the above-mentioned and described Water Right No. 63-32233, unto the Grantee and to the successors and assigns of Grantee forever.

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

L. Darwin McKay  
DARWIN L. MCKAY

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 72571

This is to certify that: PARKLAND DEVELOPMENT LLC  
PO BOX 344  
MERIDIAN ID 83680  
(208)888-9946

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**

| Right    | Origin/Basis | Priority   | Rate     | Volume   | Acre Limit | Total Acres | Source       |
|----------|--------------|------------|----------|----------|------------|-------------|--------------|
| 63-10780 | WR/License   | 04/05/1989 | 0.79 cfs | 211.5 af | N/A        | 47.0        | GROUND WATER |

**Purpose of Transfer (Changes Proposed)**

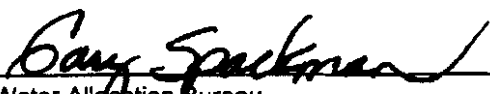
| Current Number | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|----------------|-------|-----|-----|---------|---------------|---------------|
| 63-10780       | YES   | YES | YES | NO      | NO            | NO            |

**Summary of Water Rights After the Approved Change**

| Existing Right         | New No. (changed portion) | Transfer Rate   | Transfer Volume | Acre Limit | Total Acres | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|------------------------|---------------------------|-----------------|-----------------|------------|-------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 63-10780               | 63-32233                  | 0.07 cfs        | 18 af           | N/A        | 4.0         | 63-32232                    | 0.72 cfs       | 193.5 af         | N/A                  | 43.0                  |
| <b>COMBINED TOTALS</b> |                           | <b>0.07 cfs</b> | <b>18 af</b>    | <b>N/A</b> | <b>4.0</b>  |                             | <b>N/A</b>     | <b>N/A</b>       | <b>N/A</b>           | <b>N/A</b>            |

Detailed Water Right Description(s) attached

Dated this 2nd day of August, 20 06

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-10780

**WATER RIGHT NO. 63-32232**  
**As Modified by Transfer No. 72571**

In accordance with the approval of Transfer No. 72571, Water Right No. 63-32232 is now described as follows.

**Right Holder:** DARWIN L MC KAY  
 6100 S EAGLE RD  
 MERIDIAN ID 83642

**Priority Date:** April 05, 1989

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.72 CFS              | 193.5 AF      |
|                       |             |           | 0.72 CFS              | 193.5 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                                    |
|--------------|------|------------------------------------|
| GROUND WATER | NESE | Sec. 32 Twp 03N Rge 01E ADA County |
| GROUND WATER | SWSW | Sec. 33 Twp 03N Rge 01E ADA County |
| GROUND WATER | SWSE | Sec. 33 Twp 03N Rge 01E ADA County |

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |          | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----------|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE       |        |
| 03N 01E 32  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 6.0      | 8.0    |
| 03N 01E 33  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 34.0 3.0 | 37.0   |

Total Acres: 43

**CONDITIONS OF APPROVAL**

1. Approval of this transfer does not confirm the validity of this water right.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 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 2nd day of August, 2006

  
 Chief, Water Allocation Bureau

**WATER RIGHT NO. 63-32233**  
**As Modified by Transfer No. 72571**

In accordance with the approval of Transfer No. 72571, Water Right No. 63-32233 is now described as follows

**Right Holder:** DARWIN L MC KAY  
 6100 S EAGLE RD  
 MERIDIAN ID 83642

**Priority Date:** April 05, 1989

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.07 CFS              | 18.0 AF       |
|                       |             |           | 0.07 CFS              | 18.0 AF       |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER      SENESW      Sec. 4    Twp 02N    Rge 01E    ADA County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW  |     |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|--------|
| 02N | 01E | 4   | NE | NW | SW | SE | NE | NW | SW | SE | NE  | NW  | SW | SE | NE | NW | SW | SE | 4.0    |
|     |     |     |    |    |    |    |    |    |    |    | 2.8 | 1.2 |    |    |    |    |    |    |        |

Total Acres: 4

**CONDITIONS OF APPROVAL**

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Prior to diversion of water under Transfer 72571, the right holder shall provide documentation to the department that water from New York Irrigation District has been legally removed from the place of use described above.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
6. Right 63-12580 is also diverted through the point of diversion described 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 2nd day of August, 2006

  
 Chief, Water Allocation Bureau

# 2N 1E Section 4

SENE

SWNW

SENW

SWNE

NESE

NWSW

NESW

NWSE

SESE

SWSW



Place of Use

Vantage Pointe Subdivision

Fair lateral

Change in Water Right Ownership  
McKay to Parkland  
Water Right/SRBA Claim 63-32233

250  
Feet



**SPF** Water Engineering, LLC  
water resource consultants  
600 E. River Park Lane, Ste. 100, Boise, Idaho 83709  
tel. 208.353.1450 fax 208.353.4195

