

No Color
Documents
In File

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

8 @ 925 = \$200
RECEIVED

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

DEC 26 2003

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, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
35-02113 ✓			~~35-02526~~		
35-02526 ✓			~~35-02606~~		
35-02606 ✓			~~35-13086~~		
35-13086 ✓					
~~35-02113~~					

RECEIVED
 NOV - 8 2004

DEPARTMENT OF
 WATER RESOURCES

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) are 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)

Blair Lee Dance
433 E Las Colinas Blvd, #1290

4. New Owner/Claimant(s)

Irving, TX 75039

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

LCSC Enterprises, LLC

City, State and ZIP Code

same address

New Telephone Number

(972) 556-1190 x23 (same)

5. Date you acquired the property

yes

SUPPORT DATA
IN FILE # 352526

Form #2-248/42-1409(6) July, 2000

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
(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 (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(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 (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Blair Lee Day, CEO of LCSC Enterprises, LLC
(include title if applicable)

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 <u>JC</u>	Date <u>11-3-04</u>	Fee <u>\$ 100 -</u>
Received by <u>JC</u>	Date <u>11-3-04</u>	Receipt No. <u>E030390</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

WARRANTY DEED

FEE 6.10 DEP 2

2000 FEB 15 PM 3:28

RECORDED AT THE REQUEST OF

ALLIANCE TITLE & ESCROW

Order No.: 3029900139-L

487488

FOR VALUE RECEIVED

Eugene M. Higgins and Elaine Higgins, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

LCSC Enterprises, L.L.C.

whose current address is

433 E. Las Colinas Blvd., Suite 1290 Irving, TX 75039

the grantee(s), the following described premises, in Bingham County, Idaho, TO WIT:

PARCEL 1:

Township 3 South, Range 33 East, Boise Meridian, Bingham County, Idaho

Section 1: Lots, 1, 2, 3, 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ALSO: Beginning at a point 174 feet West of the NE corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 1, thence South 46°59' West 1567.4 feet to the West line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence North to the NW corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence East 1146 feet to the Point of Beginning

EXCEPT the right of way of the American Falls Canal and Power Company.

ALSO EXCEPT Beginning at the NE corner of said Section 1, and running thence South 150 feet; thence West 380 feet; thence North 150 feet; thence East 380 feet to the Point of Beginning.

ALSO EXCEPT: A parcel of land located in Lot 4, Section 1, Township 3 South, Range 33 East, Boise Meridian, Bingham County, Idaho, more particularly described as: Beginning at the Northwest corner of Lot 4; thence East 236 feet; thence South 236 feet; thence West 236 feet; thence North 236 feet to the Point of Beginning.

PARCEL 2:

Township 3 South, Range 33 East, Boise Meridian, Bingham County, Idaho

Section 2: Commencing at a point 229 feet North of the SE corner of the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 2; thence West 393 feet; thence South 104 feet; thence West 2247 feet to the West line of the S $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 2 and 125 feet North of the SW corner of the S $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 2; thence North to the NW corner of Lot 2 of said Section 2; thence East to the NE corner of said Lot 2; thence South to the SE corner of said Lot 2; thence East to a point 480 feet West of the East line of the NE $\frac{1}{4}$ of said Section 2; thence North 272 feet 3 inches; thence East 480 feet; thence South to the Point of Beginning.

EXCEPT: Commencing at the SE corner of Lot 1; thence West 480 feet; thence North 272.25 feet; thence East 277 feet; thence South 152 feet; thence East 203 feet; thence South 120.25 feet to the Point of Beginning.

ALSO EXCEPT: Commencing 272 feet 3 inches North of the SE corner of Lot 1; thence West 187 feet; thence South 144 feet; thence East 187 feet; thence North 144 feet to the Point of Beginning.

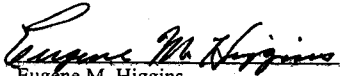
PARCEL 3:

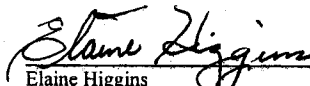
**Township 3 South, Range 34 East Boise Meridian, Bingham County, Idaho
Section 6: A portion of Lot 4 described as: Beginning at the NW corner of said Section 6;
running thence East along the North line of said Section 6 a distance of 995 feet, more or
less, to the right-of-way of the Aberdeen-Springfield Canal Company; thence
Southwesterly along said right-of-way a distance of 1264 feet, more or less, to a point where
it will intersect with the West line of said Section 6; thence North 925 feet, more or less,
along the West line of said Section 6 to the Point of Beginning.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 2/15/2000


Eugene M. Higgins

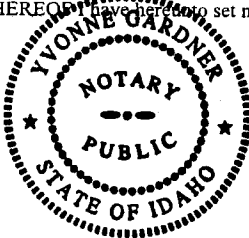

Elaine Higgins

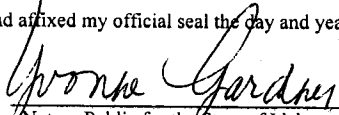
State of Idaho }
County of Bingham } ss.

On this 15th day of February, in the year 2000, before me, a Notary Public in and for said state, personally appeared Eugene M. Higgins and Elaine Higgins

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.




Notary Public for the State of Idaho
Residing at: Blackfoot
Commission Expires: 8/12/04

487488

2002 JAN 31 PM 3:31

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

)
)
)
)

ORDER OF PARTIAL DECREE

For Water Right 35-02526

On November 20, 2001, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-02526 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 31, 2002.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 35-02526

2002 JAN 31 PM 3:59
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: EUGENE M HIGGINS
1297 W HOFF RD
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.80 CFS
160.00 AFY

PRIORITY DATE: 04/10/1958

POINT OF DIVERSION: T03S R33E S02 LOT 01 (SENE) Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.80 CFS 160.00 AFY

PLACE OF USE: Irrigation Within Bingham County
T03S R33E S01 SWNW 40.0
40.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JAN ³¹~~29~~ PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 35-02526

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-02526 was mailed
on January ~~29~~³¹, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

EUGENE M HIGGINS
Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
01/29/02



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 6, 2004

LCSC ENTERPRISES LLC
433 E LAS COLINAS BLVD STE 1290
IRVING TX 75039

RE: Change of Ownership for Water Rights 35-2526, 35-2606, 35-13086, & 35-2113

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights (excluding water right 35-2113) to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Our records indicate that the water right 35-2113 was disallowed in the SRBA court, and it is no longer an active water right. Due to this status, the ownership was not changed and the file was closed.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Kandice McDermott
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klm
Enclosures