

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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SEP 21 2015

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: KELLOGG COUNTRY CLUB
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): PINEHURST GOLF COURSE, INC.
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

P.O. Box 908 PINEHURST ID. 83850
Mailing address City State ZIP

208-682-2013
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 12-31-1996

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☐ Filing fee (see instructions for further explanation):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: PINEHURST GOLF COURSE, INC. BOARD MEMBER 9-17-15
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by N/A Date _____ Receipt No. _____ Receipt Amt. _____

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

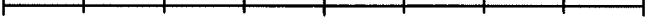
Name on W-9 _____ Approved by SCC Processed by SCC Date 9/22/15

State of Idaho
Department of Water Resources
Adjudication Recommendation
94-7357
Irrigation



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 395 790 1,580 Feet



07/07/2015

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 94-7357
NAME AND ADDRESS: KELLOGG COUNTRY CLUB
PO BOX 908
PINEHURST ID 83850-0908

PINEHURST GOLF COURSE, INC.
A.O. BOX 908
PINEHURST, ID.
83850

SOURCE: GROUND WATER

QUANTITY: 0.980 CFS
165.00 AFY

PRIORITY DATE: 12/30/1994

POINT OF DIVERSION: T48N R02E S5 SWNE Within SHOSHONE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3 /15 11/15	0.980 CFS 165.00 AFY

PLACE OF USE: IRRIGATION in SHOSHONE County

T48N R02E S05	SWNE	7.10	T48N R02E S05	SENE	1.50
T48N R02E S05	SENE	0.40	T48N R02E S05	NESW	6.00
T48N R02E S05	NESE	3.00	T48N R02E S05	NWSE	37.00

55 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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Parcel Nos. RPG00000057850, RPG00000054825, RPG00000057855 & RPG00000051625.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.

**BY-LAWS
OF
PINEHURST GOLF COURSE, INC.**

January 1, 1997
Amended January 29, 1998
Amended February 17, 2000
Amended March 9, 2006

ARTICLE 1 – REORGANIZATION

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1. A golf club in Pinehurst, Idaho was first organized on September 17, 1928 as Kellogg Country Club, a non-profit Idaho corporation. Construction of a 9-hole golf course began in October 1928.
 2. The club was reincorporated on June 22, 1987 as Kellogg Country Club, Inc. (KCC). The by-laws were revised on February 3, 1990.
 3. Effective December 31, 1996, the club was renamed Pinehurst Golf Course, Inc. dba Pinehurst Golf Course (PGC) and was reorganized as a charitable corporation under Idaho Code Sec. 63-105C, with property exempt from taxation. KCC has been retained as a shell corporation without assets. In the event PGC is dissolved, its assets shall be distributed by the Board either to the City of Pinehurst, to Shoshone County, or to a local charitable organization.
 4. The main business of PGC is to operate a 9-hole "daily-fee" golf course which is open to the public. PGC is managed and operated by a Board of Directors that is elected by voting members.
 5. If any legal or legislative action results in a reversal of this corporation's exemption from property taxes, the ownership of the club shall revert to the then living certificate members of Kellogg Country Club, Inc.

ARTICLE 2 – DIRECTORS AND OFFICERS

1. The Board of Directors, hereinafter called the Board, shall consist of seven (7) voting members who are elected by ballot at the annual members meeting. Directors are elected for three-year terms. 1996 KCC Directors will complete their terms as PGC Directors.
2. Board meetings are held at 7:00 pm on the second Thursday of each month at the clubhouse in Pinehurst, Idaho.
3. Special Board meetings may be called by the President or by any two (2) Directors on one day's telephone notice.
4. Four (4) Directors present shall constitute a quorum. A simple majority of Directors present is required to carry all Board votes.
5. The remaining Board shall fill any Board vacancy by appointment, and such appointment shall last until the next annual meeting.
6. Following the annual Board elections, the new Board shall elect a President and a Vice President from their own number for one-year terms. The Secretary shall be appointed each year by the Board and shall be compensated.
7. The President shall preside over all club meetings and shall have, subject to the control of the Board, general management of the affairs of the corporation.
8. The Vice President shall perform the duties of the President if the President is absent or unable to act.

9. The Secretary/Treasurer shall keep minutes of Board and Member meetings, prepare and mail meeting notices and newsletters when directed by the President, maintain a list of members entitled to vote, keep an accounting of dues payments, make deposits, apply for licenses, file annual reports and perform other tasks appropriate of the job.
10. An accountant hired by the Board shall maintain the financial records of the corporation, provide payroll and tax services, remit invoices and make monthly reports to the Board. Two authorized signatures shall be required for all bank checks and withdrawals.

ARTICLE 3 – MEMBERSHIP

1. Members are any golfers who apply for club membership, agree to be bound by the rules and decisions of the Board and are elected to membership at the next monthly Board meeting. Memberships may not be denied by reason of race, color or creed. All KCC 1996 members shall become PGC members as of January 1, 1997. No membership certificates are issued. The Board may charge an initiation fee for new members. Members may be suspended or expelled for cause after a hearing by the Board.
2. Membership classes are: single, couple, senior single, senior couple and junior. The Board shall determine the ages and relationships that satisfy these classes and shall also set the annual dues. The Board may establish other classes such as college, out-of-state, etc.
3. Voting members may vote at member meetings and hold office. Voting members pay a one-time fee. This fee is waived for KCC voting members who opt to become voting members. Voting couple memberships shall have one vote and may fill one elected Board position. Dues must be paid in full or be current to be a voting member. The voting fee is a one-time fee for life. A member may not belong or pay fees for a period of time, but as long as that member is current on fees (dues) at the time of a vote, they may vote.
4. The Board shall determine the amount and method of payment of all member fees and dues. Members who miss a payment deadline must attend the next monthly Board meeting to make special written payment arrangements or lose all membership rights until payment is made.

ARTICLE 4 – MEETINGS OF MEMBERS

1. All member meetings shall be held at the clubhouse unless otherwise designated by the President. Two weeks written notice is required for all member meetings.
2. The annual meeting of voting members shall be held during the first quarter of each year.
3. Special member meetings may be called at any time by the President or Board on one week's written notice.
4. Members may vote by proxy at member meetings. A simple majority of voting members represented is required to carry all member votes.
5. A quorum at member meetings shall consist of 25% of the total voting members, including proxies.

ARTICLE 5 – MEN'S GOLF COMPETITION

1. The Men's Club administers all men's golf competition under the direction to the Board. The Board shall appoint a Men's Club chairman at the start of each season. The chairman, in consultation with the PGC golf pro, shall prepare a tournament schedule, post all sign-up sheets and determine match play pairings. The chairman is also responsible for fair handicaps, event publicity, awards purchasing and control of the Men's Club finances.

2. Junior members who pass playing and rules tests given by the PGC golf pro may compete in all adult golf competitions.

ARTICLE 6 – WOMEN’S GOLF COMPETITION

1. Women’s competition is conducted under the by-laws and rules of the Ladies Golf Association of the club.

ARTICLE 7 – CHARITABLE ACTIVITIES

1. The club annually conducts a series of free golf lessons for juniors age 8 thru 17.
2. The club promotes high school golf by allowing free use of the course for practice by the local team and for league competitions.
3. The club, when practical, opens the course to charitable groups for fund raising purposes at discounted greens fees.

ARTICLE 8 – AMENDMENTS TO BY-LAWS

1. These by-laws may be amended by a simple majority of voting members, including proxies, attending the annual or special members meeting.

ARTICLE 9 – MISCELLANEOUS

1. Any matters not covered by Articles 1 thru 8 will be decided by the Board on a case-by-case basis.

We, the undersigned Directors, do hereby on this 9th day of March, 2006 give our written consent to the foregoing Amended By-Laws of the Pinehurst Golf Course, Inc.

Brian Biotti, President

Pete Garner, Vice President

Marcia Biotti, Secretary/Director

Doug Johnston, Director

Yvonne Malley, Director

Vince Peterson, Director

* Note.....Director Bruce Knowles resigned in November, 2005 and was not replaced until the March 9, 2006 annual meeting after action was taken by the membership to amend these by-laws, therefore; the signature of a seventh Director is not applicable.

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DEPARTMENT OF
WATER RESOURCES

9-17-15

DEAR MR. CLELLAND,

THE ONLY CHANGE NEEDED IS IN NAME ONLY.
ALL THE PAPERWORK IS CORRECT. WHEN WE MET
IN RELOOGG YOU TOLD ME THE ADJUDICATION
PAPERWORK / CLAIM NEEDED TO BE IN THE
NAME OF THE COMPANY WE DO BUSINESS UNDER.
THAT HAS BEEN PINEHURST GOLF COURSE, INC.
SINCE 1996. I HAVE ENCLOSED A COPY OF
THOSE BYLAWS.

IF YOU REQUIRE ADDITIONAL INFORMATION, PLEASE
CALL ME DURING THE DAYTIME AT 208-512-3409.

Sincerely,

Darin A. Williams