

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 02 2017

Notice of Change in Water Right Ownership

IDWR / NORTH

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?
96-9046	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: Villelli Enterprises Et. Al.

3. New Owner(s)/Claimant(s): Valiant Idaho, LLC

<u>310 Charleston Place</u>	<u>Celebration</u>	<u>FL</u>	☐ and ☐ or ☐ and/or
<u>Mailing address</u>	<u>City</u>	<u>State</u>	<u>34747</u>
<u>407-973-7875</u>	<u>william.haberman@me.com & cmchugh@mchughbromley.com</u>		
<u>Telephone</u>	<u>Email</u>		

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: November 7, 2016

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: <u><i>Conduct McPhegan</i></u> Signature of new owner/claimant	<u>POA on file, attorney</u> Title, if applicable	<u>9/19/2017</u> Date
	Signature: _____ Signature of new owner/claimant	_____ Title, if applicable	_____ Date

For IDWR Office Use Only:

Received by NS Date 10-2-17 Receipt No. N832964 Receipt Amt. \$25.00
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 _____ Processed by NS Date 12-14-17

M^cHUGH BROMLEY

ATTORNEYS AT LAW, PLLC

cmchugh@mchughbromley.com
208-287-0991

380 S. 4th St., Ste. 103
Boise, ID 83702

September 27, 2017

RECEIVED

OCT 02 2017

IDWR / NORTH

IDAHO DEPARTMENT OF WATER RESOURCES
Northern Regional Manager
7600 N. Mineral Dr., Ste 100
Coeur d'Alene, ID 83815-7763

Re: Change of Ownership 96-9046 – Valiant Idaho, LLC.

To Whom It May Concern,

Please find enclosed a Notice of Change of Ownership for Water Right No. 96-9046 along with a supporting map, deed and fee. Valiant Idaho, LLC is the successor-in-interest to "The Idaho Club." Water Right No. 96-9046 is diverted from the Pack River for the waterways located within The Idaho Club development. As the enclosed maps show, Valiant Idaho, LLC owns the parcels where Water Right No. 96-9046 is diverted and used. Rather than enclosing the hundreds of pages of Sherriff's deeds that support this fact, I refer you to the file at your office for Application for Permit 96-9646 that contains the judgment and deeds.

I have provide two key deeds that show that Valiant Idaho, LLC owns the property where the point of diversion is located and where it diverts into the waterways. Both of these properties are located North of 200 and East of the main entrance and are described as follows:

North of 200 - Large - Near 200 (1 & 2) - Tax Parcel: RP0435905A000BA

Lot 3A , Block 12 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES
1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8
of Plats, page 77, records of Bonner County, Idaho.

North of 200 - Triangle West of Hole 2 — Tax Parcel: RP043590190020A

Lot 2, Block 19 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES
1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8
of Plats, page 77, records of Bonner County, Idaho.

Please let me know if you have any questions.

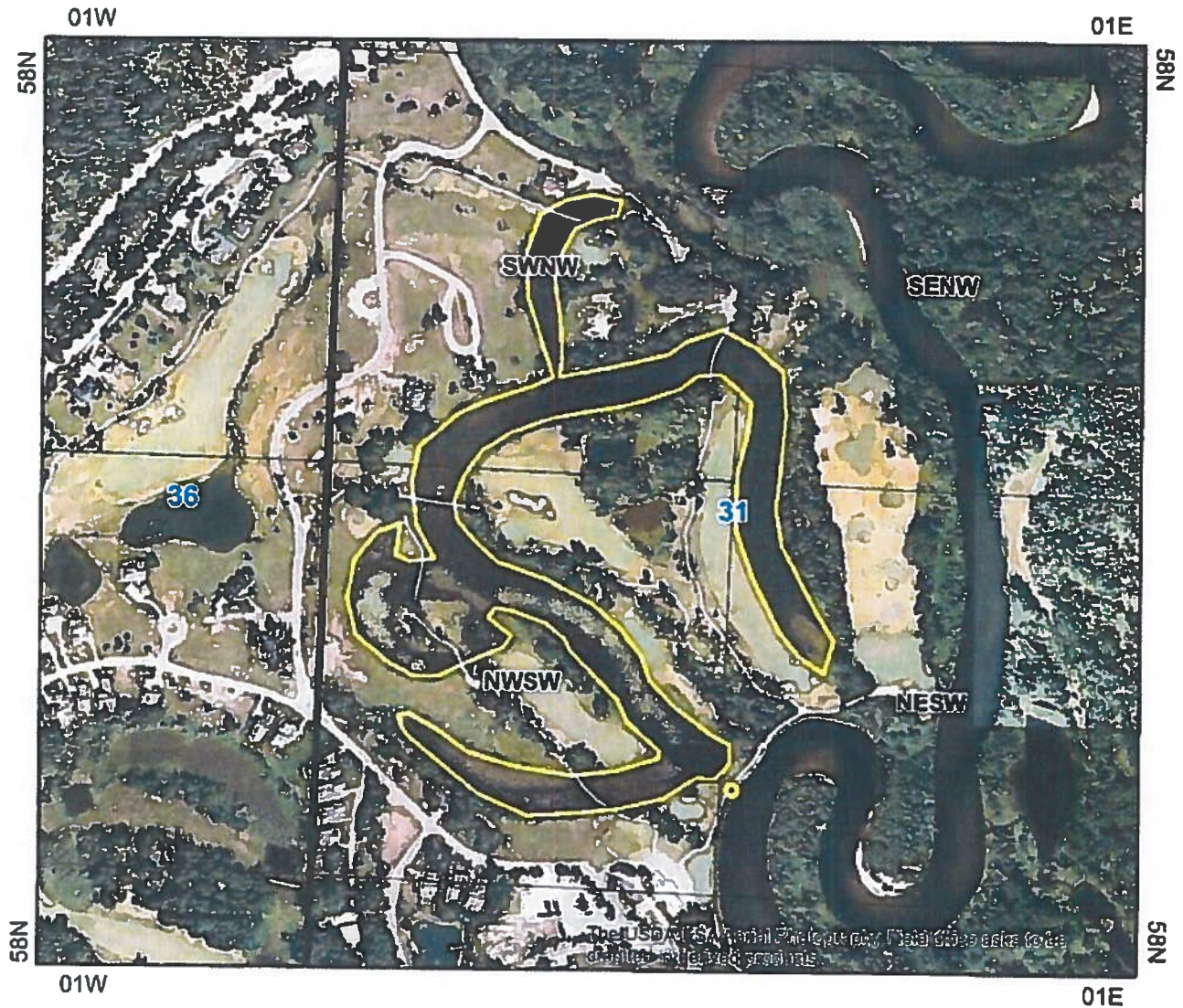
Very Truly Yours,



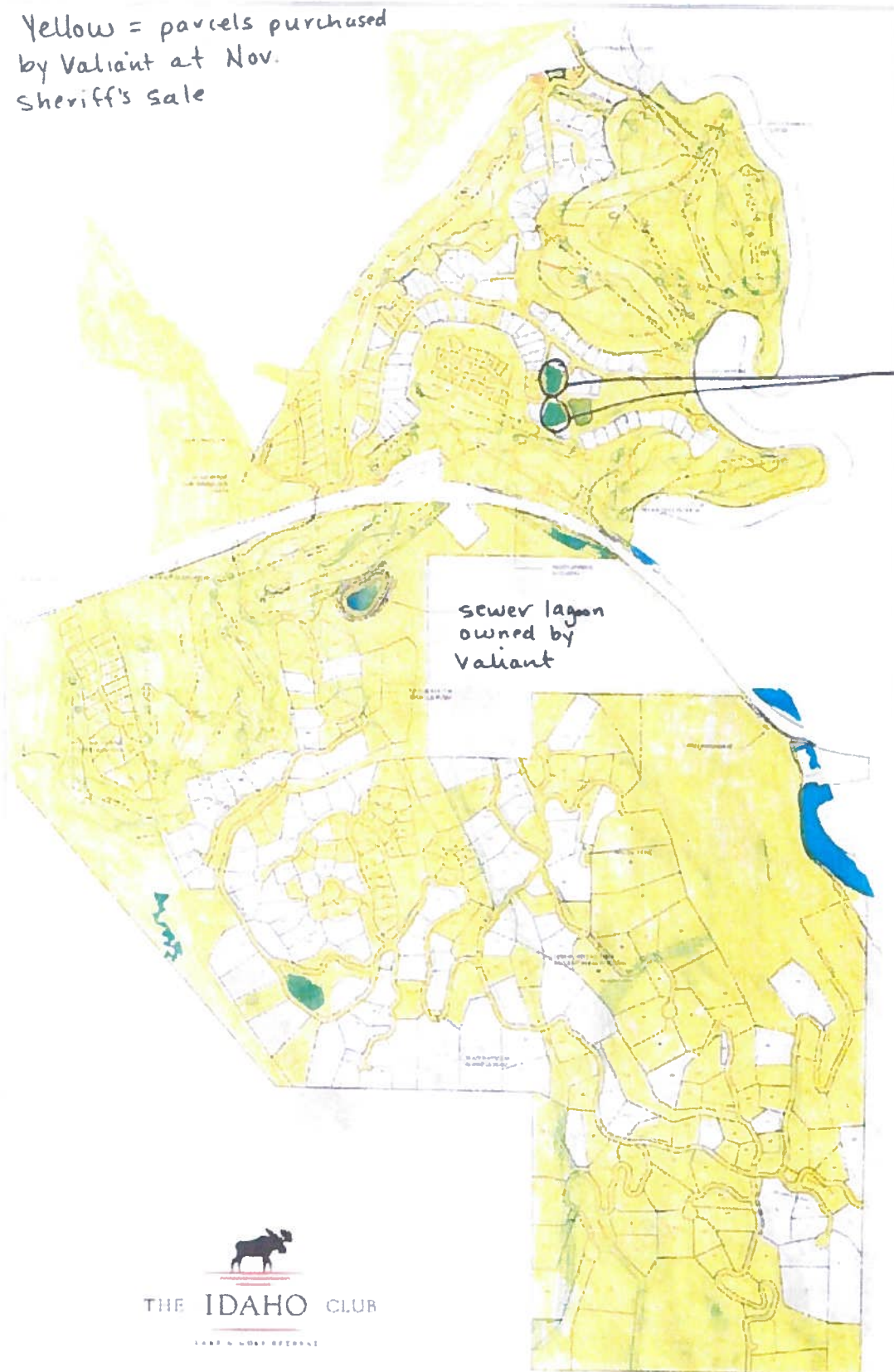
Candice McHugh

enclosures

State of Idaho
Department of Water Resources
Water Right License
96-9046



Yellow = parcels purchased
by Valiant at Nov.
Sheriff's Sale

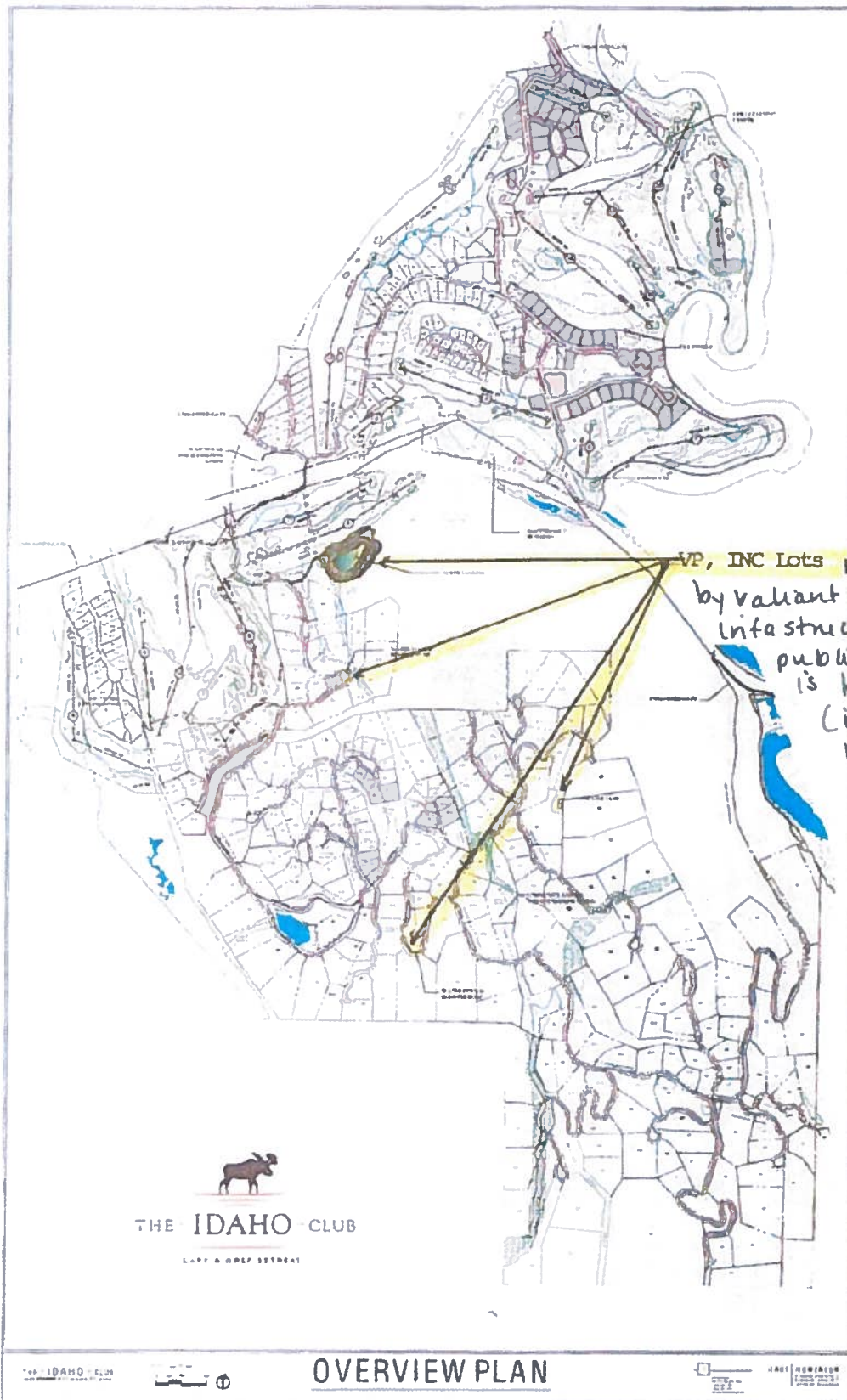


parcels
owned by
Valiant
but purchased
from
Mountain
West Bank

sewer lagoon
owned by
Valiant



OVERVIEW PLAN



VP, INC Lots now owned
by Valiant where key
infrastructure for
public water system
is located
(ie pumps or
lift stations,
sewer lagoon)



THE IDAHO CLUB
LARRY & JUDY STEWART

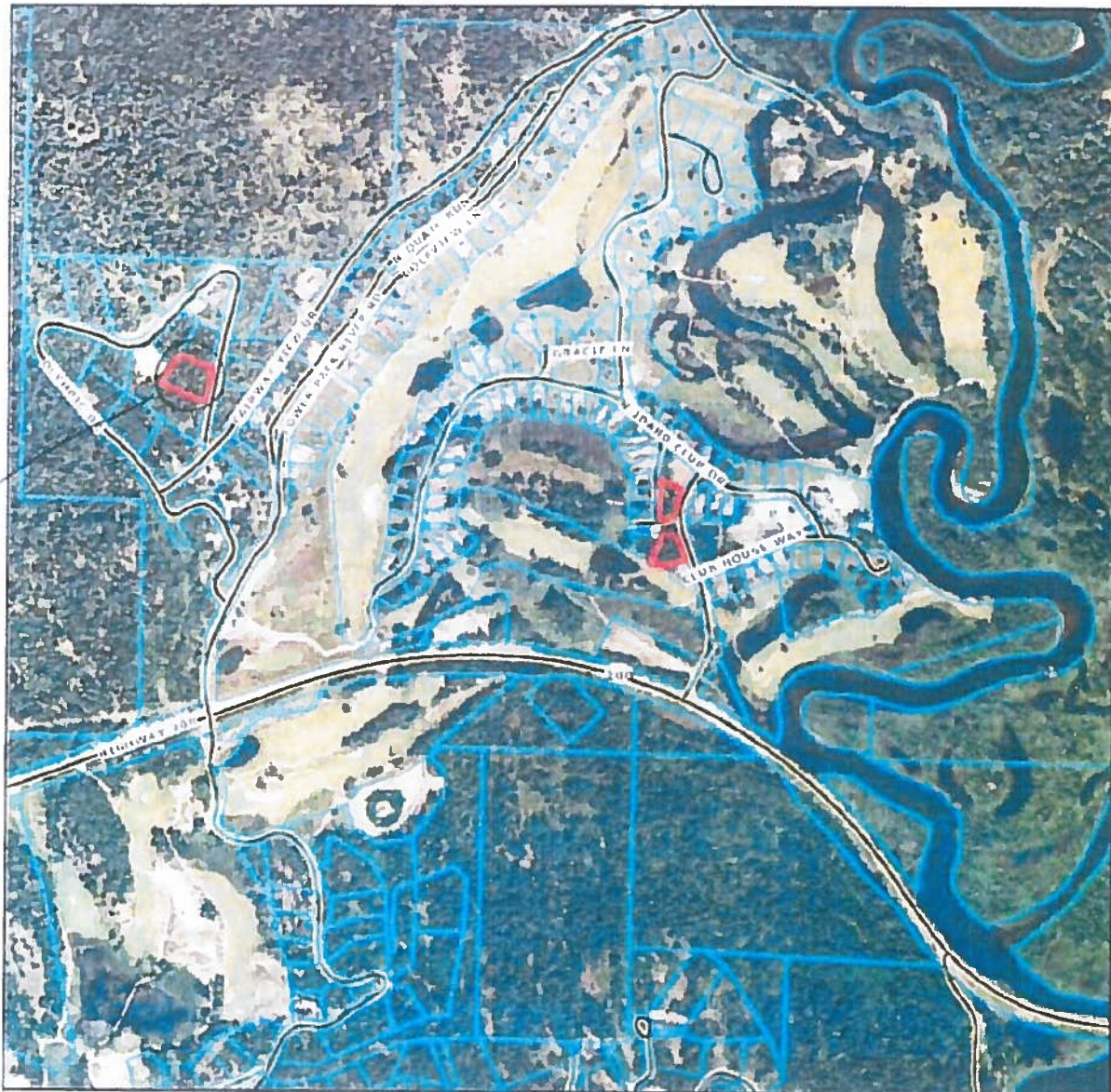
OVERVIEW PLAN

THE IDAHO CLUB
10000 S. 1000 E. ST. LOUIS, MO 63104



LEGEND
PROPERTY
ROADS
WATER

key
public
water
system
reservoir
known as
"lower
reservoir"
owned
by
Valiant



419 North Second Avenue
P.O. Box 862
Sandpoint, ID 83864
Tel: (208) 263-5833
Fax: (208) 263-5890

Sentry Dynamics, Inc. and its
customers make no representations,
warranties or conditions, express or
implied, as to the accuracy or
completeness of information
contained in this report.

geoAdvantage
www.sentrydynamics.net

red = property owned by Valiant purchased from Mountain
West Bank

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
Chad M. Nicholson, ISB #7506
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
827 East Park Boulevard, Suite 201
Boise, Idaho 83712
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawyers.com
sykes@mwsslawyers.com
nicholson@mwsslawyers.com

Attorneys For Valiant Idaho, LLC

Instrument # 897613
BONNER COUNTY, SANDPOINT, IDAHO
11-8-2016 03:23:23 PM No. of Pages: 6
Recorded for : RICHARD L STACEY
MICHAEL W ROSEDALE Fee: 22.00
Ex-Officio Recorder Deputy *CB*
Index to: CERTIFICATE OF SALE

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

**PEND OREILLE BONNER
DEVELOPMENT, LLC,**
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**SHERIFF'S CERTIFICATE OF SALE
[Idaho Club - Parcel 159]**

Honorable Barbara A. Buchanan

I, **DARYL WHEELER**, as Sheriff of Bonner County, Idaho, do hereby certify that in accordance with a Decree of Foreclosure entered July 20, 2016 by the above-entitled Court and recorded July 22, 2016, as Instrument No. 892187, Records of Bonner County, Idaho, ordering the foreclosure of certain mortgages owned by Valiant Idaho, LLC ("Valiant") identified as:

i. A mortgage recorded on March 15, 2007 as Instrument Nos. 724829 and 724834, Records of Bonner County, Idaho ("RE Loans Mortgage), securing the total amount of **\$4,317,100.24**, which amount includes prejudgment and post-judgment interest accrued through November 7, 2016;

ii. A mortgage recorded on August 6, 2008 as Instrument Nos. 756394, 756395 and 756396, Records of Bonner County, Idaho ("Pensco Mortgage"), securing the total amount of **\$10,273,859.23**, which amount includes prejudgment and post-judgment interest accrued through November 7, 2016; and

iii. A mortgage recorded on August 6, 2008 as Instrument Nos. 756397, 756398 and 756399, Records of Bonner County, Idaho ("MF08 Mortgage"), securing the total amount of **\$7,998,415.00**, which amount includes prejudgment and post-judgment interest accrued through November 7, 2016

(the RE Loans Mortgage, the Pensco Mortgage and the MF08 Mortgage shall be collectively referred to herein as the "Valiant Mortgages"); pursuant to the Judgment entered July 20, 2016 by the above-entitled Court and recorded July 22, 2016, as Instrument No. 892188, Records of Bonner County, Idaho; pursuant to a Judgment Re: Costs and Attorneys' Fees duly entered August 22, 2016 by the above-entitled Court and recorded October 11, 2016, as Instrument No. 896268, Records of Bonner County, Idaho (collectively, "Judgment"); and pursuant to a Writ of Execution ("Writ") issued October 5, 2016 by the Clerk of the Court of the First Judicial District, in and for the County of Bonner, State of Idaho, directed to me and setting forth the Judgments to be recovered in the amount of \$22,480,344.20 in lawful money of the United States and satisfied out of the real property of Pend Oreille Bonner Development, LLC ("POBD"), securing the Valiant Mortgages; I have levied on and, on the 7th day of November 2016, sold at public auction in one lot or parcel, or as directed by the above-referenced Court, to **Valiant Idaho, LLC**,

916 Greenlawn Street, Celebration, Florida 34747, without recourse, together with its successors and assigns, which was the highest bidder, with a credit bid of \$ 2,970,000.00, which was the whole price paid by Valiant for the claim and interest of POBD as aforesaid in and to the real estate particularly described as follows, to-wit:

Tract 1

Block 5A of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Tract 2

Lot 3A, Block 12 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Tract 3

Lot 1A, Block 15 of A REPLAT OF BLOCKS 15 AND 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 5, records of Bonner County, Idaho.

Tract 4

Block 16A of A REPLAT OF BLOCKS 15 AND 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 5, records of Bonner County, Idaho.

Tract 5

Lot 1A, Block 12 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1st ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Tract 6

Lot 1A, Block 11 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Tract 7

Lot 2A, Block 12 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Tract 8

Lot 2A, Block 15 of A REPLAT OF BLOCKS 15 AND 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 5, records of Bonner County, Idaho.

Tract 9

Lot 1, Block 14A of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Tract 10

Lot 1, Block 17 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Tract 11

Block 18 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Tract 12

All that portion of the Southeast Quarter in Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200 and lying Easterly of Lot 1, Block 17 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

LESS the following described property:

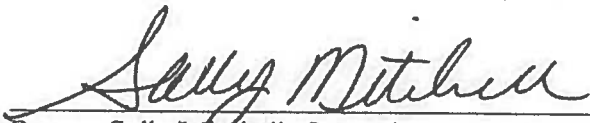
A tract of land in the Southeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 92981, records of Bonner County, Idaho and more particularly described as follows:

Commencing at the Southeast corner of said Section 36; Thence along the East line of Section 36, North 00° 08' 06" East, 460.00 feet; Thence perpendicular to the East line of the Section, North 89° 51' 54" West, 568.00 feet to the true point of beginning; Thence South 47° 08' 06" West, 250.00 feet; Thence South 42° 51' 54" East, 348.50 feet; Thence North 47° 48' 06" East, 250.00 feet; Thence North 42° 51' 54" West, 348.50 feet to the true point of beginning.

Further, said real property is subject to redemption upon payment in lawful money of the United States within twelve (12) months after the sale of the real property consisting of a tract of land in excess of twenty (20) acres, pursuant to the statute.

GIVEN UNDER MY HAND this 7th day of November 2016.

DARYL WHEELER
SHERIFF OF BONNER COUNTY, IDAHO

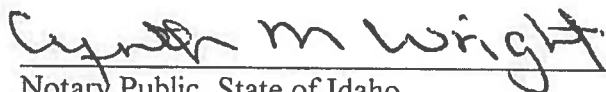

By: Sally Mitchell, Operations Manager

STATE OF IDAHO)
) ss.
COUNTY OF BONNER)

On this 7th day of November 2016, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Sally Mitchell**, known or identified to me to be the person whose name is subscribed to the within instrument as Operations Manager of the Bonner County Sheriff's Office, State of Idaho, and acknowledged to me that she executed the same as such employee of the Bonner County Sheriff's Office, State of Idaho.

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





Notary Public, State of Idaho
Residing at: Bonner County, Idaho
My Commission Expires: 12-22-2017

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
Chad M. Nicholson, ISB #7506
McCONNELL WAGNER SYKES & STACEY PLLC
827 East Park Boulevard, Suite 201
Boise, Idaho 83712
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawyers.com
sykes@mwsslawyers.com
nicholson@mwsslawyers.com

Attorneys For Valiant Idaho, LLC

Instrument # 897591

BONNER COUNTY, SANDPOINT, IDAHO
11-8-2016 02:17:57 PM No. of Pages: 4
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MICHAEL W ROSEDALE Fee: 19.00
Ex-Officio Recorder Deputy 
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formerly known as
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a Nevada corporation,

Plaintiff,

vs.

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a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
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Case No. CV-09-1810

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[Idaho Club - Parcel 163]**

Honorable Barbara A. Buchanan

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ii. A mortgage recorded on August 6, 2008 as Instrument Nos. 756394, 756395 and 756396, Records of Bonner County, Idaho ("Pensco Mortgage"), securing the total amount of **\$10,273,859.23**, which amount includes prejudgment and post-judgment interest accrued through November 7, 2016; and

iii. A mortgage recorded on August 6, 2008 as Instrument Nos. 756397, 756398 and 756399, Records of Bonner County, Idaho ("MF08 Mortgage"), securing the total amount of **\$7,998,415.00**, which amount includes prejudgment and post-judgment interest accrued through November 7, 2016

(the RE Loans Mortgage, the Pensco Mortgage and the MF08 Mortgage shall be collectively referred to herein as the "Valiant Mortgages"); pursuant to the Judgment entered July 20, 2016 by the above-entitled Court and recorded July 22, 2016, as Instrument No. 892188, Records of Bonner County, Idaho; pursuant to a Judgment Re: Costs and Attorneys' Fees duly entered August 22, 2016 by the above-entitled Court and recorded October 11, 2016, as Instrument No. 896268, Records of Bonner County, Idaho (collectively, "Judgment"); and pursuant to a Writ of Execution ("Writ") issued October 5, 2016 by the Clerk of the Court of the First Judicial District, in and for the County of Bonner, State of Idaho, directed to me and setting forth the Judgments to be recovered in the amount of \$22,480,344.20 in lawful money of the United States and satisfied out of the real property of Pend Oreille Bonner Development, LLC ("POBD"), securing the Valiant Mortgages; I have levied on and, on the 7th day of November 2016, sold at public auction in one lot or parcel, or as directed by the above-referenced Court, to **Valiant Idaho, LLC**,

916 Greenlawn Street, Celebration, Florida 34747, without recourse, together with its successors and assigns, which was the highest bidder, with a credit bid of \$ 739,953.38, which was the whole price paid by Valiant for the claim and interest of POBD as aforesaid in and to the real estate particularly described as follows, to-wit:

Tract 1

Lot 21A, Block 2, of REPLAT OF LOTS 20 AND 21, BLOCK 2 REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 81, records of Bonner County, Idaho.

Tract 2

Lot 5A, Block 4 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Tract 3

Lot 1, Block 19 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Tract 4

Lot 13A, Block 13 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Tract 5

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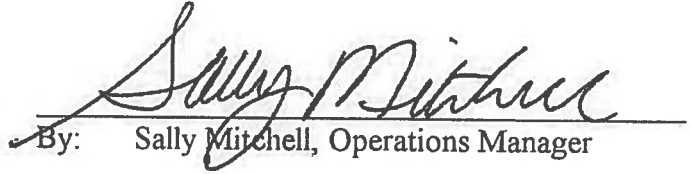
Tract 6

Lot 1, Block 2 of GOLDEN TEE ESTATES 2nd ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 79, records of Bonner County, Idaho.

Further, said real property is subject to redemption upon payment in lawful money of the United States within six (6) months after the sale of the real property consisting of a tract of land of twenty (20) acres or less, pursuant to statute.

GIVEN UNDER MY HAND this 7th day of November 2016.

DARYL WHEELER
SHERIFF OF BONNER COUNTY, IDAHO


By: Sally Mitchell, Operations Manager

STATE OF IDAHO)
) ss.
COUNTY OF BONNER)

On this 7th day of November 2016, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Sally Mitchell**, known or identified to me to be the person whose name is subscribed to the within instrument as Operations Manager of the Bonner County Sheriff's Office, State of Idaho, and acknowledged to me that she executed the same as such Operations Manager of the Bonner County Sheriff's Office, State of Idaho.

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




Notary Public, State of Idaho
Residing at: Bonner County, Idaho
My Commission Expires: 12-22-2017



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 14, 2017

VALIANT IDAHO LLC
310 CHARLESTON PL
CELEBRATION FL 34747

Re: Change of Ownership for Water Right/Permit No(s): 96-9046

Dear Water Right Holder(s):

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

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see § 42-222 and §42-223, Idaho Code.

Also 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. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 762-2800.

Sincerely,

Natalie Steading
Technical Records Specialist I

Enclosure(s)