

WITHDRAWN

RECEIVED

42-222 POD - 09/14

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

JUL 07 2016

WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s)
 ☐ Add diversion point(s)
 ☒ Ownership change
 ☐ Ownership split

1. APPLICANT(S) Spurwing Greens Master Association, Inc. Phone (208) 378-4000

2. MAILING ADDRESS 12601 W. Explorer Dr., Suite 200 City Boise

State ID Zip 83713 Email _____

☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☒ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ 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.

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 63-32977, 63-32979, 63-33485

☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 2.51 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SW	SE	22	4N	1W	Ada	groundwater	D0052054

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

One well is used to deliver water to ponds, then pumped from one of the ponds to a pressurized irrigation system.

A lockable controlling works and measuring device can be installed at the well site as required by the Director.

Only one well will be used to deliver these water rights and water right 63-32996 (currently a Permit).

- b. Who owns the property at the point(s) of diversion? applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

[Signature] President 6/21/16
Signature of applicant or authorized agent Print name and title if applicable Date

Signature of applicant or authorized agent Print name and title if applicable Date

9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes 12 pages of attachments. Received by [Signature] Date 7/7/16
Fee paid \$6600 Date 7/7/16 Received by [Signature] Receipt # WD44395
Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐
(Do NOT scan the W-9 – confidential information is held by fiscal only)

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-33485

Current Owner: SPURWING GREENS LLC
LION LAND LLC

Priority Date: 2/16/1990

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.41 CFS	354.8 AF
	<u>Total Diversion</u>	1.41 CFS	354.8 AF

Location of Point(s) of Diversion

GROUND WATER ADA County	SW1/4SE1/4	Sec. 22,	Twp 04N,	Rge 01W B.M.
GROUND WATER ADA County	SW1/4SE1/4	Sec. 22,	Twp 04N,	Rge 01W B.M.
GROUND WATER ADA County	NE1/4SE1/4	Sec. 22,	Twp 04N,	Rge 01W B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01W S22	SWNE	1.00	T04N R01W S22	SENE	9.00
T04N R01W S22	SENW	3.00	T04N R01W S22	NESW	30.00
T04N R01W S22	SESW	39.00	T04N R01W S22	NESE	40.00
T04N R01W S22	NWSE	36.00	T04N R01W S22	SWSE	39.00
T04N R01W S22	SESE	1.00			

Total Acres: 198

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. X35 Rights 63-33483, 63-33485, 63-32977 and 63-32979 when combined are limited to the irrigation of 198 acres in a single irrigation season.
3. 01M 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.
4. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X27 This right is limited to the irrigation of 78.8 acres within the authorized place of use in a single irrigation season.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Licensed Date: 3/30/1993

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-32979

Current Owner: SPURWING GREENS LLC
LION LAND LLC

Priority Date: 1/10/1964

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/16 to 10/16	0.68 CFS	245.4 AF
	<u>Total Diversion</u>	0.68 CFS	245.4 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 22,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	SW1/4SE1/4	Sec. 22,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	SW1/4SE1/4	Sec. 22,	Twp 04N,	Rge 01W B.M.
ADA County				

Place of Use

IRRIGATION Within ADA County

T04N R01W S22	SWNE	1.00	T04N R01W S22	SENE	9.00
T04N R01W S22	SENW	3.00	T04N R01W S22	NESW	30.00
T04N R01W S22	SESW	39.00	T04N R01W S22	NESE	40.00
T04N R01W S22	NWSE	36.00	T04N R01W S22	SWSE	39.00
T04N R01W S22	SESE	1.00			

Total Acres: 198

Conditions of Approval:

1. X61 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 2/16/2007.
2. X35 Rights 63-32977 and 63-32979 when combined shall not exceed a total annual maximum diversion volume of 398.7 af at the field headgate, and the irrigation of 88.6 acres.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 01M 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.
8. W54 Use of this right is combined with water from Settlers Irrigation District.
9. X35 Rights 63-33483, 63-33485, 63-32977 and 63-32979 when combined are limited to the irrigation of 198 acres in a single irrigation season.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Decreed Date: 2/16/2007

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-32977

Current Owner: SPURWING GREENS LLC
LION LAND LLC

Priority Date: 6/17/1980

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.42 CFS	202.8 AF
	<u>Total Diversion</u>	0.42 CFS	202.8 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 22,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	SW1/4SE1/4	Sec. 22,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	SW1/4SE1/4	Sec. 22,	Twp 04N,	Rge 01W B.M.
ADA County				

Place of Use

IRRIGATION Within ADA County

T04N R01W S22	SWNE	1.00	T04N R01W S22	SENE	9.00
T04N R01W S22	SENE	3.00	T04N R01W S22	NESW	30.00
T04N R01W S22	SESW	39.00	T04N R01W S22	NESE	40.00
T04N R01W S22	NWSE	36.00	T04N R01W S22	SWSE	39.00
T04N R01W S22	SESE	1.00			

Total Acres: 198

Conditions of Approval:

1. W54 Use of this right is combined with water from Settlers Irrigation District.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. X61 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 2/16/2007.
5. X35 Rights 63-32977 and 63-32979 when combined shall not exceed a total annual maximum diversion volume of 398.7 af at the field headgate, and the irrigation of 88.6 acres.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
9. X35 Rights 63-33483, 63-33485, 63-32977 and 63-32979 when combined are limited to the irrigation of 198 acres in a single irrigation season.
10. 01M 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.

Decreed Date: 2/16/2007

63
Form 238-7
5/02

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

848248

Office Use Only
Well ID No. 418193
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat: _____ Long: _____

1. WELL TAG NO. D 0052054
DRILLING PERMIT NO. 901237-848248
Water Right or Injection Well No. 63-3399A

2. OWNER:

Name MDC, LLC (DOUGLAS CARNHAN-MANAGER)
Address 4042 W. CHINDEN BL
City MERIDIAN State IA Zip 53646

3. LOCATION OF WELL by legal description:

You must provide address or Lot, Blk, Sub. or Directions to well.

Twp. 4 North ☒ or South ☐
Rge. 1 East ☐ or West ☒
Sec. 22 1/4 SW 1/4 SE 1/4
Govt Lot _____
County ADA

Lat: _____ Long: _____
Address of Well Site N. BASCOLN, 0.2 MILES N OF
CHINDEN City MERIDIAN

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply

☐ New Well ☐ Modify ☐ Abandonment ☒ Other REPLACE

6. DRILL METHOD:

☐ Air Rotary ☐ Cable ☐ Mud Rotary ☒ Other REVERSE

7. SEALING PROCEDURES

Seal Material	From	To	Weight / Volume	Seal Placement Method
<u>BENTONITE</u>	<u>0</u>	<u>190</u>	<u>27,500</u>	<u>DRY PAUL</u>

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____
Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>16</u>	<u>+2</u>	<u>196</u>	<u>315</u>	<u>STEEL</u>	☒	☐	☒	☐
<u>16</u>	<u>236</u>	<u>247</u>	<u>315</u>	<u>STEEL</u>	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe 10'
Packer ☐ Y ☒ N Type _____

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method _____

Screen Type & Method of Installation JOHNSON WIRE WRAP

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
<u>196</u>	<u>236</u>	<u>.030</u>		<u>16</u>	<u>S.S.</u>	☒	☐
<u>247</u>	<u>287</u>	<u>.030</u>		<u>16</u>	<u>S.S.</u>	☒	☐

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method
<u>#6-9 CSSS SAND</u>	<u>190</u>	<u>302</u>	<u>21,000</u>	<u>DRY PAUL</u>

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

23.7 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: 2" PIPE ON SIDE

12. WELL TESTS:

Yield gal./min.	Drawdown	Pumping Level	Time
<u>2000</u>	<u>36</u>	<u>60</u>	<u>4 hrs</u>

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water
<u>24</u>	<u>0</u>	<u>7</u>	<u>TO D SOIL</u>	☒
<u>1</u>	<u>7</u>	<u>13</u>	<u>CLEAN, BURNT CLAY</u>	☒
	<u>13</u>	<u>31</u>	<u>SAND, RIVER BOULDERS</u>	☒
	<u>31</u>	<u>44</u>	<u>BRN CLAY w/SM SAND LAYER</u>	☒
	<u>44</u>	<u>57</u>	<u>BRN CLAY</u>	☒
	<u>57</u>	<u>68</u>	<u>MED-COARSE SAND</u>	☒
	<u>68</u>	<u>73</u>	<u>BRN CLAY</u>	☒
	<u>73</u>	<u>77</u>	<u>FINE BRN SAND</u>	☒
	<u>77</u>	<u>87</u>	<u>BRN CLAY</u>	☒
	<u>87</u>	<u>90</u>	<u>BRN SAND</u>	☒
	<u>90</u>	<u>116</u>	<u>BRN CLAY w/SM SAND LAYER</u>	☒
	<u>116</u>	<u>138</u>	<u>FINE-MED SAND w/SM CLAY LAYER</u>	☒
	<u>138</u>	<u>149</u>	<u>BRN CLAY</u>	☒
	<u>149</u>	<u>178</u>	<u>FINE-COARSE SAND</u>	☒
	<u>178</u>	<u>196</u>	<u>BRN CLAY w/SM SAND LAYER</u>	☒
	<u>196</u>	<u>232</u>	<u>MED-COARSE SAND w/STREAKS OF GRAVEL</u>	☒
	<u>232</u>	<u>253</u>	<u>BRN CLAY w/SM COARSE SAND LAYER</u>	☒
	<u>253</u>	<u>302</u>	<u>MED-COARSE SAND w/PEA GRAVEL</u>	☒

RECEIVED

SEP 12 2007

WATER RESOURCES
WESTERN REGION

Completed Depth 297 (Measurable)

Date: Started 8-10-07 Completed 9-1-07

14. DRILLER'S CERTIFICATION

I/we certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name RIVERSIDE INC Firm No. 333

Principal Driller [Signature] Date 9-10-07

and Driller or Operator [Signature] Date 9-10-07

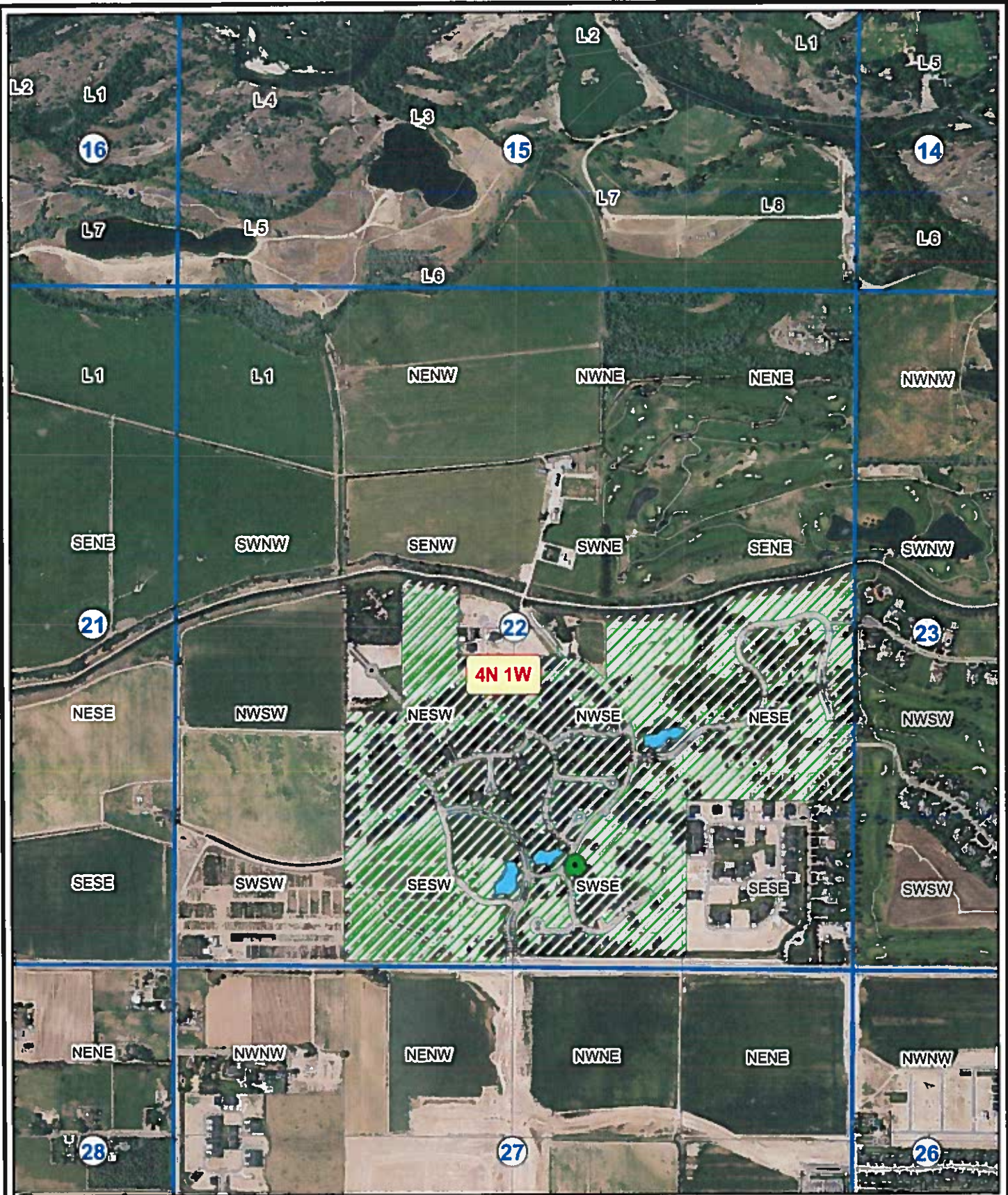
Operator [Signature] Date _____

Principal Driller and Rig Operator Required.
Operator must have signature of Driller/Operator if.

FORWARD WHITE COPY TO WATER RESOURCES

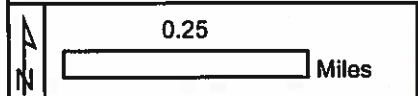
81049

Attachments pgl - well log



-  New Point of Diversion
-  Place of Use - Ponds
-  Place of Use - Irrigation

Point of Diversion Transfer



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COPY

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?
63-32977	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-32979	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-33485	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-33483	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Spurwing Greens LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Spurwing Greens Master Association, Incorporated
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|---|--------------|-----------|--------------|
| <u>12601 W. Explorer Dr., Suite 200</u> | <u>Boise</u> | <u>ID</u> | <u>83713</u> |
| Mailing address | City | State | ZIP |
| <u>(208) 378-4000</u> | | | |
| 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: 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: [Signature] President 6/21/16
 Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by _____ 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 _____ Processed by _____ Date _____

81049

Attachments p3 - OC

When recorded, please return to:

Spurwing Greens Master Association Inc.
12601 W Explorer Drive, Suite 200
Boise, Idaho 83716

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=3 VICTORIA BAILEY
TITLEONE BOISE

2016-059282
07/05/2016 09:59 AM
\$16.00

SPECIAL WARRANTY DEED FOR WATER RIGHT

FOR VALUE RECEIVED, **Spurwing Greens LLC**, a limited liability company, whose address is 3405 E Overland Rd, Suite 150, Meridian, ID 83642 ("Grantor"), does hereby grant, bargain, sell, assign, and convey unto **Spurwing Greens Master Association, Inc.**, an Idaho non-profit corporation, of the County of Ada, State of Idaho whose address is as above ("Grantee") and to Grantees heirs and assigns forever, all of Grantor's right, title and interest in the water rights described in Exhibit A, and hereto (collectively the "Water Rights").

Grantor retains no residual or reversionary interest in any of the Water Rights listed in Exhibit A. Grantor hereby covenants and warrants to Grantee as follows:

- A. that Grantor is the owner in fee simple of the Water Rights;
- B. that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- C. that Grantor has the authority to convey the Water Rights to Grantee;
- D. Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

Grantor makes no other guarantees, covenants or warranties as to the Water Rights, their transferability, or yield upon transfer, change, exchange or use in a mitigation plan.

[End of Text]

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor acting on behalf of Grantor, have caused their name to be hereunto subscribed on the date shown.

Grantor:

SPURWING GREENS, LLC,
an Idaho limited liability company

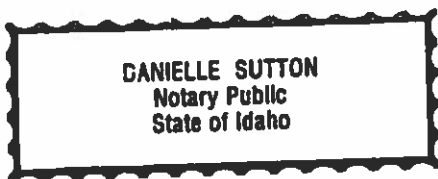
By: 
Name: Christopher L Anderson
Its: Manager

Exhibit A: List of Water Right Numbers

STATE OF IDAHO)
) ss.
County of Ada)

On this 29th, day of June, 2016 before me the undersigned Notary Public in and for said state, personally appeared Christopher L Anderson known or identified to me to be the Manager of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company 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
Residing at Meridian, ID
My commission expires 11/9/18

EXHIBIT A
Water Right Numbers

63-32977

63-32979

63-33485

63-33483



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

01/24/17

SPF WATER ENGINEERING
C/O ROXANNE BROWN
300 E MALLARD DR STE 350
BOISE ID 83706

Re: Withdrawal of Application for Transfer No. 81049

Dear Applicant:

Thank you for your recent withdrawal of the above referenced application.

Please contact our office at 208-334-2190 if you have additional questions in this matter.

More information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'P. Hummer'.

Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov

cc: Spurwing Greens Master Association Inc



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

01/24/17

SPURWING GREENS MASTER ASSN INC
12601 W EXPLORER DR STE 200
BOISE ID 83713

Re: Withdrawal of Application for Transfer No. 81049

Dear Applicant:

Thank you for your recent withdrawal of the above referenced application.

Please contact our office at 208-334-2190 if you have additional questions in this matter.

More information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ph' followed by a stylized flourish.

Phill Hummer

Water Resource Agent

Idaho Department of Water Resources

Phone: (208) 334-2190

Email: phill.hummer@idwr.idaho.gov

cc: Roxanne Brown, SPF Water Engineering



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

01/24/17

SPURWING GREENS MASTER ASSN INC
C/O ROXANNE BROWN
300 E MALLARD DR STE 350
BOISE ID 83706

Re: Withdrawal of Application for Transfer No. 81049

Dear Applicant:

Thank you for your recent withdrawal of the above referenced application.

Please contact our office at 208-334-2190 if you have additional questions in this matter.

More information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'PH' followed by a wavy line.

Phill Hummer

Water Resource Agent

Idaho Department of Water Resources

Phone: (208) 334-2190

Email: phill.hummer@idwr.idaho.gov

cc: Spurwing Greens Master Association INC

RECEIVED

JAN 20 2017

WATER RESOURCES
WESTERN REGION



January 20, 2017

State of Idaho
Department of Water Resources
Attn: Phill Hummer
2735 Airport Way
Boise, ID 83705

Re: Application for Transfer of Water Rights No. 63-32977, 63-32979, and 63-3485

Dear Mr. Hummer,

Thank you for contacting the SpurWing Greens Master Association regarding the above noted water rights. At this time, we would like to withdraw our application for transfer.

Sincerely,

David Turnbull

President
SpurWing Greens Master Association, Inc.

Hummer, Phill

From: Ann Marie Baird <abaird@brightoncorp.com>
Sent: Friday, January 20, 2017 11:53 AM
To: Hummer, Phill
Cc: Roxanne Brown (RBrown@spfwater.com)
Subject: Application withdrawl for water rights 63-32977, 63-32979, 63-33485
Attachments: 2017_01_20_11_00_24.pdf

Categories: More Info Emails

Good Day Mr. Hummer,

Attached is the SpurWing Greens Master Association's request to withdraw their transfer at this time. A hard copy will go out by mail. Please let us know if you need anything further.

Best regards,

Ann Marie Baird Property Management

Brighton Corporation | www.BrightonCorp.com
12601 W. Explorer Dr., Suite 200 | Boise, ID 83713
Hours: Mon-Thurs 8am-4:30pm, Fri 8am-noon
Office 208.378.4000 | Direct 208.287.0514





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

12/22/2016

SPF WATER ENGINEERING LLC
C/O ROXANNE BROWN
300 E MALLARD DR STE 350
BOISE ID 83706

Re: Application for Transfer of Water Rights No. 63-32977, 63-32979, and 63-33485

Dear Representative:

While reviewing this application it has come to my attention that these water rights are at risk of forfeiture. An initial review within the permissible place of use shows that much less than the allowable acre limit for each right has been irrigated within the last 5 years. The application for transfer is likely approvable as it is now but the three rights would be reduced by those acres lost due to nonuse. There are three options available to your client:

1. Withdraw the application for transfer.
2. Submit information demonstrating protection from forfeiture.
3. Proceed with the application for transfer with the understanding the rights will be reduced.

Please let me know how your client would like to proceed. A response or a request for more time must be received within thirty (30) days. Application processing can be suspended to allow additional time to provide a defense against forfeiture. An extension of up to 6 months can be granted upon request.

Please let me know if need more information. Thank you for your attention to these matters.

Sincerely,

Phill Hummer

Water Resource Agent

Idaho Department of Water Resources

Phone: (208) 334-2190

Email: phill.hummer@idwr.idaho.gov

Cc: Spurwing Greens Master Association Inc



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

12/22/2016

SPURWING GREENS MASTER ASSN INC
12601 W EXPLORER DR STE 200
BOISE ID 83713

Re: Application for Transfer of Water Rights No. 63-32977, 63-32979, and 63-33485

Dear Applicant:

While reviewing this application it has come to my attention that these water rights are at risk of forfeiture. An initial review within the permissible place of use shows that much less than the allowable acre limit for each right has been irrigated within the last 5 years. The application for transfer is likely approvable as it is now but the three rights would be reduced by those acres lost due to nonuse. There are three options available:

1. Withdraw the application for transfer.
2. Submit information demonstrating protection from forfeiture.
3. Proceed with the application for transfer with the understanding the rights will be reduced.

Please let me know how you would like to proceed. A response or a request for more time must be received within thirty (30) days. Application processing can be suspended to allow additional time to provide a defense against forfeiture. An extension of up to 6 months can be granted upon request.

Please let me know if need more information. Thank you for your attention to these matters.

Sincerely,

Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov

Cc: Roxanne Brown, SPF Water Engineering



RECEIVED
JUL 07 2016
WATER RESOURCES
WESTERN REGION

July 6, 2016

Angela Grimm
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

*Subject: Spurwing Greens Master Association, Inc.
Change in Ownership and POD Transfer
Water Right Nos. 63-32977, 63-32979, 63-33483, and 63-33485*

Dear Angie,

Enclosed on behalf of Spurwing Greens Master Association, Inc. are two documents. The first is a completed *Notice of Change in Water Right Ownership* to correct the ownership records for the four water rights listed above. Included with the form are two additional documents:

1. A warranty deed conveying the water rights from Spurwing Greens LLC to Spurwing Greens Master Association, Inc.;
2. A copy of the declaration of covenants, conditions, restrictions and easements (CCRs) for Spurwing Greens. The CCRs reserve the water rights to the Declarant (Section 12.16), and define the Declarant as SWG Brighton LLC and Spurwing Greens LLC (Definitions, Page 4). Either of the parties defined as the Declarant have authority to convey the water rights to the Master Association.

An *Application for Transfer of Water Right – Point of Diversion* is also being submitted for three of the four water rights, to reflect the fact that they share the same groundwater sources.

We have included payment in the amount of \$760.00 for the fees associated with the following enclosed documents:

- Change of Ownership - \$25 each, or \$100,
- Application for Transfer of Water Right - \$660.

Please let me know if you have any questions regarding these documents.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roxanne".

Roxanne Brown
Sr. Water Rights Specialist

Enclosures

cc: Ann Marie Baird, Brighton Corporation

File: 650.0100