

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 19 2015

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN REGION

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
LIC 63-31860	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Elroy Brandt / LeRoy E. Brandt
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

The Club at Spurwing, LLC ✓
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

3405 E. Overland Rd Ste 150 Meridian ID 83642
Mailing address City State ZIP

208-322-7300
Telephone

JPalmerton@Spurwing.com
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: 2/29/2012

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature:

[Signature]
Signature of new owner/claimant

Golf Course Superintendent
Title, if applicable

6/15/15
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature]

Date 6/19/2015

Receipt No. W 043203

Receipt Amt. \$25.-

Approved by [Signature]

Processed by [Signature]

Date 7/17/15



ADA COUNTY RECORDER Christopher D. Rich AMOUNT 16.00 3
BOISE IDAHO 02/29/2012 11:59 AM
DEPUTY Bonnie Oberbillig
Simplifile Electronic Recording
RECORDED-REQUEST OF
TITLONE BOISE
112018255

Order Number: A1198599 ST/LP

Warranty Deed

For value received,

Sea 2 Sea, LLC, an Idaho limited liability company

the grantor, does hereby grant, bargain, sell, and convey unto

The Club at Spurwing, LLC, an Idaho limited liability company

whose current address is 3405 E. Overland Road, Ste 150, Meridian, Idaho 83642

the grantee, the following described premises, in Ada County, Idaho, to wit:

A parcel of land located in the South half of the Southeast quarter of Section 23, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, being a portion of Lot 1 in Block 1 of Brandt Subdivision, according to the official plat thereof, filed in Book 59 of Plats at Pages 5785 and 5786, records of Ada County, Idaho, being Parcel A of Record of Survey No. 7511 recorded August 11, 2006 as Instrument No. 106129474, more particularly described as follows:

Commencing at a point, marking the corner common to Section 23, 24, 25 and 26, Township 4 North, Range 1 West, Boise Meridian, from which the quarter corner common to said Sections 23 and 26 bears
North 89°38'47" West, 2629.97 feet; thence, along the centerline of N. Linder Road
North 00°47'29" East, 40.00 feet to a point on the centerline of N. Linder Road; thence
North 89°39'09" West, 60.01 feet to a point on the northerly right-of-way line of W. Chinden Boulevard; thence, along the said northerly line the following courses:
Northwesterly along said curve to the left having a radius of 34417.48 feet, an arc length of 21.21 feet, through a central angle of 0°02'07" and a chord bearing and distance of North 89°37'43" West, 21.21 feet; thence, on a line tangent from said curve,
North 89°38'47" West, 906.82 feet to the Point of Beginning; thence continuing along said northerly line,
North 89°38'47" West, 1609.17 feet to the westerly line of said Lot 1; thence, along the westerly line of said Lot 1,
North 00°27'09" East, 801.06 feet; thence along the southerly and easterly line of a parcel of land described in Deed Instrument No. 101128387, records of Ada County, Idaho, the following courses:
South 89°41'45" East, 272.00 feet; thence
North 00°27'09" East, 480.00 feet to the northerly line of said Lot 1; thence, along said northerly line
South 89°41'45" East, 1393.14 feet to the northwesterly corner of Lot 10, Block 1, Brandt Subdivision; thence, along the westerly line of Lots 10, 9, 8, 7 and 6, Block 1 of said subdivision,
South 00°48'23" West, 903.94 feet to the southwesterly corner of said Lot 6; thence
South 00°42'47" West, 35.95 feet; thence,
North 89°41'25" West, 50.71 feet; thence,
South 00°22'17" West, 342.60 feet to the Point of Beginning.

Excepting Therefrom:

A tract of land conveyed to the State of Idaho, Idaho Transportation Department, by a Warranty Deed recorded May 19, 2011 as Instrument No. 111041346, records of Ada County, Idaho, being a part of Lot 1 in Block 1 of Brandt Subdivision, according to the official plat thereof, filed in Book 59 of Plats at Pages 5785 and 5786, records of Ada County, Idaho, situated in the Southeast quarter of the Southeast quarter of Section 23, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

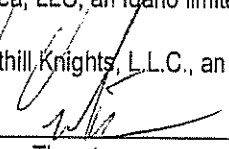
Commencing at an aluminium cap which monuments the Southeast corner of said Section 23, which bears South 89°38'43" East a distance of 2630.00 feet from an aluminium cap which monuments the South quarter corner of said Section 26, thence following the Southerly line of said Southeast quarter of the Southeast quarter North 89°38'43" West a distance of 987.75 feet to a point; thence leaving said Southerly line North 0°22'21" East a distance of 40.00 feet to a point on the Northerly right-of-way line of W. Chinden Boulevard and being the Point of Beginning; thence following said Northerly right-of-way line North 89°38'43" West a distance of 677.22 feet to a point; thence leaving said Northerly right-of-way line North 0°21'17" East a distance of 30.00 feet to a point; thence South 89°38'43" East a distance of 677.23 feet to a point; thence South 0°22'21" West a distance of 30.00 feet the Point of Beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: February 28, 2012

Sea 2 Sea, LLC, an Idaho limited liability company

BY: Foothill Knights, L.L.C., an Idaho limited liability company, Its: Managing Member

BY: 
Creston Thornton
Manager

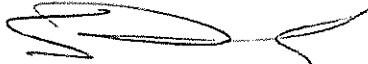
STATE OF Idaho)

) ss.

County of Ada)

On this 28th day of February, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Creston Thornton, known or identified to me to be the Manager of Foothill Knights, L.L.C., said limited liability company known to me to be the Managing Member of Sea 2 Sea, LLC, the limited liability company that executed the instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that said limited liability company executed on behalf of Sea 2 Sear, LLC, and that said limited liability company executed it.

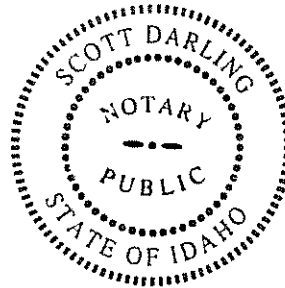
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY PUBLIC for Idaho

My Commission Expires: _____

SCOTT DARLING
ESCROW OFFICER
RESIDING: EAGLE, ID
COMMISSION EXPIRES: 11-26-13



MAY 04 2015

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P. Mark Thompson
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Robert B. White

Angela M. Reed, of counsel

Retired:
Kenneth L. Pursley
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

April 28, 2015

The Spurwing Challenge Association, Inc.
3405 E. Overland Rd., Ste. 150
Meridian, ID 83642

RE: Water Right 63-31860
GP 12814-2

Dear Property Owner:

This firm represents the interests of Leroy Brandt, a former owner of the real property ("Property") now shown of record in your name and the names of your individual members. Certain water rights referenced above ("Water Rights") originally appurtenant to the Property were licensed or decreed to Leroy Brandt (see attached). Under Idaho Statutes, purchasers of real property with appurtenant water rights are required to notify the Idaho Department of Water Resources ("IDWR") of the change of ownership so that IDWR's database may be maintained to reflect current ownership. The Water Right may still be appurtenant to the Property and if so, you will want to contact IDWR to ensure their records correctly reflect the Water Rights ownership and so that you will receive notices from IDWR concerning the Water Rights.

Our client claims no present interest in the Water Rights. This letter is for the express purpose of notifying you that our client will not be forwarding any notices he may receive from IDWR concerning the Water Rights. If you have any questions regarding the Water Rights, you should contact IDWR.

Sincerely,



Michael C. Creamer

MCC/ebn
Enclosure
2431017v1

CC: Idaho Department of Water Resources

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/28/2015

WATER RIGHT NO. 63-31860

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELROY D BRANDT 1085 S TEN MILE RD MERIDIAN, ID 83642 (208)888-3994
Current Owner	LEROY E BRANDT 2630 W PARKSTONE DR MERIDIAN, ID 83642 (208)888-3994

Priority Date: 02/01/1990
Basis: License
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.89 CFS	283.5 AFA
Total Diversion			0.89 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 23	Township 04N	Range 01W	ADA County
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Licensed Diversion Capacity: 1.8

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	01W	23		SWSE	38		SESE	15						
		26		NENE	10									

Total Acres: 63

Conditions of Approval:

1.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2.	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.
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.	X50	The well previously used under Right 63-31860 shall be abandoned in a manner which complies with Department well abandonment rules.
5.	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 determine the amount of water diverted from power records and shall annually report the information to the Department.
6.	065	The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7.	104	If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8.	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 the date of this approval.
9.	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 lands above.
10.	W54	Use of this right is combined with water from Settlers Irrigation District.

RECEIVED

JUN 19 2015

WATER RESOURCES
WESTERN REGION

June 15, 2015

Idaho Department of Water Resources:

We (The Club at SpurWing LLC) are requesting a change of water right to reflect our purchase of the attached property. I also included a written response from the previous owners attorneys that show our purchase but not the change of the water right. We have filled out the appropriate document and submitted the check for \$ 25.00.

Jerry Palmerton

Golf Course Superintendent

The Club at SpurWing.



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

July 17, 2015

THE CLUB AT SPURWING LLC
3405 E OVERLAND STE 150
MERIDIAN ID 83642

RE: Notice of Ownership Change in Water Right No. 63-31860

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the 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 Sections 42-222 and 42-223, Idaho Code.

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, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures