

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

DEV
RECEIVED

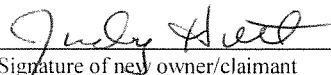
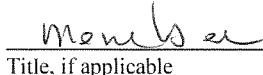
OCT 10 2013

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?
PD 63-31837	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: B&B Properties Limited Partnership/DBSI Shadow Valley, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Spring Creek Golf Management LLC, an Idaho limited liability company
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 15711 Highway 55 Boise, ID 83714
Mailing address City State ZIP
- 208-939-6699 _____
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: January 25, 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:   10-2-13
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 Mh Date 10/10/13 Receipt No. W04968 Receipt Amt. 50-
Approved by RS Processed by JA Date 11/26/2013

Recording Requested by and
After Recording Return to:

Attn: Christopher J. Beeson
Givens Pursley LLP
601 W. Bannock Street
P.O. Box 2720
Boise, ID 83701

1071731-NB1

RECEIVED

NOV 2 2013

WATER RESOURCES
WESTERN REGION

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**SPECIAL WARRANTY DEED
(Golf Course Parcel)**

FOR VALUE RECEIVED,

DBSI Shadow Valley, LLC, an Idaho limited liability company

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

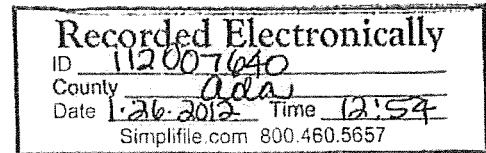
Spring Creek Golf Management LLC, an Idaho limited liability company

whose address is 15711 Highway 55, Boise, Idaho 83714, the Grantee, the following described premises, in Ada County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT A

TOGETHER WITH all water and water rights and all other entitlements to receive water for beneficial use upon the Property, including, without limitation, all rights represented by any decree, license, permit, claim, permit application or storage entitlement, including but not limited to decreed water rights numbered 63-31837 and 63-31849, and with all easements and rights-of-way necessary to access the point of diversion for such water rights or entitlements and deliver water there from to the Property; all ditch and canal company and irrigation district shares and entitlements to receive water from any such company, association, district or other water delivery entity; all ditch rights, easements and rights of way associated with any irrigation or other water delivery ditch canal, lateral or pipeline.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And 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 no encumbrances were initiated during the ownership of the undersigned nor is the undersigned aware of any such.



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After Recording Return to:

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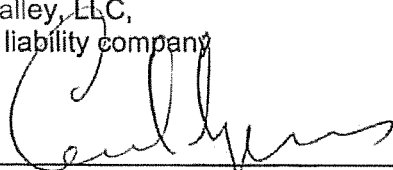
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that no encumbrances were initiated during the ownership of the undersigned nor is the undersigned aware of any such.

And that Grantor will warrant and defend the same against every person lawfully claiming by, through, or under **Grantor, but** not otherwise.

Dated this 25th day of January, 2012.

GRANTOR:

DBSI Shadow Valley, LLC,
an Idaho limited liability company

By: 

Conrad Myers, Trustee under the DBSI Real Estate Liquidating Trust, as confirmed in the Second Amended Joint Chapter 11 Plan of Liquidation, Case No. 08-12687 (PJW), United States Bankruptcy Court, District of Delaware

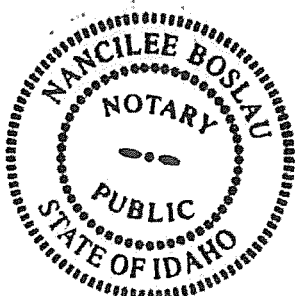
STATE OF IDAHO)

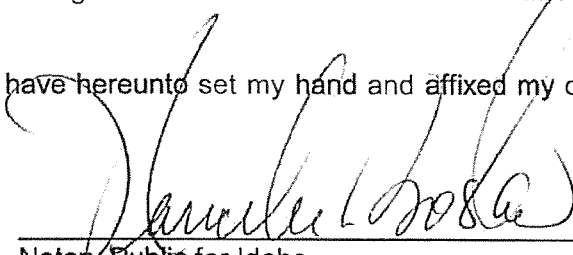
County of Ada)

: ss.

On this 25th day of January, 2012, before me, a notary public in and for said state, personally appeared Conrad Myers, Trustee under the DBSI Real Estate Liquidating Trust, the Member of DBSI Shadow Valley LLC, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in said trust's name.

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




Notary Public for Idaho

Residing at: _____

My commission expires: _____

Residing in Meridian, Idaho
My Commission expires: 11-12-2016

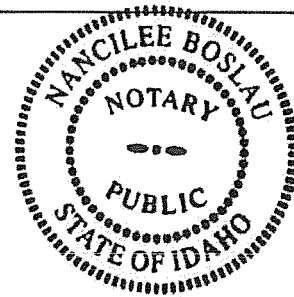


EXHIBIT A

Legal Description of Golf Course Parcel

PARCEL 2-A : (Golf course Only)

Golf Course Parcel as referred to in Record of Survey No. 9123, Recorded January 17, 2012, Instrument No. 112004830, of Official Records, and more particularly described as follows:

A parcel of land situated in Sections 24, 25 & 26, in Township 5 North, Range 1 East, Boise Meridian, Ada County,

Idaho, being more particularly described as follows:

Commencing at a brass cap marking the southeast corner of Section 26, Township 5 North, Range 1 East, Boise Meridian;

Thence N00°24'26"E, 2660.08 feet along the east line of the southeast quarter of Section 26 to a 5/8 inch pin marking the east quarter-section corner of Section 26, the POINT OF BEGINNING:

Thence S45°05'54"W, 283.46 feet to a 5/8 inch iron pin;

Thence S42°47'45"W, 208.43 feet to a 5/8 inch iron pin;

Thence S09°17'51"W, 228.12 feet to a 5/8 inch iron pin;

Thence S42°01'49" W, 378.40 feet to a 5/8 inch iron pin;

Thence S25°34'01"W, 355.90 feet to a 5/8 inch iron pin;

Thence S52°31'38"W, 324.75 feet to a 5/8 inch iron pin;

Thence S34°45'28"W, 78.61 feet to a 5/8 inch iron pin;

Thence S11°47'01"W, 186.23 feet to a 5/8 inch iron pin;

Thence S33°04'54"W, 84.24 feet to a 5/8 inch iron pin;

Thence S61°33'36"W, 187.51 feet to a 5/8 inch iron pin;

Thence S29°15'10"W, 121.82 feet to a 5/8 inch iron pin;

Thence S67°44'52"W, 40.78 feet to a 5/8 inch iron pin on the east line of Rubble Subdivision, according to the official plat thereof, filed in Book 64 of Plats at Page 6586, records of Ada County, Idaho;

Thence N69°24'07"W, 39.37 feet along the boundary line of Rubble Subdivision to a 5/8 inch iron pin;

Thence N14°08'25"E, 92.45 feet along the boundary line of Rubble Subdivision to a 5/8 inch iron pin;

Thence N15°45'33"W, 376.85 feet along the boundary line of Rubble Subdivision to a 5/8 inch iron pin;

Thence N35°06'35"E, 111.35 feet along the boundary line of Rubble Subdivision to a 5/8 inch iron pin;

Thence N47°28'38"E, 188.39 feet along the boundary line of Rubble Subdivision to a 5/8 inch iron pin;

Thence N39°16'11"W, 120.19 feet along the boundary line of Rubble Subdivision to a 5/8 inch iron pin;

Thence N57°15'19"E, 77.17 feet along the boundary line of Rubble Subdivision to a 5/8 inch iron pin;

Thence N26°07'12"E, 610.33 feet along the boundary line of Rubble Subdivision to a 5/8 inch iron pin;

Thence N51°42'33"W, 27.17 feet along the boundary line of Rubble Subdivision to a 5/8 inch iron pin;

Thence S47°52'58"W, 683.59 feet along the boundary line of Rubble Subdivision to a 5/8 inch iron pin;

Thence S38°20'24"W, 239.86 feet along the boundary line of Rubble Subdivision to a 5/8 inch iron pin;

Thence N54°39'40"W, 318.15 feet along the boundary line of Rubble Subdivision to an aluminum cap on the east right-of-way line of State Highway 55 as shown on the Idaho Transportation Department plans sets Federal Aid Project No. STP 3270(106) and Federal Aid Project No. STP F-3271(9);

Thence N32°23'47"E, 1613.86 feet along the right-of-way line to an aluminum cap;

Thence 324.54 feet on a curve to the right, having a radius of 1854.58 feet, a central angle of 10°01'35", a chord bearing of N37°24'34"E, and a chord length of 324.12 feet along the right-of-way line to an aluminum cap;

Thence N42°25'22"E, 3375.68 feet along the right-of-way line to an aluminum cap;

Thence 315.74 feet on a non-tangent curve to the right, concave northeasterly, having a radius of 1849.86 feet, a central angle of 09°46'46", a chord bearing of N47°17'46"E, and a chord length of 315.36 feet along the right-of-way line to a 1/2 inch iron pin marking the southerly right-of-way line of N. Spring Creek Way as shown on the plat of Spring Creek Estates No. 2,

according to the official plat thereof, filed in Book 36 of Plats at Page 3070, records of Ada County, Idaho;

Thence 47.12 feet on a non-tangent curve to the left, concave northeasterly, having a radius of 143.12 feet, a central angle of 18°51'48", a chord bearing of S55°59'53"E, and a chord length of 46.91 feet along the right-of-way line to a 5/8 inch iron pin;

Thence S65°26'12"E, 198.92 feet along the right-of-way line to a 5/8 inch iron pin;

Thence 47.54 feet on a non-tangent curve to the right, concave northeasterly, having a radius of 70.73 feet, a central angle of 38°30'41", a chord bearing of S45°50'07"E, and a chord length of 46.65 feet along the right-of-way line to a 5/8 inch iron pin;

Thence S26°55'30"E, 144.09 feet along the right-of-way line to a 5/8 inch iron pin;

Thence 66.80 feet on a curve to the right, having a radius of 140.00 feet, a central angle of 27°20'12", a chord bearing of S13°15'24"E, and a chord length of 66.16 feet along the right-of-way line to a 5/8 inch iron pin;

Thence S00°24'42"W, 30.36 feet along the right-of-way line to a 5/8 inch iron pin;

Thence S29°59'36"W, 417.71 feet to a 5/8 inch iron pin;

Thence S21°27'31"E, 160.22 feet to a 5/8 inch iron pin;

Thence S45°30'47"E, 200.71 feet to a 5/8 inch iron pin;

Thence S57°03'09"E, 87.87 feet to a 1/2 inch iron pin;

Thence S46°31'36"E, 121.00 feet to a 5/8 inch iron pin;

Thence S16°12'55"W, 167.69 feet to a 5/8 inch iron pin with an aluminum cap;

Thence S44°23'44"E, 348.49 feet to a 1/2 inch iron pin;

Thence S43°50'21"W, 265.97 feet to a 1/2 inch iron pin;

Thence N86°06'15"W, 443.53 feet to a 5/8 inch iron pin with an aluminum cap;

Thence S50°50'01"W, 216.34 feet to a 5/8 inch iron pin with an aluminum cap;

Thence S59°20'59"W, 429.12 feet to a 5/8 inch iron pin with an aluminum cap;

Thence S65°25'22"W, 281.78 feet to a 5/8 inch iron pin with an aluminum cap;

Thence S46°56'25"W, 132.72 feet to a 5/8 inch iron pin with an aluminum cap;

Thence S25°25'12"W, 66.24 feet to a 5/8 inch iron pin with an aluminum cap;

Thence S64°42'22"E, 186.15 feet to a 5/8 inch iron pin with an aluminum cap;

Thence S46°32'56"E, 116.10 feet to a 1/2 inch iron pin;

Thence S82°09'19"E, 120.99 feet to a 5/8 inch iron pin with an aluminum cap;
Thence S79°30'08"E, 123.47 feet to a 5/8 inch iron pin with an aluminum cap;
Thence S62°42'23"E, 217.24 feet to a 5/8 inch iron pin with an aluminum cap;
Thence S47°49'22"E, 118.49 feet to a 5/8 inch iron pin with an aluminum cap;
Thence S05°39'19"W, 69.27 feet to a 5/8 inch iron pin with an aluminum cap;
Thence S61°33'53"W, 184.50 feet to a 5/8 inch iron pin with an aluminum cap;
Thence S22°26'43"W, 79.67 feet to a 5/8 inch iron pin with an aluminum cap on the north line of Parcel 1, as shown on Record of Survey Instrument No. 3270, records of Ada County, Idaho;
Thence N82°56'13"W, 297.26 feet along Parcel 1 to a 5/8 inch iron pin;
Thence N69°23'46"W, 255.91 feet along Parcel 1 to a 5/8 inch iron pin;
Thence S86°10'36"W, 124.58 feet along Parcel 1 to a 5/8 inch iron pin;
Thence S87°47'59"W, 136.84 feet along Parcel 1 to a 5/8 inch iron pin;
Thence N86°29'11"W, 55.30 feet along Parcel 1 to a 5/8 inch iron pin;
Thence S25°49'57"W, 218.75 feet along Parcel 1 to a 5/8 inch iron pin with an aluminum cap;
Thence S45°04'23"W, 440.06 feet to the POINT OF BEGINNING.