

**STARTING
RIGHT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-09633

Priority: October 06, 1980

Maximum Diversion Rate: 3.00 CFS
Maximum Diversion Volume: 2,170.0 AF

It is hereby certified that NGP REALTY SUB LP
2901 28TH ST
SANTA MONICA CA 90405 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 06, 1980; and has
submitted Proof of Beneficial Use on October 09, 1981. An examination indicates that the works have a
diversion capacity of 3 cfs of water from:

SOURCE

UNNAMED DRAIN

Tributary: BOISE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
AESTHETIC	01/01 to 12/31	3.00 CFS	2,170.0 AF

LOCATION OF POINT OF DIVERSION:

UNNAMED DRAIN L1 (SW¼SE¼) Sec. 30, Twp 04N, Rge 02E, B.M., ADA County

PLACE OF USE: AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02E 30			X		X		X				X			X			
							L 5										

CONDITIONS OF APPROVAL

1. Aesthetic use is for a stream and ponds at a golf course.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
3. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 5th day of January, 2004.

MICROFILMED

FEB 10 2004


for KARL J. DREHER
Director

SCANNED
MAY 11 3 2005

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 63-09633

Date of Priority: October 06, 1980

Maximum Diversion Rate: 3.00 CFS

Maximum Diversion Volume: 2,170.0 AF

NGP Realty Sub, L.P.
Comes now ~~NATIONAL GOLF OPERATING PARTNERSHIP L.P.~~
2951 28TH ST STE 3001

SANTA MONICA CA 90405 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-09633, and requests that the permit be changed as follows:

Source: UNNAMED DRAIN

Tributary: BOISE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
AESTHETIC	01/01 to 12/31	3.00 CFS	2,170.0 AF

LOCATION OF POINT OF DIVERSION:

UNNAMED DRAIN L1 (SW $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 30, Twp 04N, Rge 02E, B.M., ADA County

PLACE OF USE: AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02E 30			X		X	X		X							X		
						L5											

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 18 day of November, 2003.

NGP Realty Sub L.P.,
a Delaware limited partnership

By: NGP Realty Sub GP LLC,
a Delaware limited liability company
Its: General Partner

By: *[Signature]*
Its: Secretary

MICROFILMED

FEB 10 2004

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-09633

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = 50.00 Received by jm #065534 Date 11-2-02

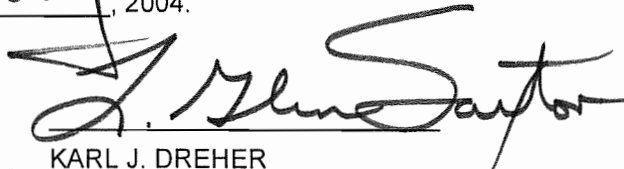
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 63-09633 with the following:

CONDITIONS OF APPROVAL

1. Aesthetic use is for a stream and ponds at a golf course.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
3. This right does not grant any right-of-way or easement across the land of another.

Witness my hand this 5th day of January, 2004.


for **KARL J. DREHER**
Director

MICROFILMED

FEB 10 2004

11/99

RECEIVED

For Office Use Only
\$25 filing fee 60
Receipt # CO72154
Date 1/2/2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

No \$

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, National Golf Operating Partnership, L.P., hereby assign to N.G.P. Realty Sub, L.P. a
of Delaware Limited Partnership, 2901 28th St. Santa Monica, CA
(Full Address) (Phone) 90405

All my right, title, and interest in and to Permit No. 63-09633 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this _____ day of _____, 20____.

National Golf Operating Partnership, L.P.
By: National Golf Properties, Inc. its general partner
Paul Major
Permit Holder(s)

By: Paul Major
Its: Executive Vice President

State of Idaho

County of _____

On this _____ day of _____, 20____, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at _____

SEAL

My commission expires: _____

MILWAUKEE

FEB 10 2004

ALL PURPOSE ACKNOWLEDGMENT

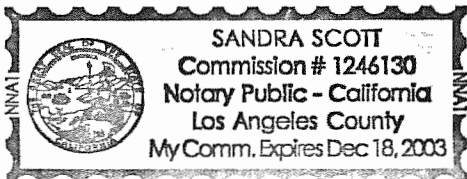
State of California

County of Los Angeles

On Dec. 11, 2003 before me, Sandra Scott, Notary Public,
(DATE) (NOTARY)

personally appeared Paul Major
SIGNER(S)

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



(PLACE NOTARY SEAL ABOVE)

WITNESS my hand and official seal.

Sandra Scott
NOTARY'S SIGNATURE

OPTIONAL INFORMATION

Capacity Claimed By Signer

- ☐ Individual
☐ Corporate Officer

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other: _____

TITLE

Description Of Attached Document

Title or Type of Document

Date of Document

Number of Pages

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP **RECEIVED**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

SEP 13 2002

Department of Water Resources

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-09633					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Plantation Development Inc.
- c/o MHM Corp. 6515 W. State St. Boise, ID
4. New Owner/Claimant(s) National Golf Operating Partnership, L.P. 83703
- Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address 2951 28th Street Suite 3001
- City, State and ZIP Code Santa Monica, CA 90405
- New Telephone Number 310) 664-4100
5. Date you acquired the property 7/30/96

MICROFILMED

FEB 10 2004

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

National Golf Operating Partnership, L.P.
By National Golf Properties, general partner

By: Paul Major Paul Major
Executive Vice President

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

MICROFILMED

FEB 10 2004

For Office Use Only

Received by pm

Date

9-13-02

Fee

25.00Received by pm

Date

9-13-02

Receipt No.

0064586

Processed by _____

AJ

Date

WR

kw

Date

10/2/2002

RECEIVED

JUL - 1 2006

AT-96059244
96063681

Department of Water Resources

AD. CL. J. DAVIS HAYWARD
BOISE, ID

COPY

Order No.

CORPORATE WARRANTY DEED

(Plantation Golf)

ALLIANCE TITLE

FOR VALUE RECEIVED,

'96 JUL 30 PM 1 38

FEE

27.00

GOLF ENTERPRISES, INC., a corporation organized and existing under the laws of the State of Kansas the successor by merger to Golf Enterprises, Inc., a Delaware corporation, with its principal office at 1603 LBJ Freeway, suite 810, Dallas 95234 of the County of Dallas, State of Texas ("Grantor"), does hereby GRANT, BARGAIN, SELL and CONVEY unto

NATIONAL GOLF OPERATING PARTNERSHIP, L.P., a Delaware limited partnership ("Grantee") whose current address is: 1448 15th Street, suite 200, Santa Monica, California 90404 the following described real property located in Ada County, State of Idaho, more particularly described as follows, to wit:

See Exhibit "A" attached hereto and incorporated herein by reference (the "Property")

TO HAVE AND TO HOLD the Property, with their appurtenances unto the said Grantee, and Grantee successors and assigns forever. And the same Grantor does hereby covenant to and with the same Grantee, that Grantor is the owner in fee simple of the Property; that the Property is 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 reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this 25th day of July, 1996.

(corporate seal)

GOLF ENTERPRISES, INC., a Kansas corporation the successor by merger to Golf Enterprises, Inc., a Delaware corporation

By:

John H. Beardslee

Vice PRESIDENT

Attest:

Christy Sutton

Asst. SECRETARY

STATE OF TEXAS County of Dallas ss:

On this 25th day of July in the year of 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared John H. Beardslee known or identified to me to be the Vice President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Signature:

Crissy Clay

Name:

Crissy Clay

(type or print)

Residing at:

Dallas, TX

My commission expires:

2/6/99

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of _____

at _____ minutes past _____ o'clock _____ M., the _____ day of _____ 1996, in my office and duly recorded in Book of Deeds at Page _____.

Ex Officio Recorder

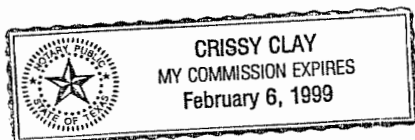
By _____

Deputy

Fees \$

Mail to:

KC1-164524.1

MICROFILMED
FEB 10 2004

Plantation

EXHIBIT A

PARCEL A.

A parcel of land lying in portions of Government Lot 1, Section 24, and Government Lot 1 of Section 25, all in Township 4 North, Range 1 East, Boise Meridian, Government Lot 4 of Section 19 and Government Lots 5, 4, 2 and the East 1/2 of the Northwest 1/4 of Section 30, all in Township 4 North, Range 2 East, Boise Meridian, Garden City, Ada County, Idaho and more particularly described as follows:

COMMENCING at the section corner common to the said Sections 24, 25, 19 and 30; thence

North 00 degrees 00'00" East 453.12 feet along the Easterly boundary of the said Section 24 to a point, also said point being THE REAL POINT OF BEGINNING; thence

North 57 degrees 45'00" West 356.04 feet to a point; thence

North 50 degrees 37'00" West 404.59 feet to a point; thence

South 42 degrees 15'00" West 213.58 feet to a point; thence

South 00 degrees 00'00" West 413.86 feet (formerly described as 413.85 feet) to a point of beginning on the

Northerly right-of-way line of a 50.00-foot road;

thence along the said Northerly right-of-way line of a 50.00-foot road the following courses and distances:

Southwesterly along a curve to the left 59.11 feet, said curve having a central angle of 10 degrees 06'36", a radius of 335.00 feet, tangents of 29.63 feet and a long chord of 59.04 feet bearing

South 80 degrees 03'18" West to a point of tangent; thence

South 75 degrees 00'00" West 97.42 feet to a point of curve; thence

Southwesterly along a curve to the right 45.81 feet, said curve having a central angle of 15 degrees 00'00", a radius of 175.00 feet, tangents of 23.04 feet and a long chord of 45.68 feet bearing

South 82 degrees 30'00" West to a point of tangent; thence

South 90 degrees 00'00" West 338.95 feet to a point of curve; thence

Northwesterly along a curve to the right 31.29 feet, said curve having a central angle of 89 degrees 38'14", a radius of 20.00 feet, tangents of 19.87 feet and a long chord of 28.19 feet bearing

North 45 degrees 10'52" West to a point of ending of curve on the Easterly right-of-way line of Glenwood Street; thence

South 00 degrees 21'46" East 90.00 feet along the said Easterly right-of-way line of Glenwood Street to a point of beginning of curve on the Southerly right-of-way line of a 50.00-foot road; thence along the said Southerly right-of-way line of a 50.00-foot road the following courses and distances:

Northeasterly along a curve to the right 31.54 feet, said curve having a central angle of 90 degrees 21'46", a radius of 20.00 feet, tangents of 20.13 feet and a long chord of 28.37 feet bearing

EXHIBIT A Continuation

North 44 degrees 49'07" East to a point of tangent; thence
North 90 degrees 00'00" East 338.38 feet to a point of curve;
thence
Northeasterly along a curve to the left 58.90 feet, said curve
having a central angle of 15 degrees 00'00", a radius of
225.00 feet, tangents of 29.62 feet and a long chord of
58.74 feet bearing
North 82 degrees 30'00" East to a point of tangent; thence
North 75 degrees 00'00" East 72.42 feet to a point; thence
leaving the said Southerly right-of-way line of a
50.00-foot road
South 21 degrees 00'00" West 400.00 feet to a point; thence
South 16 degrees 30'00" West 300.00 feet to a point; thence
North 80 degrees 00'00" West 193.81 feet to a point; on the
toe of slope of the Corps of Engineers Dike - North-
side of the Boise River; thence along the said toe of
slope of the Corps of Engineers Dike - Northside of
the Boise River the following courses and distances:
South 47 degrees 00'00" East 45.70 feet to a point; thence
South 41 degrees 00'00" East 140.00 feet to a point; thence
South 53 degrees 00'00" East 114.00 feet to a point; thence
South 60 degrees 00'00" East 136.00 feet to a point; thence
South 64 degrees 00'00" East 200.00 feet to a point; thence
South 50 degrees 45'25" East 398.13 feet to a point; thence
South 60 degrees 04'30" East 160.51 feet to a point; thence
South 67 degrees 04'17" East 310.74 feet to a point; thence
South 77 degrees 00'00" East 337.01 feet to a point; thence
South 57 degrees 40'00" East 81.56 feet to a point; thence
leaving the said toe of slope of the Corps of
Engineers Dike and along the following courses and
distances along the Northerly Bank of the Boise River:
South 32 degrees 20'00" West 39.00 feet to point; thence
South 22 degrees 41'54" East 137.41 feet to a point; thence
South 43 degrees 45'00" East 37.11 feet to a point; thence
South 13 degrees 45'00" East 60.75 feet to a point; thence
South 32 degrees 30'11" East 128.78 feet to a point; thence
South 13 degrees 33'51" East 211.90 feet to a point; thence
South 33 degrees 01'50" East 71.24 feet to a point; thence
South 49 degrees 00'00" East 56.40 feet to a point; thence
North 71 degrees 26'32" East (formerly described as North
71 degrees 26'22" East) 168.08 feet to a point
marking the most Westerly corner of Lot 69 of Block 1
of THE PLANTATION NO. 3, a subdivision, as filed for
record in the office of the Ada County Recorder,
Boise, Idaho in Book 51 of Plats at Pages 4249
and 4250; thence along the Northwesterly and
Northeasterly boundaries of the said THE PLANTATION
NO. 3 the following courses and distances: thence
South 85 degrees 00'00" East 548.01 feet to a point; thence
South 48 degrees 00'00" East 129.60 feet to a point; thence

EXHIBIT A Continue

South 22 degrees 00'00" East 420.00 feet to a point marking the most Easterly corner of Lot 7 of Block 6 of the said THE PLANTATION NO. 3; thence continuing along the Northerly boundary of THE PLANTATION NO. 1, a subdivision, as filed for record in the office of the Ada County Recorder, Boise, Idaho in Book 44 of Plats at Pages 3529, 3530 and 3531 the following courses and distances:

South 22 degrees 00'00" East 372.26 feet to a point; thence
North 61 degrees 29'25" East 138.20 feet to a point; thence
North 85 degrees 00'00" East 100.00 feet to a point; thence
North 55 degrees 45'13" East 57.32 feet (formerly described as North 55 degrees 45'04" East 57.31 feet) to a point; thence

North 85 degrees 00'00" East 100.00 feet to a point; thence
North 85 degrees 58'09" East 192.10 feet to a point; thence
North 89 degrees 00'00" East 103.69 feet to a point; thence
South 67 degrees 10'00" East 54.66 feet to a point; thence
South 90 degrees 00'00" East 115.0 feet to a point; thence
North 02 degrees 00'00" East 22.84 feet to a point marking the Northwest corner of Lot 3 of Block 3 of the said THE PLANTATION NO. 1; thence

North 89 degrees 57'40" West 24.48 feet to a point; thence
North 00 degrees 01'00" West 328.39 feet to a point; thence
North 90 degrees 00'00" East 193.20 feet to a point; thence
North 14 degrees 03'00" West 254.10 feet to a point; thence
North 28 degrees 27'00" West 198.00 feet to a point; thence
North 39 degrees 25'00" West 165.00 feet to a point; thence
North 37 degrees 16'00" West 204.60 feet to a point; thence
North 44 degrees 35'00" West 256.08 feet to a point; thence
North 39 degrees 03'00" East 268.61 feet (formerly described as 268.62 feet) to a point on the Southwesterly right-of-way line of State Highway No. 44 (West State Street); thence along the said Southwesterly right-of-way line of State Highway No. 44 the following courses and distances:

North 51 degrees 24'30" West 122.55 feet to a brass cap; thence

North 51 degrees 26'10" West 1,449.43 feet to a brass cap marking a point of curve; thence

Northwesterly along a curve to the left 217.09 feet, said curve having a central angle of 00 degrees 43'19", a radius of 17,229.00 feet, tangents of 108.55 feet, and a long chord of 217.09 feet bearing

North 51 degrees 47'50" West (formerly described as North 51 degrees 04'32" West) to a point of ending of curve on the Southeasterly boundary of PLANTATION ACRES SUBDIVISION NO. 1, as filed for record in the office of the Ada County Recorder, Boise, Idaho, in Book 14 of Plats at Page 941; thence

South 45 degrees 17'00" West 449.59 feet (formerly described as 452.33 feet) along the said Southeasterly boundary of PLANTATION ACRES SUBDIVISION NO. 1 to a point;

MICROFILMED

EXHIBIT A Continued

thence
North 49 degrees 23'00" West 169.72 feet (formerly described
as 169.40 feet) to a point; thence
North 21 degrees 43'00" West 351.16 feet to a point; thence
North 15 degrees 19'00" West 222.07 feet to a point; thence
North 57 degrees 45'00" West 397.09 feet to THE POINT OF
BEGINNING.

AND:

EXCEPTION NO. 1:

All of LAKE PLANTATION SUBDIVISION, as filed for record in
the office of the Ada County Recorder, Boise, Idaho, in
Book 56 of Plats at Pages 5210, 5211 and 5212.

EXCEPTION NO. 2:

All Lots and Blocks of THE PLANTATION NO. 4 SUBDIVISION,
according to the Official Plat thereof, filed in Book 58 of
Plats at Page(s) 5480 and 5481, records of Ada County,
Idaho.

EXCEPTION NO. 3:

All Lots and Blocks of WEDGEWOOD GREENS SUBDIVISION,
according to the Official Plat thereof, filed in Book 60 of
Plats at Page(s) 6042 and 6043, records of Ada County,
Idaho.

EXCEPTION NO. 4:

All Lots and Blocks of WANNER'S PLANTATION ESTATES
SUBDIVISION, according to the Official Plat thereof, filed
in Book 59 of Plats at Page(s) 5680 and 5681, records of Ada
County, Idaho.

EXCEPTION NO. 5:

All of Lots and Blocks of THE TOWNHOUSE AT PLANTATION NO. 1
SUBDIVISION, according to the Official Plat thereof, filed
in Book 45 of Plats at Page(s) 3691, as amended by
Affidavit (Street Name Change) recorded June 3, 1994 as
Instrument No. 94052325, records of Ada County, Idaho.

EXCEPTION NO. 6:

That portion of subject property conveyed to the City of
Garden City by Corporation Warranty Deed recorded November
23, 1994 as Instrument No. 94096797.

EXHIBIT A Continue

PARCEL B

A parcel of land being Lot 70 of Block 1 of THE AMENDED PLAT OF A PORTION OF LOT 1 AND ALL OF LOTS 2, 3, 4, 5 AND 6, BLOCK 1, OF PLANTATION NO. 2, as filed for record in the Office of the Ada County Recorder, Boise, Idaho, in Book 58 of Plats at Pages 5559 through 5561, lying in portions of Government Lot 2 and the Northwest Quarter of the Southeast Quarter and all in Section 30, Township 4 North, Range 2 East, Boise Meridian, Garden City, Ada County, Idaho.

AND:

A portion of West Sterling Drive fronting Lot 70, Block 1 of the Amended Plat of a portion of Lot 1, and all of Lots 2, 3, 4, 5 and 6, Block 1 of THE PLANTATION NO. 2 SUBDIVISION, as recorded in Book 58 Plats at Pages 5559 thru 5561, records of Ada County, Idaho and lying in Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of Lot 71, Block 1 of said Amended Plat of THE PLANTATION NO. 2 SUBDIVISION; thence

South 15 degrees 00'44" West between Lots 70 and 71, 90.59 feet to the Southwesterly corner of said Lot 71 and the REAL POINT OF BEGINNING; thence continuing

South 15 degrees 00'44" West, 19.41 feet to a point 25.00 feet Northerly of the centerline of West Sterling Drive; thence 50.45 feet along a curve to the right having a radius of 225.00 feet, a central angle of 12 degrees 50'49" and a long chord which bears

North 81 degrees 39'29" West, 50.34 feet to a P.K. nail and washer marking a corner to Lot 70, Block 1 of said Amended Plat of THE PLANTATION NO. 2 SUBDIVISION, being common to the Southeasterly corner of Lot 15, Block 1 of THE PLANTATION NO. 1 SUBDIVISION as recorded

in Book 44 of Plats at Pages 3529 and 3530, records of Ada County, Idaho; thence 60.47 feet (record 60.46) along a curve to the right having a radius of 45.00 feet, a central angle of 76 degrees 59'27" (record 76 degrees 59'02"), and a long chord which bears

North 78 degrees 12'49" East, 56.02 feet to the REAL POINT OF BEGINNING.

AND:

A portion of West Sterling Drive fronting Lot 70, Block 1 of the Amended Plat of a portion of Lot 1, and all of Lots 2, 3, 4, 5 and 6, Block 1 of THE PLANTATION NO. 2 SUBDIVISION, as recorded in Book 58 of Plats at Pages 5559 thru 5561, records of Ada County, Idaho and lying in Section 30,

EXHIBIT A Continued

Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at a 5/8-inch iron pin lying on the Southerly right-of-way line of West Sterling Drive and marking the most Easterly corner of Lot 47, Block 1 of THE PLANTATION NO. 1 SUBDIVISION, as recorded in Book 44 of Plats at Pages 3529 and 3530, and amended by Affidavit (Street Name Change) recorded June 3, 1994 as Instrument No. 94052325, records of Ada County, Idaho and being common to a corner of Lot 70, Block 1 of said Amended Plat of THE PLANTATION NO. 2 SUBDIVISION, and the REAL POINT OF BEGINNING; thence 62.13 feet along a curve to the left being 25.00 feet Southerly of the centerline of West Sterling Drive, having a radius of 275.00 feet, a central angle of 12 degrees 56'37", and a long chord which bears
South 83 degrees 45'39" East, 61.99 feet to a point; thence South 88 degrees 32'46" West 15.47 feet (record West, and South 89 degrees 05'07" East, 14.97 feet) to a point; thence 93.75 feet along a curve to the right, having a radius of 45.00 feet, a central angle of 119 degrees 21'38" (record 119 degrees 21'17"), and a long chord which bears
North 84 degrees 43'45" West, 77.69 feet to the REAL POINT OF BEGINNING.

PARCEL C

All of Lot 2 of Block 4 of THE PLANTATION NO. 1, a subdivision, as filed for record in the office of the Ada County Recorder, Boise, Idaho, in Book 44 of Plats at Pages 3529, 3530 and 3531, amended by Affidavit (Street Name Change) recorded June 3, 1994 as Instrument No. 94052325, Official Records.

AND:

All of Lot 2 of Block 5 of THE PLANTATION NO. 1, a subdivision, as filed for record in the office of the Ada County Recorder, Boise, Idaho, in Book 44 of Plats at Pages 3529, 3530 and 3531, amended by Affidavit (Street Name Change) recorded June 3, 1994 as Instrument No. 94052325, Official Records.

AND:

Lot 3 in Block 1 of ORLOVICH'S PLANTATION SUBDIVISION, according to the Official Plat thereof, filed in Book 58 of Plats at Page(s) 5633 and 5634, records of Ada County, Idaho, as Amended by AFFIDAVIT OF CORRECTION, Recorded JUNE 26, 1991, as Instrument No. 9134226. *Microfilm*

EXHIBIT A Continue

PARCEL D

An exclusive perpetual Easement interest for pedestrian and vehicular use over the following described parcels:

A portion of Government Lot 2, in Section 30, Township 4 North, Range 2 East, Boise Meridian, Garden City, Idaho, more particularly described as follows:

BEGINNING at the most Northerly point of Lot 48, Block 1, THE PLANTATION NO. 1 SUBDIVISION, thence North 55 degrees 26'20" West 55.37 feet, thence North 60 degrees 00'00" East 22.15 feet, thence South 55 degrees 26'20" East 55.37 feet, thence South 60 degrees 00'00" West 22.15 feet to the REAL POINT OF BEGINNING.

AND:

A portion of Government Lot 2, Section 30, Township 4 North, Range 2 East, Boise Meridian, Garden City, Idaho, more particularly described as follows:

BEGINNING at the Northwest Corner of Lot 14, Block 1, THE PLANTATION NO. 1 SUBDIVISION; thence on a curve to the left, whose central angle is 2 degrees 25'48", whose radius is 475.00 feet, whose length is 20.15 feet, and whose long chord bears South 83 degrees 07'17" West 20.15 feet; thence North 50.46 feet, thence on a curve to the right, whose central angle is 2 degrees 11'45", whose radius is 525.00 feet, whose length is 20.12 feet, and whose long chord bears North 83 degrees 46'46" East 20.12 feet; thence South 50.22 feet to the REAL POINT OF BEGINNING.

AND:

A portion of Government Lot 2, Section 30, Township 4 North, Range 2 East, Boise Meridian, Garden City, Idaho, more particularly described as follows:

An easement 15' East and South of the following described line:

BEGINNING at the Northeasterly corner of Lot 53, Block 1, THE PLANTATION SUBDIVISION; thence South 45 degrees 00' East 54.14 feet; thence South 145.00 feet; thence West 105.00 feet; thence South 57 degrees West 38.00 feet; thence South 56.52 feet to a point on the West boundary line of THE PLANTATION NO. 1 SUBDIVISION.

EXHIBIT A Continue

AND:

A portion of the Northwest Quarter, Southeast Quarter, Section 30, Township 4 North, Range 2 East, Boise Meridian, Garden City, Idaho, more particularly described as follows:

BEGINNING at the Southeast corner of Lot 15, Block 1, THE PLANTATION NO. 1 SUBDIVISION; thence on a curve to the right, whose central angle is 33 degrees 26'17", whose radius is 45.00 feet, whose length is 26.26 feet, and whose long chord bears

North 59 degrees 52'25" East 25.89 feet; thence

South 09 degrees 17'50" West 83.03 feet; thence on a curve to the right, whose central angle is 33 degrees 26'17", whose radius is 45.00 feet, whose length is 26.26 feet, and whose long chord bears

North 41 degrees 16'40" West 25.89 feet; thence

North 09 degrees 17'50" East 50.14 feet to the REAL POINT OF BEGINNING.

Rec'd 02-
7/1/96

COPY

ASSIGNMENT OF WATER RIGHTS

DC9656917

THIS ASSIGNMENT is made and entered into this 30th day of July, 1996, by and among Golf Enterprises, Inc., a Kansas corporation ("GEI"); The Pinery Club of Colorado, Inc., a Colorado corporation; Diamond Oaks Country Club, Inc., a Delaware corporation; Garland Golf Club, Inc., a Texas corporation; GSW Golf, Inc., a Texas corporation; Woodhaven Golf Club, Inc., a Texas corporation; Jim Colbert Golf, Inc., a Nevada corporation; and Jim Colbert Golf of Charlotte, Inc., a North Carolina corporation (collectively, "Transferors"); and for the benefit of National Golf Properties, Inc. ("NGP"), a Maryland corporation, and National Golf Operating Partnership, L.P., a Delaware limited partnership ("NGOP") (NGP and NGOP collectively referred to as "Purchaser").

WHEREAS, GEI and NGP have entered into an agreement under which GEI will sell to NGP its assets, including the 20 golf courses owned by Transferors (the "Agreement"); and

WHEREAS, the Agreement provides, among other things, that GEI shall assign to NGP its water rights and privileges with respect to the owned properties;

NOW, THEREFORE, the parties agree as follows:

1. Assignment. Transferors hereby release, transfer, and assign to Purchaser all of their right, title, and interest (as they relate to the Owned Properties (as defined in the Agreement)) to all of their water rights and interests, riparian rights, appropriative rights, water allocations, and water stock, and all rights and interests described in all documents, agreements, instruments, certifications, registrations, and permits evidencing Transferors' entitlement to a water supply adequate for the continued operations and maintenance of the golf courses located on the Owned Properties in the same manner as those golf courses are being operated and maintained as of the date of this Assignment (the "Water Rights"). This Assignment pertains to the following golf courses:

- a. Bent Tree Golf Club, Sunbury, Delaware County, Ohio.
- b. Crescent Oaks Country Club, Clearwater, Pinellas County, Florida.
- c. Diamond Oaks Golf Course, Fort Worth, Tarrant County, Texas.
- d. Eldorado Country Club, McKinney, Collin County, Texas.
- e. Forest Crossing Golf Course, Franklin, Williamson County, Tennessee.
- f. Great Southwest Golf Club, Grand Prairie, Tarrant County, Texas.
- g. Highlands Golf Course, Hutchinson, Reno County, Kansas.
- h. Meadowbrook Golf and Country Club, Broken Arrow, Tulsa County, Oklahoma.
- i. Oakridge Country Club, Garland, Dallas County, Texas.
- j. Pawtucket Golf Course, Charlotte, Mecklenburg County, North Carolina.

MICROFILM

FEB 10 2004

KC1-173169.1

- k. The Pinery Country Club, Douglas County, Colorado. Documents evidencing certain Water Rights with respect to the Pinery Country Club are attached to the copy of this Assignment recorded in Douglas County, Colorado.
- l. Plantation Golf Course, Boise, Ada County, Idaho.
- m. Shenandoah Country Club, Baton Rouge, East Baton Rouge Parish, Louisiana.
- n. Stonebridge Country Club, Gretna, Jefferson Parish, Louisiana.
- o. The Links At Stono Ferry, Hollywood, Charleston County, South Carolina.
- p. Summerfield Crossing Golf Club, Riverview, Manatee County, Florida.
- q. Tallgrass Country Club, Wichita, Sedgwick County, Kansas.
- r. The Trails Golf Club, Norman, Cleveland County, Oklahoma.
- s. Willow Fork Country Club, Katy, Fort Bend County, Texas.
- t. Woodhaven Country Club, Fort Worth, Tarrant County, Texas.

2. Assumption by Purchaser. Purchaser hereby assumes all of the duties, obligations, liabilities, and commitments of Transferors accruing and first arising after the date of this Assignment with respect to or arising from the Water Rights.

3. Further Assurances. Transferors and Purchaser agree to take all further actions that are reasonably necessary to fully implement the terms of this Assignment, including without limitation the execution, delivery, and recordation of documents as reasonably necessary to evidence the transfer of Water Rights.

4. Survival of Provisions. The covenants, representations, and obligations contained in this Assignment shall survive the consummation of all transactions contemplated in the Agreement and in this Assignment. This Assignment shall bind and inure to the benefit of GEI, NGP, and their collective successors and assigns.

This Assignment of Water Rights is executed concurrently with and as an incident to the sale of assets by Transferors to Purchaser of the Property.

GOLF ENTERPRISES, INC., ;
a Kansas corporation

By: 
John Berndsen, Vice President

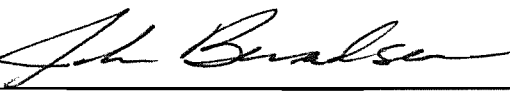
THE PINERY CLUB OF COLORADO, INC.,
a Colorado corporation;

By: 
John Berndsen, Vice President

DIAMOND OAKS COUNTRY CLUB, INC.,
a Delaware corporation

By: 
John Berndsen, Vice President

GARLAND GOLF CLUB, INC.,
a Texas corporation

By: 
John Berndsen, Vice President

GSW GOLF, INC.,
a Texas corporation

By: 
John Berndsen, Vice President

WOODHAVEN GOLF CLUB, INC.,
a Texas corporation

By: 
MICROFILMED John Berndsen, Vice President

JIM COLBERT GOLF, INC.,
a Nevada corporation

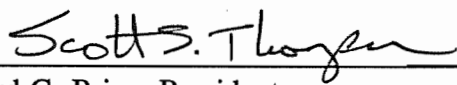
By: 
John Berndsen, Vice President

JIM COLBERT GOLF OF CHARLOTTE, INC.,
a North Carolina corporation

By: 
John Berndsen, Vice President

NATIONAL GOLF OPERATING PARTNERSHIP,
L.P., a Delaware limited partnership, by its general
partner

NATIONAL GOLF PROPERTIES, INC.,
a Maryland corporation

By: 
~~Richard C. Price, President~~
SCOTT S. THOMPSON, GENERAL COUNSEL

MICRO

KC1-173169.1

FEB 10 2004

4

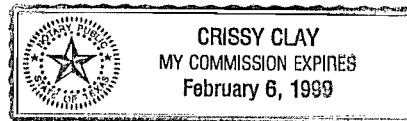
STATE OF TEXAS)
) ss.
COUNTY OF DALLAS)

The foregoing instrument was acknowledged before me this 25th day of July, 1999, by John Berndsen, Vice President of Golf Enterprises, Inc., The Pinery Club of Colorado, Inc., Diamond Oaks Country Club, Inc., Garland Golf Club, Inc., GSW Golf, Inc., Woodhaven Golf Club, Inc., Jim Colbert Golf, Inc., and Jim Colbert Golf of Charlotte, Inc., on behalf of each corporation separately.

Crissy Clay
Notary Public

My commission expires:

2/6/99



STATE OF TEXAS)
) ss.
COUNTY OF DALLAS)

The foregoing instrument was acknowledged before me this ____ day of _____, 199_, by Richard C. Price, President of National Golf Properties, Inc., general partner of National Golf Operating Partnership, L.P., on behalf of the corporation and the limited partnership.

Notary Public

My commission expires:

MICR

KC1-173169.1

FEB 10 2004

5

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

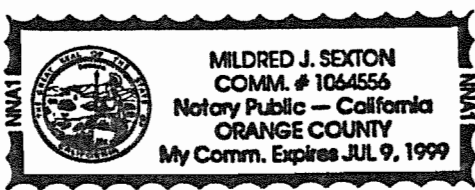
State of California

County of Los Angeles

On July 29, 1996 before me, Mildred J Sexton, Notary Public,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Scott Stanley Thompson,
Name(s) of Signer(s)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Mildred J Sexton
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Assignment of Water Rights

Document Date: 30th day of July Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Scott Stanley Thompson

- ☐ Individual
☒ Corporate Officer
Title(s): General Counsel
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing:

National Golf Properties, INC.
Inc.

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing:

MICROFILMED

FEB 10 2004

Map too lg. to be microfilmed
on our microfilm equipment.

OWNERSHIP CHANGE

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of permit No. 63-9633.

Name(s) of Permit Holder: Plantation Development, Inc.

Post Office Address: P.O. Box 2633

Tel. No. 345-4793

Source of Water: Drainage Ditch

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☒ Other Esthetics

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

10/5/81
Date

Ray A. Allen Project Mgr.
Signature of Permit Holder

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Plantation Development, Inc. Phone 343-2002
Post office address P.O. Box 2633 Boise, Idaho 83701
2. Source of water supply drainage ditch which is a tributary of -- Boise River
Government Lot #1
3. Location of point of diversion is ~~XXX~~ of Section 30 Township 4N
Range 2E B.M. Ada County, additional points of diversion if any: none
4. Water will be used for the following purposes:
Amount 3.0 cfs for Asthetics purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 3.0 cubic feet per second and/or b. -- acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. open ditches, piping across golf course and small lakes

b. Height of storage dam -- feet, active reservoir capacity -- acre-feet; total reservoir capacity -- acre-feet, materials used in storage dam: --
Period of year when water will be diverted to storage -- to -- inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is -- inches; proposed depth of well is -- feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year (minimum 1 year — maximum 5 years).
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water:

NW	SE
NE	SW
~~NE~~	~~NW~~
SE	NW

 of Section 30 Township 4N
Range 2E B.M. Ada
- (2) Amount of power to be generated: -- horsepower under -- feet of head.
- (3) List number of each kind of livestock to be watered --
- (4) Name of municipality to be served --, or number of families to be supplied with domestic water .
- (5) If water is to be used for other purposes describe: used for continuous flow through existing ponds and lakes across Plantation Golf Course property

SCANNED
MAY 13 2005

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	2E	30					X			X	X					X			

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

9. a. Who owns the property at the point of diversion Frank Galey, Jr., and Gwendolyn R. Galey

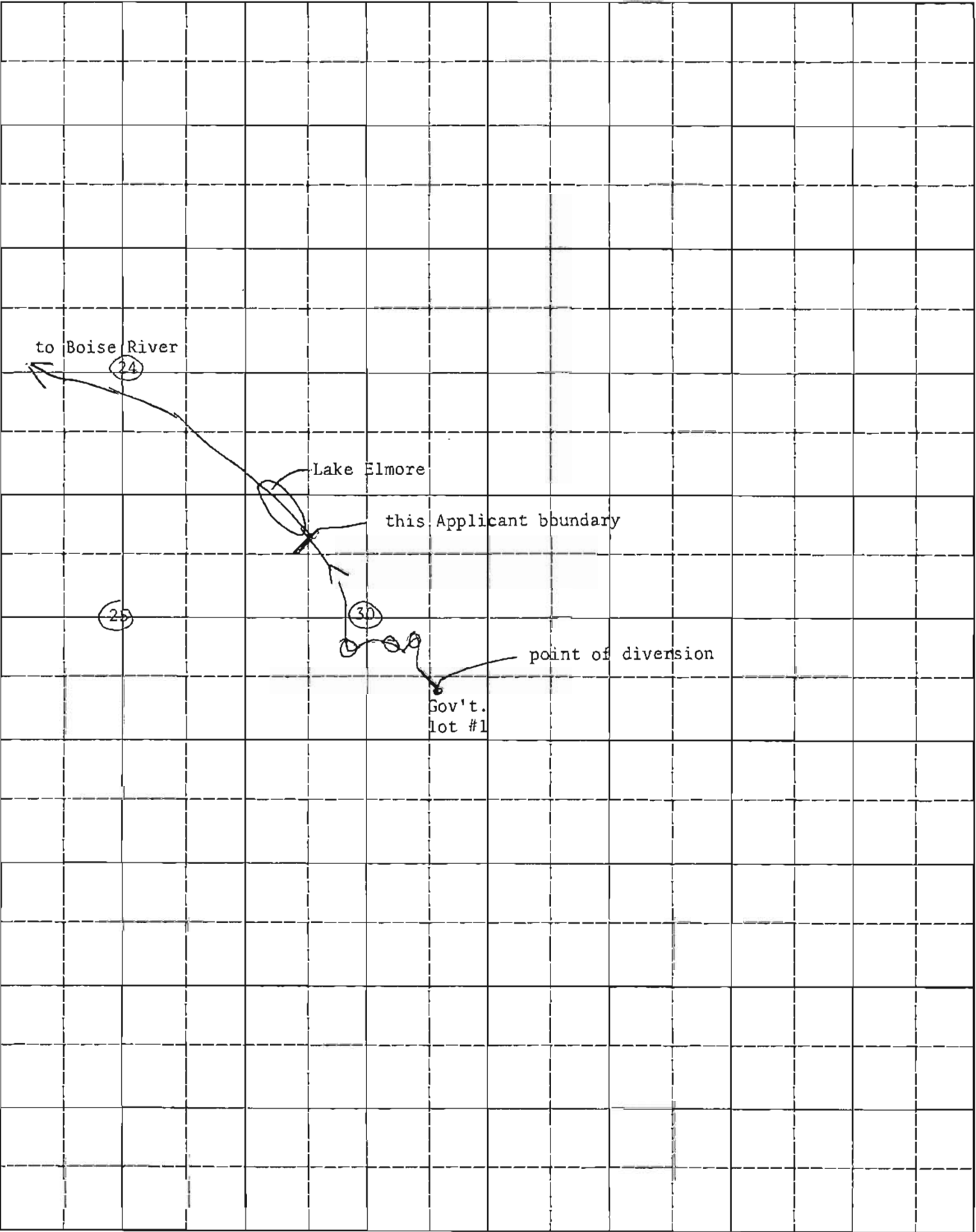
b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant

10. Remarks This is an application for the non-consumptive use of surface drainage water. The Plantation Golf Course contains a series of lakes running from east to west across the property. During much of the year the flow through these lakes is inadequate to maintain a current sufficient to keep these lakes fresh. With the addition of the requested water (which rises, on property near-by, from grades and gravel ponds), the current through the ponds and lakes on the Plantation will be strong enough to keep them clean.

The water will flow from the lakes to the river with no appreciable loss.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

PLANTATION DEVELOPMENT, INC.

BY:

[Handwritten signature]
(Applicant)

SCANNED
MAY 03 2005

Proposed Priority 10/6/80

Received by DBS Date 10/6/80 Time 13:08

Preliminary check by CEM Fee \$ 85⁰⁰

Receipted by DBS Date 10/6/80 # 15748

Publication prepared by hln Date 10/9/80

Published in Statesmen

Publication dates * 10/16 - 10/23/80

Publication approved hln Date 11/3/80

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS Rlt

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9633, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 81.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Use of water under this permit is subject to control by the watermaster of State Water District #63, Boise River.

Witness my hand this 18th day of November 19 80.

J. Glen Saxton
Chief, Operations Bureau

C. K. 11/11

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho.

63-9633
PLANTATION DEVELOPMENT INC.
P.O. BOX 2633, BOISE, ID 83701
Source: DRAINAGE DITCH tributary
to BOISE RIVER
Dated Filed: 10/06/1980
Amount: 3.00 CFS
Diversion Point: LOT 01 Sec 30 T 04N R
02E, ADA CO.
Use: AESTHETICS (3.00 CFS) from
01/01 to 12/31
Place of Use: NWSE NESW NENW
SESW Sec 30 T 04N R 02E
Diversion Means: LAKES, DITCHES &
PIPES

5281

Arda Z. Wallace

Alvin E. Egan
Notary Public for Idaho, Residing at Boise, Idaho

O.K. the 10

RECEIVED
OCT 23 1960
Department of Water Resources
General Office

Department of Water Resources
Western Regional Office

MIGRAINE

**STARTING
LEFT
SIDE OF
FILE**

~~X~~
Phoned Charlene Atsumo - She verified correct address as same shown on application for amendment except suite # 3001 not necessary. mail resent and database corrected - Lari Lynn 1.29.04

→ Correct address: 2951 28th St
Santa Monica, CA

TO
NGP REALTY SUB LP
2901 28TH ST
SANTA MONICA CA 90405

IDAHO DEPARTMENT OF WATER
RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098

Insufficient address

Return to sender



MICROFILMED
FEB 10 2004

RECEIVED
JAN 29 2004
Department of Water Resources

THIS IS A MULTI-UNIT ADDRESS. MAIL MUST HAVE SUITE OR APT. # FOR DELIVERY

☐ Forwarding Order Expired
☒ Insufficient Address
☐ No Such Number
☒ Attempted - Not Known

Route Number 614

☐ Temporarily Away
☐ Refused
☐ Vacant
☐ No Mail Receipts

Initials ✓



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 5, 2004

NGP REALTY SUB LP
2901 28TH ST
SANTA MONICA CA 90405

RE: License No. 63-9633 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive, flowing style.

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s) INCLUDE COPY OF APPLICATION FOR AMENDMENT

MICROFILMED
FEB 19 2004

CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

63-9633

NGP REALTY SUB LP
2901 28TH ST
SANTA MONICA CA 90405



Kari Lynn Townsend
Secretary

MICRO:
FEB 10 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
FEB 10 2004

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

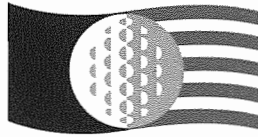
APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
FEB 10 2004



American Golf Corporation

RECEIVED

JAN - 2 2004

Department of Water Resources

December 29, 2003

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Attention: Kay Walker

Re: Water Right Permit 63-9633
Plantation Golf Club
6515 West State Street
Boise, Idaho

Dear Kay:

I am enclosing the filing fee for the Assignment of Permit that will assign the above captioned water right to NGP Realty Sub, L P.

Please call me at (310) 664-3107 if you have any questions regarding the enclosed.

All the best to you for a joyous new year.

Very truly yours,

Charlene Atsumo
Lease Administrator

Enclosure

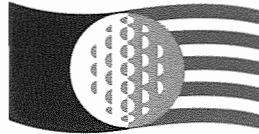
MICROFILMED

FEB 10 2004

RECEIVED

DEC 15 2003

Department of Water Resources



American Golf Corporation_®

December 12, 2003

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Attention: Kay Walker

Re: Water Right Permit 63-09633
Plantation Golf Club
6515 West State Street
Boise, Idaho

Dear Kay:

I am enclosing the Assignment of Permit that National Golf Properties has executed that assigns the above referenced water right from National Golf Operating Partnership, L.P. to NGP Realty Sub, L.P.

Please call me at (310) 664-3107 if you have any questions regarding the enclosed.

Very truly yours,

Charlene Atsumo
Lease Administrator

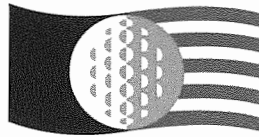
Enclosure

cc: Mark Wilson

MICROFILMED

FEB 10 2004

*12-16-03
called & left
message for
Charlene - Requested
\$25.00 assignment
fee. KW*



American Golf Corporation.

RECEIVED

NOV 24 2003

Department of Water Resources

November 18, 2003

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Attention: Kay Walker

Re: Water Right No. 63-09633
Plantation Golf Club
6515 West State Street
Boise, Idaho

Dear Kay:

I am enclosing an Application for Amendment for the above referenced water right that NGP Realty Sub, L.P. has executed. I will be sending you the Assignment of Permit under separate cover.

Should you have any questions, please give me a call at 3107.

Very truly yours,

Charlene Atsumo
Lease Administrator

Enclosure

MICROFILM
FEB 10 2004

Charlene -
310-664-3107
1

**American Golf.****LEGAL DEPARTMENT - FAX TRANSMITTAL**

2951 28th Street
Santa Monica, CA 90405

☎ (310) 664-4000
Fax: (310) 664-6165

TO: Kay Walker
FROM: Charlene Atsumo
DATE: November 18, 2003
FAX #: (208) 327-7866
RE: Plantation Golf Club
ENCLOSURES: Application for Amendment – Water Right No. 63-09633
OF PAGES: 4 (INCLUDING COVER PAGE)

ORIGINAL TO FOLLOW BY: WILL NOT BE SENT ☐ REGULAR MAIL ☐ OVERNIGHT DELIVERY ☐ MESSENGER ☐ CERTIFIED ☐

Kay:

I will be sending this out to you via regular mail tomorrow. Please call me if you have any questions.
Charlene

MICROFILMED
FEB 10 2004

O:\Charlene\Fax\PlantationApplicationforAmendmentWalker.doc

If this fax is incomplete or illegible, please call (310) 664-4295 and ask for Elyse

ATTENTION: THIS FAX IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS FAX, PLEASE TAKE NOTE THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL FAX TO US AT THE ABOVE ADDRESS BY THE U.S. POSTAL SERVICE. THANK YOU.



American Golf Corporation[®]

November 18, 2003

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Attention: Kay Walker

Re: Water Right No. 63-09633
Plantation Golf Club
6515 West State Street
Boise, Idaho

Dear Kay:

I am enclosing an Application for Amendment for the above referenced water right that NGP Realty Sub, L.P. has executed. I will be sending you the Assignment of Permit under separate cover.

Should you have any questions, please give me a call at 3107.

Very truly yours,

Charlene Atsumo
Lease Administrator

Enclosure

MICROFILMED
FEB 10 2004

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 63-09633

Date of Priority: October 06, 1980

Maximum Diversion Rate: 3.00 CFS

Maximum Diversion Volume: 2,170.0 AF

Comes now

NGP Realty Sub, L.P.

NATIONAL GOLF OPERATING PARTNERSHIP L.P.

2951 28TH ST STE 3001

SANTA MONICA CA 90405

and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-09633, and requests that the permit be changed as follows:

Source: UNNAMED DRAIN

Tributary: BOISE RIVER

BENEFICIAL USE**PERIOD OF USE****RATE OF DIVERSION****ANNUAL VOLUME**

AESTHETIC

01/01 to 12/31

3.00 CFS

2,170.0 AF

LOCATION OF POINT OF DIVERSION:

UNNAMED DRAIN L1 (SW¼SE¼) Sec. 30, Twp 04N, Rge 02E, B.M., ADA County

PLACE OF USE: AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02E 30			X		X	X	X	X						X			

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 18 day of November, 2003.

NGP Realty Sub L.P.,
a Delaware limited partnership

By: NGP Realty Sub GP LLC,
a Delaware limited liability company
Its: General Partner

By: Don PaulaIts: Secretary

MICROFILMED

FEB 10 2004

Page 2

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-09633

.....
FOR DEPARTMENT USE ONLYPreliminary check by _____ Fee = 50.00 Receipted by jm #1065534 Date 11-2-02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 63-09633 with the following:

CONDITIONS OF APPROVAL

1. Aesthetic use is for stream and ponds at golf course.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
3. This right does not grant any right-of-way or easement across the land of another.

Witness my hand this _____ day of _____, 2003.

KARL J. DREHER
Director

MICROFILMED
FEB 10 2004

Walker, Kay

From: Atsumo, Charlene [CAtsumo@AmericanGolf.com]
Sent: Thursday, November 13, 2003 4:09 PM
To: 'Walker, Kay'
Subject: RE: Permit 63-9633

Kay:

I have the Application for Amendment signed, but have not yet received the Assignment of Permit back that I sent in for signature. Will check on the status of this and get back to you. Thanks for your patience with this.
Charlene

-----Original Message-----

From: Walker, Kay [mailto:KWalker@idwr.state.id.us]
Sent: Friday, November 07, 2003 1:42 PM
To: 'catsumo@americangolf.com'
Cc: Walker, Kay
Subject: Permit 63-9633

Hi, Charlene... I still have not received the licensing amendment and assignment of permit forms for the above permit. I understood that you would be submitting it after Mark returned from vacation. Could you please check on the status of the forms and let me know if I need to do something more? Thanks! Kay Walker @ IDWR (208)327-7944

DISCLAIMER: This message (including attachments, if any) contains confidential proprietary information, some or all of which may be legally privileged or otherwise protected from unauthorized use, disclosure, distribution or copying. It is for the intended recipient only. If you are not the intended recipient, you may not use, disclose, distribute, copy, print or retain this message or any part of it. If you have received this message due to an addressing, transmission or other error, please so notify the sender immediately by replying to this message and then please delete this message from your computer.

MICROFILMED

FEB 16 2004

Walker, Kay

From: Walker, Kay
Sent: Friday, November 07, 2003 2:42 PM
To: 'catsumo@americangolf.com'
Cc: Walker, Kay
Subject: Permit 63-9633

Hi, Charlene... I still have not received the licensing amendment and assignment of permit forms for the above permit. I understood that you would be submitting it after Mark returned from vacation. Could you please check on the status of the forms and let me know if I need to do something more? Thanks! Kay Walker @ IDWR (208)327-7944

MICROFILMED
FEB 10 2004

Walker, Kay

From: Atsumo, Charlene [CAtsumo@AmericanGolf.com]
Sent: Tuesday, August 19, 2003 6:48 PM
To: 'Walker, Kay'
Cc: Wilson, Mark
Subject: RE: Permit 63-9633

Kay:

I will follow up on this and keep you informed as to where we are.

Thanks for your reminder.

Charlene

-----Original Message-----

From: Walker, Kay [mailto:KWalker@idwr.state.id.us]
Sent: Tuesday, August 19, 2003 8:25 AM
To: 'catsumo@americangolf.com'
Cc: Walker, Kay
Subject: Permit 63-9633

Hi, Charlene... I was wondering about the assignment and amendment forms that you were to submit in regard to the above permit. I have been holding this one in my office for quite a long time now and we need to finalize soon. Will you be submitting the assignment and amendment forms? The Snake River Basin Adjudication is working in the Boise area this summer and we need to get this permit licensed before the SRBA staff prepares their preliminary report of this area. I would appreciate an update from you. Thanks! Kay Walker, IDWR (208)327-7944

DISCLAIMER: This message (including attachments, if any) contains confidential proprietary information, some or all of which may be legally privileged or otherwise protected from unauthorized use, disclosure, distribution or copying. It is for the intended recipient only. If you are not the intended recipient, you may not use, disclose, distribute, copy, print or retain this message or any part of it. If you have received this message due to an addressing, transmission or other error, please so notify the sender immediately by replying to this message and then please delete this message from your computer.

MICROFILMED

FEB 10 2004

Walker, Kay

From: Walker, Kay
Sent: Friday, March 07, 2003 2:43 PM
To: 'catsumo@americangolf.com'
Cc: Walker, Kay
Subject: Assignment of Permit form



ASSIGNMENT OF
PERMIT.DOC



NOTICE OF
CHANGE OF WATER RIG

Charlene: The assignment of permit form should be completed and returned along with the application for amendment (for licensing purposes) for Rt. 63-09633. Please note there is a \$25.00 fee for the assignment form.

I have also attached a "Notice of Change in Water Right Ownership" form so you can update the ownership on Rt. 63-09248 which is pending in the Snake River Basin Adjudication. If you need any further assistance, please do not hesitate to contact me. Kay

MICROSOFT

FEB 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 5, 2003

NATIONAL GOLF OPERATING PARTNERSHIP L P
ATTN: CHARLENE ATSUMO
2951 28TH ST SUITE 3001
SANTA MONICA CA 90405

RE: Water Right Permit No. 63-09633

Dear Charlene:

I prepared a license of this permit for signature in November when we received the licensing amendment, and was advised that we cannot add the storage parameters to the permit. We cannot add the storage parameter because the permit was issued for 3.0 cfs for aesthetic use and that is completely covered under the proposed license. Therefore, there is nothing left under the permit to exchange for the additional use of water, that is the storage parameter. Therefore, I have prepared another revised amendment of this permit for signature.

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it to me within 14 days. The fee for this amendment was received on November 1, 2002, so we don't need any more money. Enclosed is Departmental Receipt No. C065534 in the amount of \$50.00 for the fee previously submitted.

I am sorry about all the confusion I have caused in regard to the licensing of this permit. If you have any questions, please feel free to call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

MICROFILMED
FEB 10 2004

3/5/03
Charlene called &
left message -
amendment
coming. kw
3/7/03 -
assignment form
requested

Comment Report

63-9633

1. kwalker 10/2/2002 Ponds for License

Comment: It was determined through the licensing process that pond 3 is not located on the lands owned by National Golf so pond 3 has been removed from the proposed license of this right pursuant to request of National Golf representatives.

2. kwalker 2/4/2003 Use of water

Comment: In discussing this proposed license with Shelley, it was determined that we should not be adding the storage parameter to this permit. The water is co-mingled with Boise Valley Irrigation District water in the ponds. This permit did not include a storage parameter and the right holders have nothing to give up to change the nature of use to include storage. Therefore, recommend license be issued for aesthetic use only.

3. kwalker 2/4/2003 Ownership

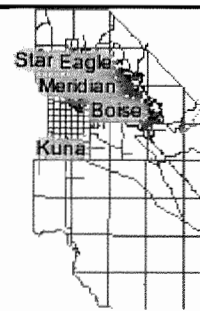
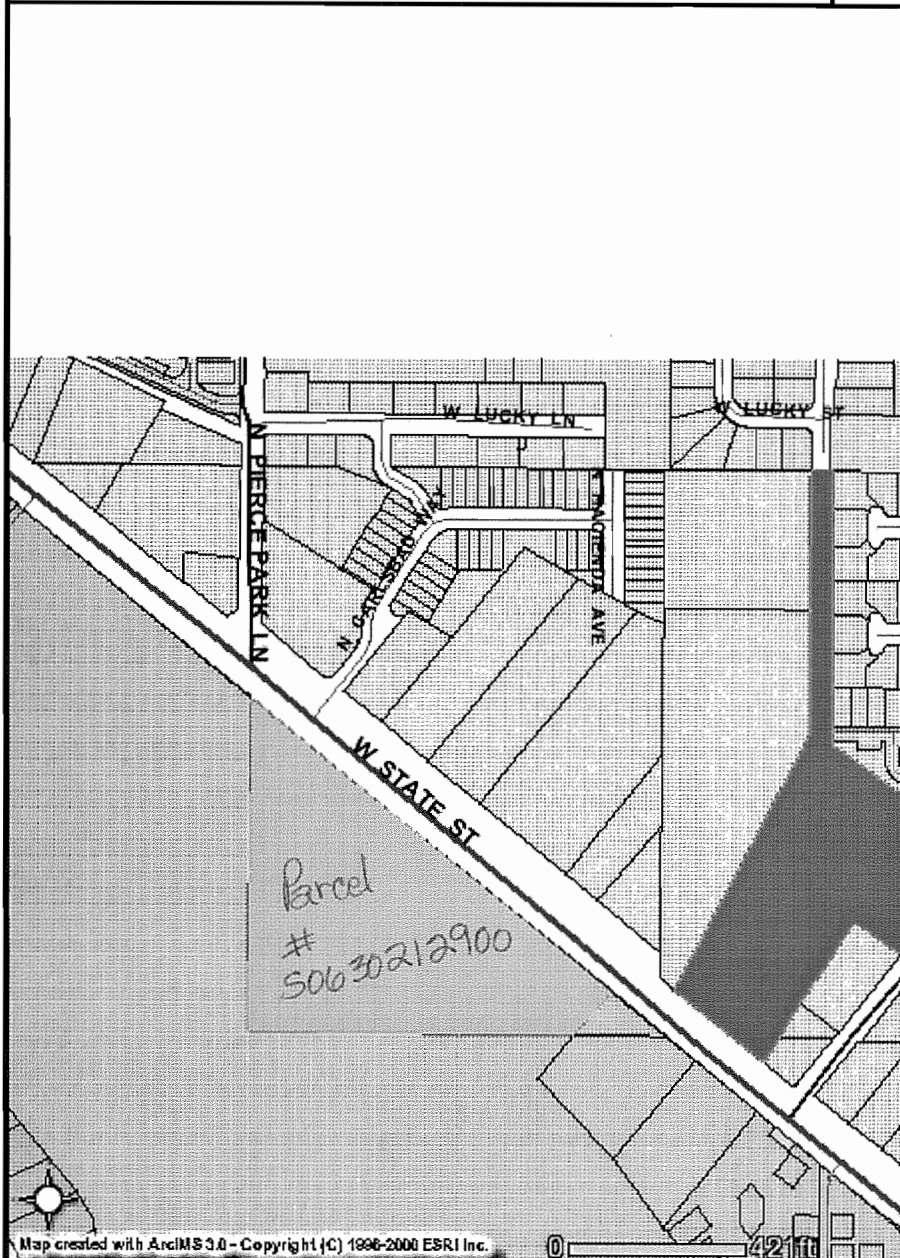
Comment: The metes and bounds description submitted with the change in ownership form was hard for me to pin down which lands they owned. I double checked the ownership of the lands under this proposed license with Ada County tax records found on the internet.

4. kwalker 10/2/2002 Ownership Change

Comment: We received a notice of change of water right ownership for this permit on September 13, 2002. The property had changed ownership 3 or 4 times since Plantation Golf so I requested and received deeds showing the chain of title for the property and a plat showing the location of the property. I have processed the change in ownership today.

MICROFILMED
FEB 10 2004

ArcIMS HTML Viewer Map



Legend

- Highlighted Feature
- Selected Features
- Major Streets
 - MINOR ARTERIAL
 - MAJOR COLLECTOR
 - SECTION
 - PRINCIPAL ARTERIAL
 - INTERSTATE
 - Other
- Minor Streets
 - LOCAL
 - PARKS
 - PRIVATE
 - RESIDENTIAL
 - Other
- Street Names (minor)
- Water
- Parcels
- Schools
- Parks
- City Limits
 - Kuna
 - Boise
 - Garden City
 - Eagle
 - Star
 - Meridian
 - Other

Map created with ArcIMS 3.0 - Copyright (C) 1996-2000 ESRI Inc.

0 421ft

Ada Co. - Parcel search

MICROFILM

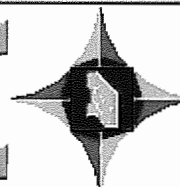
FEB 10 2004



Boise, Idaho

2009年11月

PdN

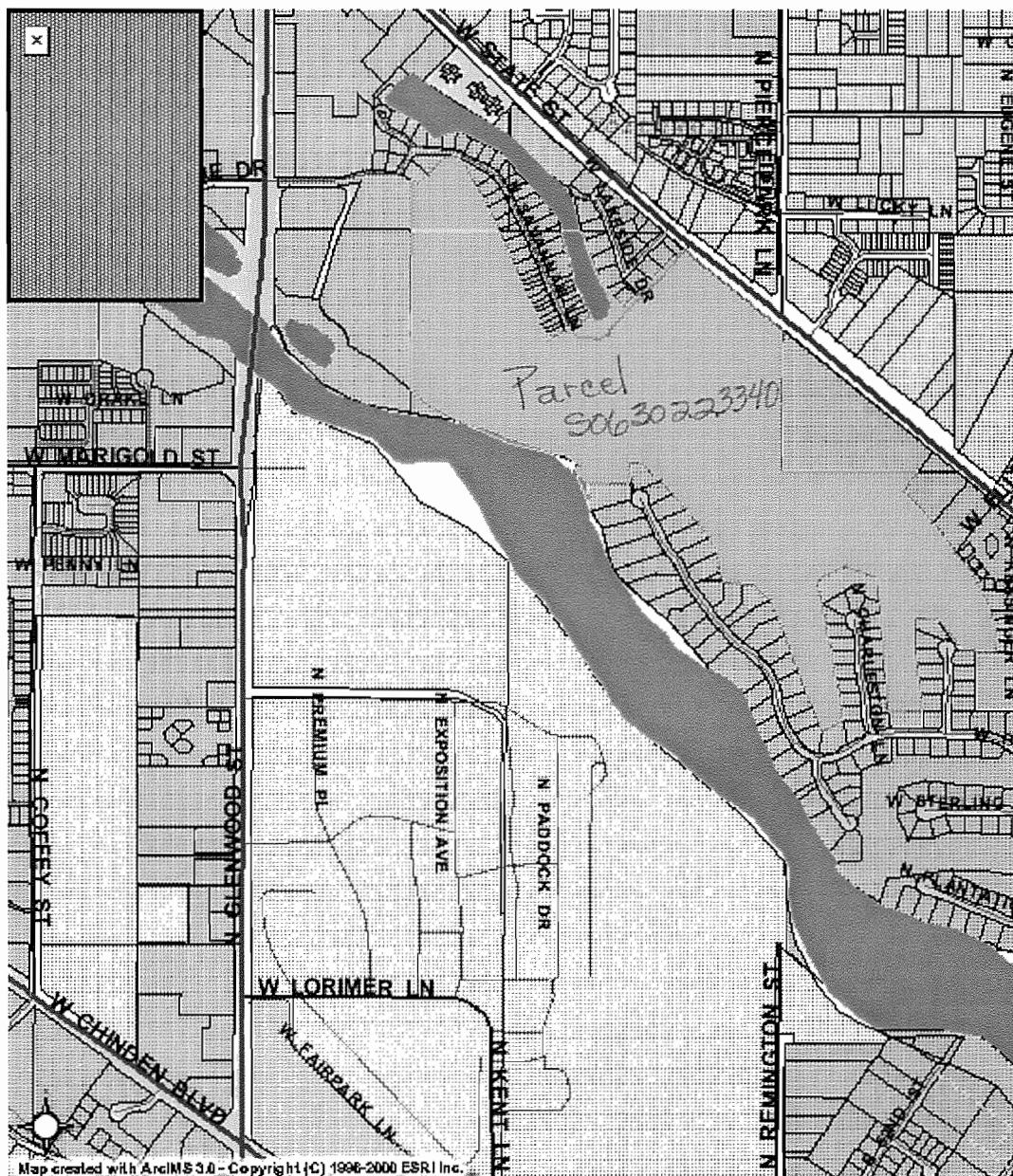


ZOOM OUT

GO BACK

HELP

ACTIVE TOOL: Zoom In



Map created with ArcIMS 3.0 - Copyright (C) 1996-2000 ESRI Inc.

Selected Features

Neighborhood

Major Streets



MINOR ARTERIAL

MAJOR COLLECTOR

SECTION

PRINCIPAL ARTERIAL

INTERSTATE

Over

Minor Streets



LOCAL

PARKS

PRIVATE

RESIDENTIAL

Q1437

Street Names (minor)

Water

Parcels

Schools

Parks

City Limits

K. E. F.

Baptist

Garden City

Ende

Star

Meridan

Other

FEB 10 2004

Area	Perimeter	Parcel	Acreage	Taxcode	Wrk_date	Propyear
257056.247	4077.044	S0630223340	63.536	06-3	19991206	2001
34741.396	846.379	S0630212900	8.587	06-15	19980101	2001
4014.540	303.394	S0630244680	0.992	06-3	19980101	2001
234.043	133.027	S0630244315	0.058	06-3	19980101	2001
1590.834	171.680	R7100400583	0.393	06-3	19980101	2001
1752.534	169.694	R7100400605	0.433	06-3	19980101	2001
73039.624	2840.361	R7100480125	18.053	06-3	19980101	2001
5545.835	399.105	S0619336570	1.371	06-2	19980101	2001
30138.088	739.883	S0525110106	7.448	06-3	19980101	2001
52698.222	970.068	S0630223340	13.023	06-3	19980729	2001
6504.739	494.836	S0524449416	1.608	06-3	19980101	2001
12796.823	474.794	S0630223340	3.163	06-3	19991206	2001
11824.260	687.511	S0525110106	2.924	06-3	19980101	2001

Deanna Mouser
287-7268

MICAC
FEB 10 2004

<i>Primowner</i>	<i>Lastnm</i>	<i>Secowner</i>
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	
NATIONAL GOLF OPERATING	NATIONAL	

MICRO

FEB 10 2004

Revised 10/2/02

Page 1

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-09633

RECEIVED

NOV - 1 2002

Department of Water Resources

Date of Priority: October 06, 1980

Maximum Diversion Rate: 3.00 CFS

Maximum Diversion Volume: 2,170.0 AF

Comes now NATIONAL GOLF OPERATING PARTNERSHIP L P
2951 28TH ST SUITE 3001

SANTA MONICA CA 90405 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-09633, and requests that the permit be changed as follows:

Source: UNNAMED DRAIN

Tributary: BOISE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
AESTHETIC	01/01 to 12/31	3.00 CFS	2,170.0 AF
AESTHETIC STORAGE	01/01 to 12/31		16.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	3.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED DRAIN L1 SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, Twp 04N, Rge 02E, B.M., ADA County

PLACE OF USE: AESTHETIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02E	30			X		X		X								X		
								L 5											

PLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02E	30															X		

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this _____ day of _____, 200__.

National Golf Operating Partnership, L.P.
a Delaware limited partnership

By National Golf Properties, Inc.
a Maryland corporation, general partner

By Neil Miller
Its: Secretary

MICROFILMED
FEB 10 2004

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-09633

FOR DEPARTMENT USE ONLY
Preliminary check by jm Fee = \$500 Received by jm # 465534 Date 11-2-02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 63-09633 with the following:

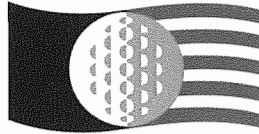
CONDITIONS OF APPROVAL

1. Aesthetic use is for stream and ponds at golf course.
2. Right 63-10326 is also diverted through the point of diversion described above.
3. Rights 63-10326 and 63-09633 when combined shall not exceed a total diversion rate of 3.0 cfs.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.

Witness my hand this _____ day of _____, 2002.

KARL J. DREHER
Director

MICROFILMED
FEB 10 2004



American Golf Corporation

RECEIVED
NOV - 1 2002
Department of Water Resources

October 29, 2002

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Attention: Kay Walker

Re: Water Right No. 63-09633
Plantation Golf Club
6515 West State Street
Boise, Idaho

Dear Kay:

I am enclosing an Application for Amendment for the above referenced Water Right that National Golf Properties, Inc. has executed, and a check in the amount of \$50.00 for the filing fee.

Thank you for your assistance in this matter. Should you have any questions, please give me a call at (310) 664-3107.

Very truly yours,

Charlene Atsumo
Lease Administrator

Enclosures

cc: Neil Miller
Lynn Thompson

MICROFILMED

FEB 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 3, 2002

NATIONAL GOLF OPERATING PARTNERSHIP L P
ATTN: CHARLENE ATSUMO
2951 28TH ST SUITE 3001
SANTA MONICA CA 90405

RE: Water Right Permit No. 63-09633

Dear Charlene:

Pursuant to our telephone conversation, enclosed is a revised licensing amendment for the above referenced permit. The changes include a reduction of 3.0 AF in the amount of water that can be stored since we removed the pond that was not located on the property owned by National Golf. I have also included a copy of a map showing the two remaining ponds that will be licensed under this permit.

I have also completed the change of ownership in our records for this permit. I have included a water right proof reading report that shows you as the current owners of the permit, for your records. Also enclosed is Departmental Receipt No. C064586 for the ownership change fee that you submitted.

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

MICROFILMED

FEB 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 25, 2002

NATIONAL GOLF OPERATING PARTNERSHIP L P
ATTN: CHARLENE ATSUMO
2951 28TH ST SUITE 3001
SANTA MONICA CA 90405

RE: Water Right Permit 63-09633

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed. I have not yet received the amendment. If I do not receive it within **10 days**, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Please note that there is a **\$50.00** filing fee for this amendment. A copy of the Application for Amendment is enclosed for your convenience.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

FEB 10 2004

MEMORANDUM

TO: File 63-09633

FROM: KAY WALKER *KW*

RE: Proposed License

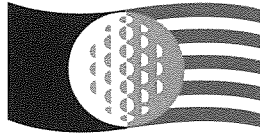
Date: October 2, 2002

.....

This morning I was able to obtain Ada County ownership information from Mike Ciscell so I could triple check the ownership of the lands that the ponds under this proposed license were on. The ponds numbered 1 and 2 on the field examination are located on lands owned by National Golf Operating Partnership but pond number 3 is on lands owned by The Plantation Master Association.

I contacted Lynn Thomson, representing National Golf in Boise, and discussed the matter with him. He told me we should not include pond 3 in the licensing of this permit since they did not own the land. I then contacted Charlene Atsumo, lease administrator for National Golf, and told her what I had found and discussed with Mr. Thomson. Charlene agreed that we should not include pond 3 on our license. I told her not to submit the licensing amendment that had previously been sent and that I would get a revised amendment in the mail to her that does not include pond 3. Charlene said that would be fine and if the licensing amendment previously sent out was signed and returned to her, she would hold it pending the revised amendment I will prepare.

MICROFILMED
FEB 10 2004



American Golf Corporation®

RECEIVED
SEP 13 2002
Department of Water Resources

September 10, 2002

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Attention: Kay Walker

Re: Water Right No. 63-09633
Water Right No. 63-09248
Plantation Golf Club
6515 West State Street
Boise, Idaho

Dear Kay:

I am enclosing a Notice of Change in Water Right Ownership for each of the above referenced Water Rights that will change the ownership of the water rights to National Golf Operating Partnership, L.P. Please also find two checks in the amount of \$25.00 enclosed for the filing fee.

I will be sending the Application for Amendment for Water Right No. 63-09633 to you under separate cover.

Thank you for your assistance in this matter. Should you have any questions, please give me a call at 3107.

Very truly yours,

Charlene Atsumo
Lease Administrator

Enclosures

cc: Paul Major
Lynn Thompson

MILGOLF LIMITED
FEB 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 6, 2002

LYNN THOMSON
6515 W STATE ST
BOISE ID 83703

RE: Permit No. 63-09633

Dear Mr. Thomson:

I received your drawing of the ponds and irrigation streams for Plantation Golf Course. I have printed out the shapes that we have "drawn" into our system to show this water right. The licensing recommendations would cover the "aesthetic" use in the streams as shown on this map and the "aesthetic storage" use would be for the ponds. I have also put in the 40-acre tract descriptions so you can see where the legal descriptions fall in relationship to the stream and ponds.

Please be advised that we are not intending to change the irrigation delivery system for the golf course. Your irrigation right, delivered by the Boise Valley Irrigation Ditch is a water right that you purchase from the ditch company. We issue the water right to the company and then they deliver the water to their constituents.

I hope this information helps you to understand what we are trying to license under this permit. If you have questions, please do not hesitate to contact me at 327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

Mr. Thomson
called 8/13 (pm)
and wondered about
the NE pond - Not on
golf course property -
he will check w/American
Golf to see what they
want to do about
this pond (may remove
from
that license) kw



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 31, 2002

AMERICAN GOLF CORPORATION
FOR NATIONAL GOLF OPERATING PARTNERSHIP LP
ATTN: CHARLENE ATSUMO - LEASE ADMINISTRATOR
2951 28TH ST
SANTA MONICA CA 90405

RE: Permit No. 63-09633

Dear Charlene:

I have reviewed the survey plat, assignment of Water Rights dated July 30, 1996 and the Corporate Warranty Deed (for Plantation Golf) that you submitted in regard to the ownership of this permit. I believe we can complete the change in ownership of this permit if you will complete and submit the enclosed "Notice of Change of Water Right Ownership" form along with a \$25.00 filing fee.

I have also conducted a search of our database for any other water rights that may be connected to this golf course. I found one water right (No. 63-09248) that was licensed to Fireman's Fund Mortgage Corporation. This water right is for a well used for the irrigation of 34 acres within Section 30, Twp. 4N, Rge. 2E. I have enclosed a copy of the license and field examination for your information. Greg Jackson claimed Rt. 63-09248 in the Snake River Basin Adjudication (SRBA) in August of 1989, as it was permitted. In January of 1992 we issued the water right license for the actual development that took place under the permit. I am including a copy of the license, beneficial use field report and an Adjudication Claim Report, of the claim, as it was submitted, for your information. When the adjudication bureau investigates water right claims in the area of the golf course, they will use the information on the license, along with possible field review, to prepare recommendations for the SRBA Court. If you determine that Rt. 63-09248 should also be in the name of National Golf Operating Partnership, L.P., you should complete and submit a Notice of Change of Water Right Ownership form for the claim. There is no filing fee for the change in ownership of the claim as long as the form is submitted prior to the recommendation process. I have enclosed a second ownership change form for your convenience.

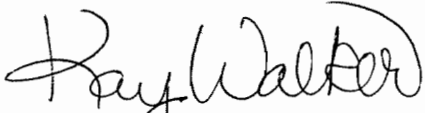
The only other water right I could find for the golf course is an irrigation right from the Boise Valley Irrigation Ditch. This water right is actually owned by the ditch company and they control the water usage from the ditch. If you have questions in regard to that water, you will need to contact them.

MICROFILMED

FEB 10 2004

I hope all this information is beneficial to you in regards to the water rights for this golf course. I am sorry it took me so long to get the information you submitted reviewed. If you have any further questions, feel free to contact me at (208)327-7944.

Sincerely,

A handwritten signature in black ink, appearing to read "Kay Walker". The signature is fluid and cursive, with the first name "Kay" and last name "Walker" clearly distinguishable.

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

MICROFILM

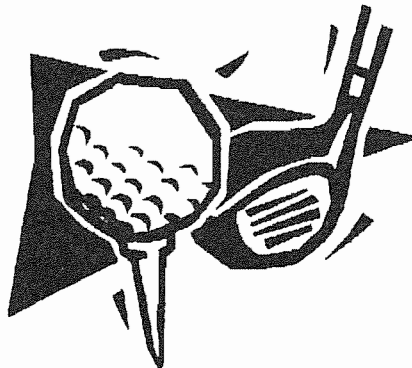
FEB 10 2004

FAX transmission

RECEIVED

JUL 18 2002

Department of Water Resources

Date: 7/18/02To: Ray WalkerSubject: Permits for BondsNumber of Pages: 2Fax Number: 327-7866From: Lynn Thomson

Plantation Country Club
6515 West State Street
Boise, ID 83703
208-853-4793
FAX 208-853-4721

MICROFILMED
FEB 10 2004

July 18, 2002

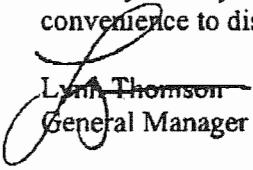
State of Idaho
Department of Water Resources
1301 N. Orchard St.
Boise, ID

Kay Walker,

Thank you for faxing the map. From the map I was able to draw in the ponds and irrigation streams as they affect the golf course. I'm still not certain which legal description fits each of the ponds, but at least you will have an idea of locations and functions of the streams and ponds on the golf course.

My only concern has been that in changing the description of the irrigation stream and storage ponds to "aesthetic" that at some future time there would be a question of water rights for the golf course. If you assure me that these new descriptions have no bearing on the availability of irrigation water to the golf course, then we would have no problem approving the changes and securing the necessary permits.

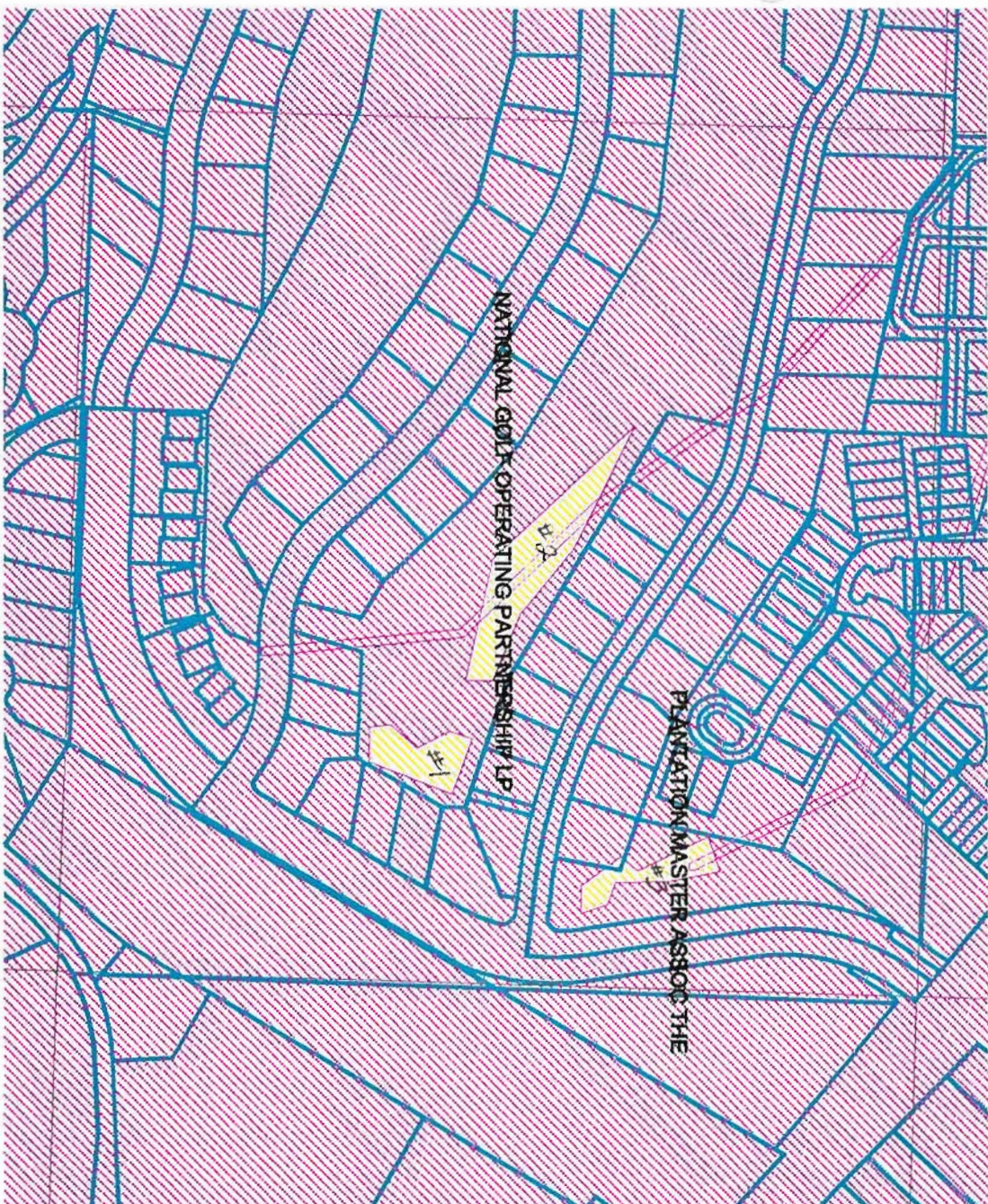
Thank you for your patience and assistance. Please contact me at your earliest convenience to discuss finalization of the permits.


~~Lynn Thomson~~
General Manager

Cc: Charlene Atsumo
Lease Administrator
American Golf Corporation

MICROFILMED
FEB 10 2004

63-09633

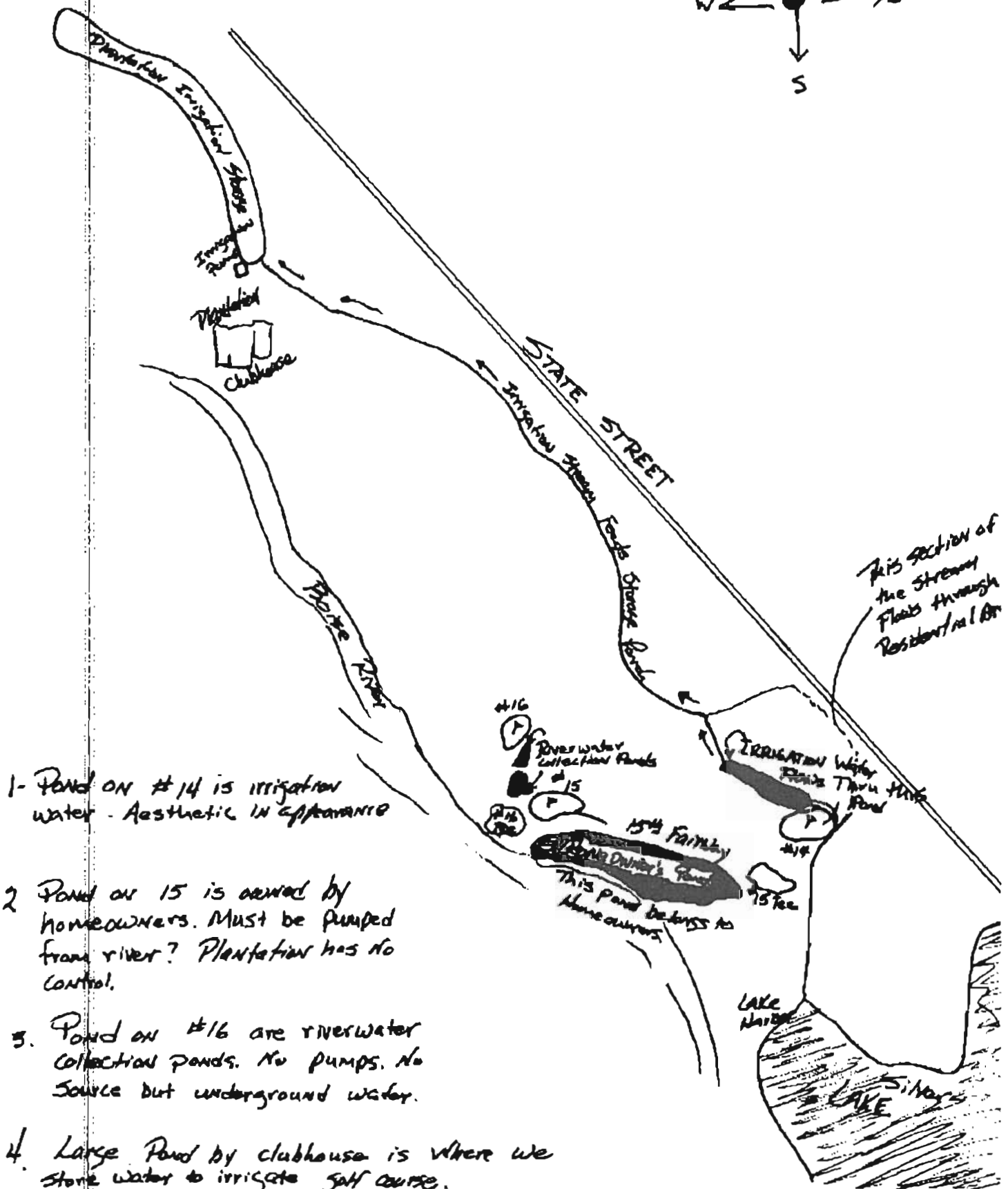
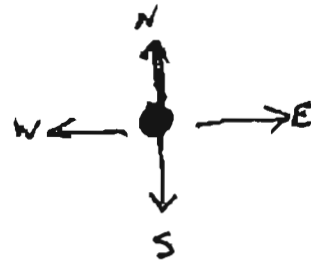


- Plantation.shp
- GCDB04N02E GCDB
- Right POU
- Administrative Basins



MICROFILMED
FEB 10 2004

pond #1 = 6 AF
#2 = 10 AF
limit record = 16 AF



MICROFILMED
FEB 10 2004



DIRK KEMPTHORNE
GOVERNOR

KARL J. DREYER
DIRECTOR

FAX Transmittal Cover Sheet

Number of pages including this one: 2

sent 11:25 AM

Date: 7-18-02

To: Lynn Thompson

Fax No.: 853-4721

From: Kay Walker, IDWR

Fax No.: _____

Phone No.: 327-7944

Subject: place of use for Permit 63-9633

If these aren't legible you can stop
by the office & look at file - Kay

proposed
license of

In Addition: There is now a way to research water rights over the Internet. The system is a graphical or text query system and can be accessed from the IDWR home page:

<http://www.idwr.state.id.us>

From that link, select "Snake River Basin Adjudication" toward the lower left hand of the screen. Then select "Map" or "Text" on the next page.

"TEXT" lets you search water rights via Name, Legal, Source, etc.

Enter in the information you know. Information can be entered under more than one tab. After you have completed entering your information, select "Search"

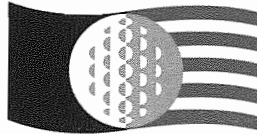
"MAP" allows you to search water rights graphically.

Use the tools on the Left side of the screen to Zoom in and out. To find out what each button does, hold the cursor over the button for a second. To the Right side of the screen are different layers that can be turned on or off. As you zoom in to your place in question, different layers will appear on the right side of the screen.

A HELP function is available within the application or you can call 1-800-451-4129 or (208) 327-7906 for help.

MICROSOFT

FEB 10 2004



American Golf Corporation.

July 5, 2002

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

RECEIVED
JUL 10 2002

Attention: Kay Walker

Department of Water Resources

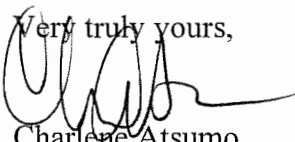
Re: Water Right Permit 63-09633
Plantation Golf Club
6515 West State Street
Boise, Idaho

Dear Kay:

Per our telephone conversation this week, I am enclosing a site plan for Plantation Golf Club dated September 8, 1993. (Please note the Surveyor's Statement).

Please call me at (310) 664-3107 after you have had the opportunity to review the enclosed. I look forward to speaking with you.

Very truly yours,

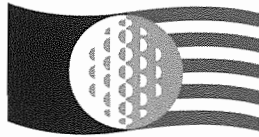

Charlene Atsumo
Lease Administrator

Enclosure

cc: Lynn Thompson

MICROFILMED

FEB 10 2004



American Golf Corporation.

RECEIVED

JUL - 1 2002

Department of Water Resources

June 26, 2002

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Attention: Kay Walker

Re: Water Right Permit 63-09633
Plantation Golf Club
6515 West State Street
Boise, Idaho

Dear Kay:

Thank you for your time in our recent conversations in which we discussed filing the Application for Amendment for Water Right Permit No. 63-09633. As you advised me, we have an extension to July 15, 2002 to submit this Amendment. I have enclosed a copy of the Amendment for your reference.

As I mentioned to you, the Application for Amendment erroneously shows a prior owner (Plantation Development, Inc.) as the holder of the permit, rather than the current owner, which is National Golf Operating Partnership, L.P.

In that connection, I am enclosing for your review a copy of the Corporate Warranty Deed dated July 25, 1996 that conveyed Plantation Golf Club from Golf Enterprises, Inc. to National Golf Operating Partnership, L.P. I am also including a copy of the Assignment of Water Rights dated July 30, 1996 from Golf Enterprises, Inc. to National Golf Operating Partnership, L.P.

Please call me at (310) 664-3107 after you have had the opportunity to review the enclosed.

Very truly yours,

Charlene Atsumo
Lease Administrator

Enclosures

cc: Rik Ichiho
Paul Major
Lynn Thompson

MICROFILM

FEB 1 8 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

June 24, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PLANTATION DEVELOPMENT INC
C/O MHM CORP
6515 W STATE ST
BOISE ID 83703

RE: Water Right Permit 63-09633

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed. I have not yet received the amendment. If I do not receive it within **10 days**, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Please note that there is a **\$50.00** filing fee for this amendment. A copy of the Application for Amendment is enclosed for your convenience.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

FEB 10 2004

6/26-
Sharon Atsumo
of National Golf
called - amendment
was held due to
ownership issue.
Will try to submit
by the 15th of July.
KW



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 23, 2002

PLANTATION DEVELOPMENT INC
C/O MHM CORP
6515 W STATE ST
BOISE ID 83703

RE: Water Right Permit No. 63-09633

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

- ☒ Place of Use
- ☒ Other – Add Aesthetic Storage and Diversion to Storage to uses

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

FEB 10 2004

4/4/02
allow until
6/23/2002 for
response - MHM sold
to GEI - (Gulf Enterprises
Inc) who sold to
National Golf Operating
Partnership per
Shareene Atsumo
310-664-3107
KW

DR. J. M. COTTER, JR., PRESIDENT

LICENSE REVIEW CHECKLIST

Permit No. 63-9633 Date: 5-22-2002 Reviewer: Kay Walker

Change/OK

Name/Address

change per examiner

Source

OK

Does change clarify original intended source? If no, void permit.

Point of Diversion:

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

change

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): 63-10326
File reviewed _____ Profile reports printed _____

Pld OK → copy of lic attached

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 3.0 cfs
Fee Limit 3.0 cfs
Measured _____ cfs
Theoretical _____ cfs

Recommended Total Diversion Rate _____

Water Uses

change change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total _____ cfs _____ af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks:

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim?

yes - pending - see proof report attached

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

P49 S06

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-9633

WATER RIGHT NUMBER: 63-9633

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PLANTATION DEVELOPMENT INC PO BOX 2633 BOISE, ID 83701
Current Owner	MHM CORP DBA PLANTATION GOLF COURSE 6515 W STATE ST BOISE, ID 83703 (208)853-4793

Priority Date: 10/06/1980

Basis: Permit

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
AESTHETIC	1/01 to 12/31	3.000 CFS	
	<u>Total Diversion:</u>	3.000 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	L1 SW1/4SE1/4	Sec. 30, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

AESTHETIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02E	30			X		X	X		X							X		

Conditions of Approval:

1. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
2. 005 Use of water under this right is subject to control by the watermaster of State Water District No. &DISTRICT.

Remarks:Comments:

P/D overlaps in SWSE, S30

<u>Basin</u>	<u>Sequence</u>	<u>Basis</u>	<u>Status</u>	<u>Priority</u>	<u>Rate</u>	<u>Source List</u>	<u>Water Use List</u>	<u>Source Table</u>
63	9633	Permit	Active	10/6/1980	3	UNNAMED DRAIN	AESTHETIC	wrAdjudicationClaim
63	9633	License	DRAFT Ac	10/6/1980	3	UNNAMED DRAIN	AESTHETIC, AESTHETIC STORAGE, DIVERSION TO STORAGE	wrWaterRight
63	9633		Active	10/6/1980	3	UNNAMED DRAIN	AESTHETIC	wrWaterPermit
63	10326	Permit	Active	10/4/1985	3	UNNAMED LAKE	AESTHETIC, AESTHETIC STORAGE, IRRIGATION, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, RECREATION, RECREATION STORAGE	wrAdjudicationClaim
63	10326	License	Active	11/2/1985	3	UNNAMED LAKE	AESTHETIC, AESTHETIC STORAGE, IRRIGATION, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, RECREATION, RECREATION STORAGE	wrWaterRight

State of Idaho
Department of Water Resources

Unnamed drain
originates @
Silver Lake, under
this right

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10326

Priority: November 2, 1985

Maximum Diversion Rate: 3.00 CFS

Maximum Diversion Volume: 1030.0 AF

This is to certify, that LAKEHARBOR MASTER ASSN INC
C/O SHERL CHAPMAN
410 N ORCHARD SUITE 144
BOISE ID 83706

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 4, 1985; and
has submitted Proof of Beneficial Use on December 30, 1993. An examination indicates
that the works have a diversion capacity of 3.000 cfs of water from:

UNNAMED LAKE tributary to BOISE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.45 CFS	102.0 AF
IRRIGATION STORAGE	01/01 to 12/31		113.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		113.0 AF
RECREATION	01/01 to 12/31	3.00 CFS	
RECREATION STORAGE	01/01 to 12/31		1030.0 AF
AESTHETIC	01/01 to 12/31	3.00 CFS	
AESTHETIC STORAGE	01/01 to 12/31		1030.0 AF
Totals		3.00 CFS	1030.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 29, Township 04N, Range 02E
NESE , Sec. 30, Township 04N, Range 02E
SWSE , Sec. 30, Township 04N, Range 02E
SESE , Sec. 30, Township 04N, Range 02E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	02E	29	NWSW 0.2	SWSW 0.9		1.1
		30	NESE 10.2	SWSE 3.9	SESE 7.4	21.5

Total number of acres irrigated: 22.6

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE:

RECREATION, same as IRRIGATION use

PLACE OF USE:

AESTHETIC, same as IRRIGATION use

MICROFILMED
FEB 10 2004

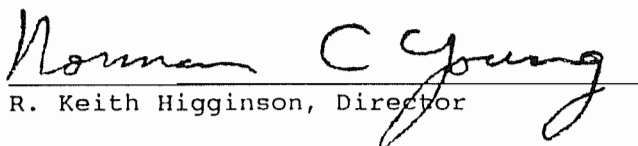
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-10326

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
6. Use of water under this right is subject to the control of the watermaster of Water District 63, Boise River and tributaries.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
8. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
9. Use of water under this right for irrigation purposes may require the purchase of stored water as determined by the watermaster.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 9TH
day of APRIL, 19 94.

Acting for 
R. Keith Higginson, Director

MICROFILMED
FEB 10 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 12 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-9633

1. Owner: Plantation Development
MHM Corp DBA Plantation Golf Course Phone No. 853.4793

Current Address: 6515 W. State St BOISE 83703

2. Accompanied by: Jim Bodnar EXAM DATE: 7/27/93

Address: above

Phone No. _____

Relationship to Permit Holder: maintenance/greenskeeper

3. Source: unnamed drain tributary to BOISE RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: BVIDco BVIDco DD#2 DOM (ap)
63.00147, 2360, 2406, 7293, 10878

2. Other water rights with the same point of diversion: 63.10326, 63.10688
Lake Harbor Boise water

Plantation
Jackson
9248
11387
Plantation

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1		SW	SE	30	4N	2E	Ada	Map, Site Visit

2. Place(s) of Use:

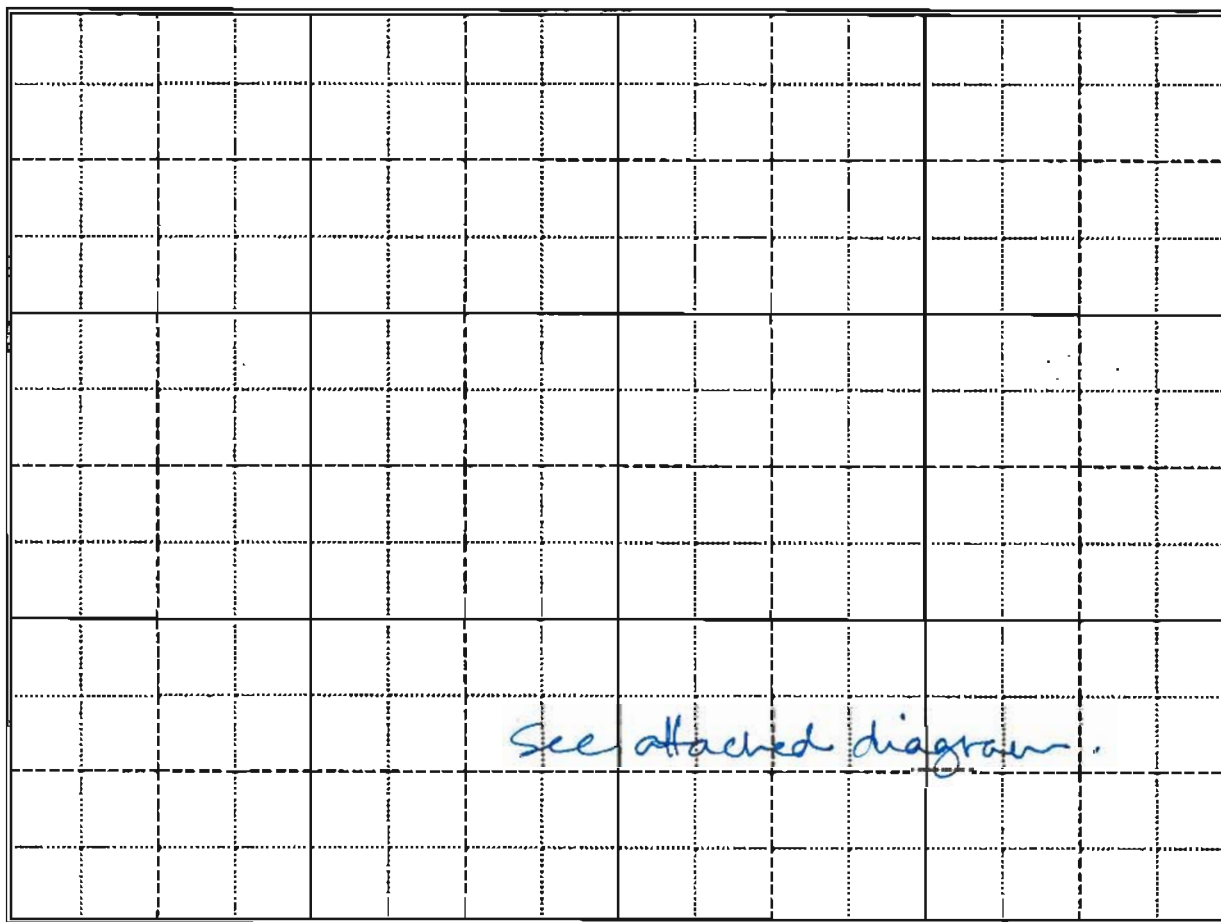
Indicate Method of Determination Above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	30			A		A	A		A						A			
									L.S.										

MICROFILMED

FEB 10 2004

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

 Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

 Aerial Photo Attached (required for Irrigation of 10+ acres)

 Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pigmy Meter				090198		
CMD						

2. Measurements: Open channel measure. See attached
Taken in Golf course Ditch near Maint. Shop. See map.

MICROFILMED

RECEIVED

E. NARRATIVE/REMARKS/COMMENTS

System is a series of small ponds and waterways through Plantation Golf Course. ^{Diversion} ~~Flow~~ is for aesthetic purposes and to provide continuous cleaning flows through ponds. The existing ditch is also used to accept surface water deliveries for irrigation of the golf course (fr. Boise Valley Ditch). P/D is at Silver Lake (Lake Harbor). This lake is used recently as 63-10326. A 14" ^(buried) pipeline carries flows into Pond #1 and continues to Pond #3 where it terminates. A valve is present at Pond #1 to redirect flows. Pond #1 discharges into Pond #2 via a 6" flowthrough pipe. Pond #1 ~~is~~ spills directly to open ditch; Pond #2 discharges to 6" buried pipe which empties into the ditch. The ditch continues west through the golf course and terminates at Lake Elmore.

An open channel measure was conducted near the end of the waterway (see map). Total available flow, however, is dependent on the inflows* assessed at Silver Lake. When irrigation is occurring at Lake Harbor (.45 cfs) outflows to Plantation are slightly reduced; at all other times the total inflow to Silver Lake exits to Plantation Pipeline, up to the capacity of the pipe. (excess may spill to Boise R). A 14" pipe may carry approx 5 cfs ($7' \text{ of } (.58')^2 \times 3.14 \times 5 \text{ ft/sec} = 5.34 \text{ cfs}$) 63-10326 is licensed at 3 cfs & permit is recommended at same (*Inflows to Silver Lake are primarily shallow groundwater)

Overlaps: P/D 63-10326 (Lake Harbor) & 63-10688 (Boise Water well)
P/U 63-00147 & 2360 (Boise Valley Ditch) 63-9248 - groundwater irr.
Both above used for irrigation of golf course.
All other overlaps not significant.

Have conditions of permit approval been met? ☒ yes ☐ no

Claim A63-9833 has been filed. No conflicting overlaps exist which would interfere with licensing.

FEB 10 2004

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

2.45 cfs - open channel measure.

Allow full permitted 3 cfs - see discussion

G. VOLUME CALCULATIONS

Aesthetic Vol: $3 \text{ cfs} \times 365 \text{ days/yr} \times 1.9835 \text{ AF/day/cfs} = 2171.9 \text{ AF}$

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days In Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Aesthetic Storage: All ponds approx 1 ac in surface area.

Pond #1 Aug depth 6' = 6 AF

Pond #2 " " 10' = 10 AF

Pond #3 " " 3' = 3 AF

STORAGE REQUIRED

19 AF Storage. Will NOT full in 24 hrs
(3 cfs x 1.9835 = 6 AF/day)

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
AESTHETIC	Y1	12/31	3.0	2172.0
AESTHETIC STORAGE	Y1	12/31		19.0
DN TO STORAGE	Y1	12/31	3.0	
Totals:			3.0	2172

2. Recommended Amendments * Original Permit holder (Plantation Devel) no longer available. See memo

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☒ Other add storage

I. AUTHENTICATION

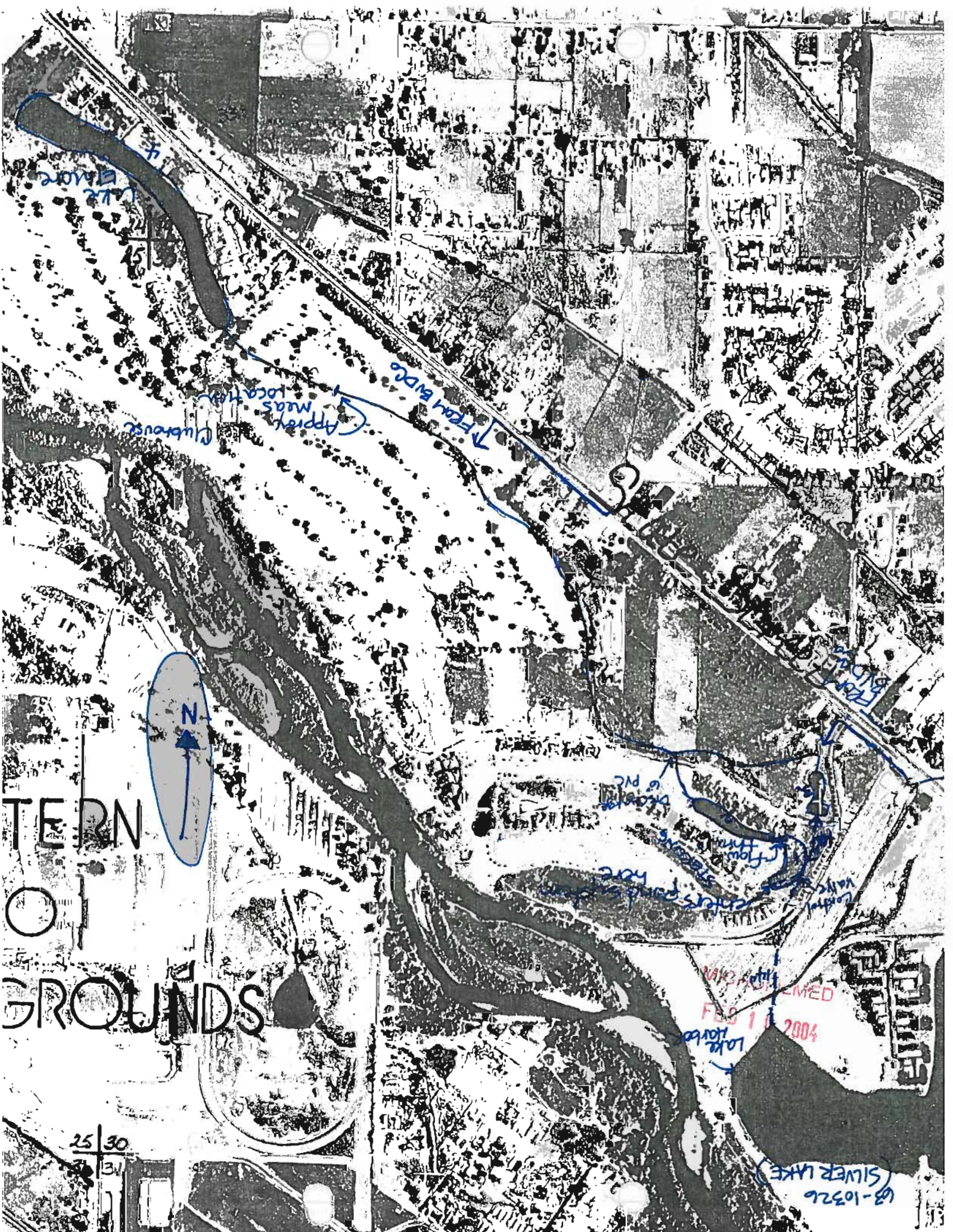
Field Examiner's Name Cindy J. Hodges Date 5/30/96

Reviewer _____ Date _____

SEAL

MICROFILMED

FEB 10 2000



TERN
O
GROUNDS



Appley
meas
location
Clubhouse

Team Bridge

Shoreline
of PNC

Shoreline
of PNC
Shoreline
of PNC

WATER
FEB 1 2004
LAKE

(SILVER LAKE)
03-10326

25	30
31	31

Pipe from Lake Harbor = 14"
On-site pipe = 12"

AUG DEPTHS (

POND #1	6'
POND #2	10'
POND #3	3'
ELMORE	15'

MICROFILMED

FEB 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

July 30, 1996

RICK FENDEL
PETROCK AND FENDEL
1630 WELTON ST STE 200
DENVER CO 80202

*Representing new owners:
(pending)*

National Golf Operating Partnership

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Plantation Golf Course Right Nos. 63-09248 and 63-09633

RECEIVED
AUG 02 1996
Department of Water Resources

Dear Rick:

Enclosed are the promised materials. For each right, I have included proof copies of both the water right record and the claim as filed in the Snake River Basin Adjudication (SRBA) proceedings.

License 63-09248 authorizes seasonal supplemental ground water irrigation on 34 acres within Plantation Golf Course. The attached field inspection report (1988) contains a system description, acreage map and well log. SRBA claim A63-09248 was filed while the right still had a permit status, and therefore appears different than the license. The claim will be adjusted to match the license before decree recommendation.

Permit 63-09633 is a year round appropriation of flows from an unnamed drain for aesthetic purposes. The licensing exam was conducted in 1993 and the water right license has not yet been issued. However, the license recommendation does not differ substantially from the permit as shown. The field inspection report is attached. A licensing amendment will be required for minor modifications to the permitted place of use description. At the time the amendment is mailed, the current manager or owner may take any necessary action.

Idaho legislature has recently added a statutory requirement for all water right holders to provide notice of change in ownership to the Department of Water Resources. For those rights with SRBA claims filed, this requirement may be satisfied by filing the enclosed Change in Water Right Ownership form. There is no fee at this time for this filing and both claims may be shown on one form. A copy of warranty deed or other proof of ownership is required.

The change in ownership information may be forwarded to this office as soon as possessory interest is secured. In the meantime, if you have additional questions, please feel free to contact me.

Sincerely,

Cindy Hodges

Cindy Hodges
Sr. Water Resource Agent

Enclosures

MICROFILMED
FEB 10 2004

MEMORANDUM

May 30, 1996

TO: 63-09633
FROM: Cindy Hodges *chl*
RE: License Amendment

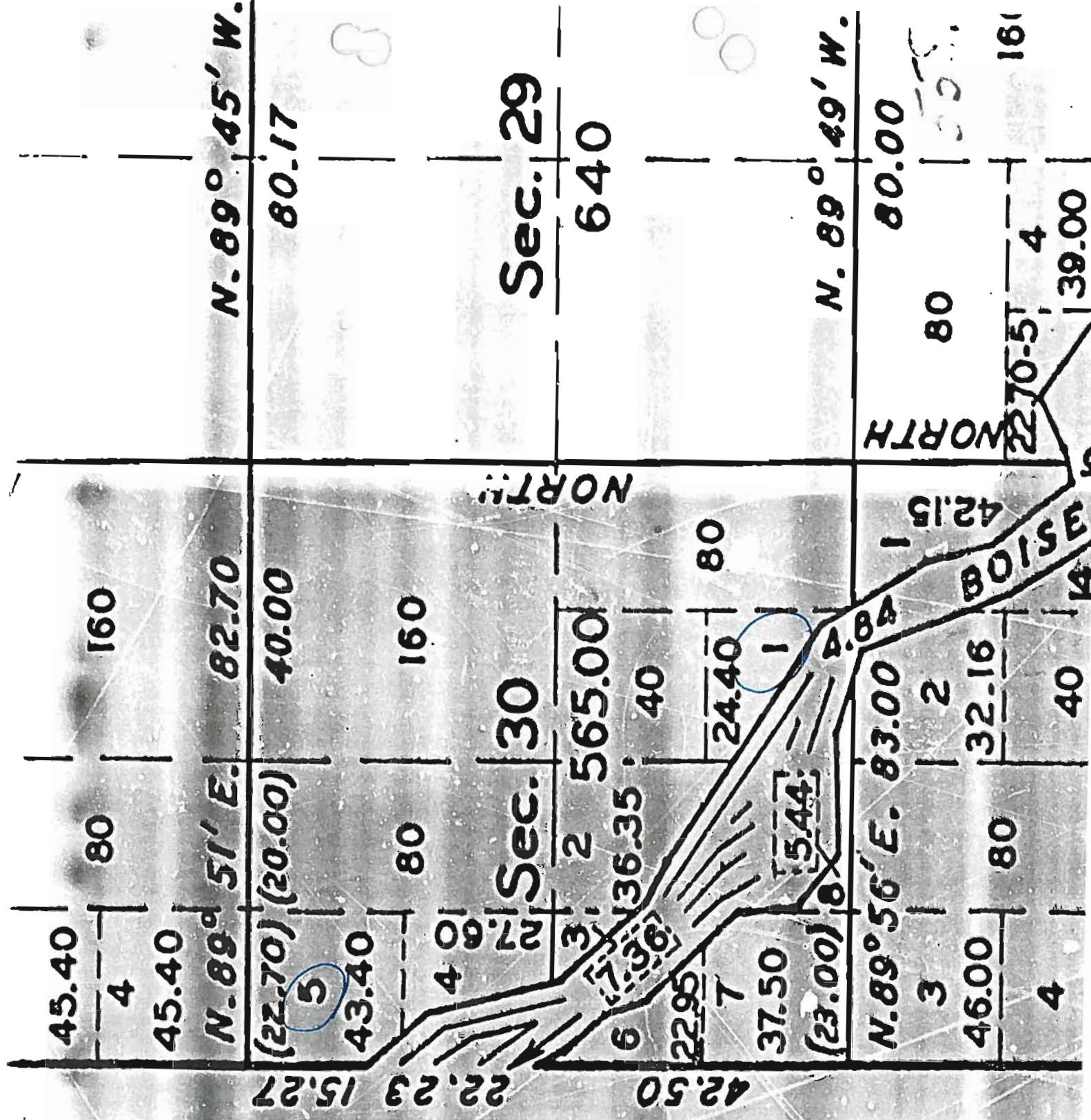
Plantation Golf Course has changed ownership several times in the past few years. When I met with the Club manager in 1991, the owner was MHM Corporation, and an SRBA claim was filed in this name. As of 1995, the Club had a different owner and manager, and ownership change may be pending again.

This permit was filed by Plantation Development, which has likely been dissolved and whose officers are no longer available. Therefore, a permit assignment will not be solicited. I spoke with the present Club manager, Loren Exley, regarding the license amendment which is required and the fact that permit ownership may not be modified without assignment. He will sign the amendment and pay the fees so that licensing may take place. Plantation Golf Course is also in the process of filing a change in ownership for SRBA claims A63-09248 and A63-09633.

Please send the licensing amendment to:

Plantation Golf Course
6515 W State St
Boise Id 83703

MICROFILMED
FEB 10 2004



MICROFILMED
FEB 10 63-9633

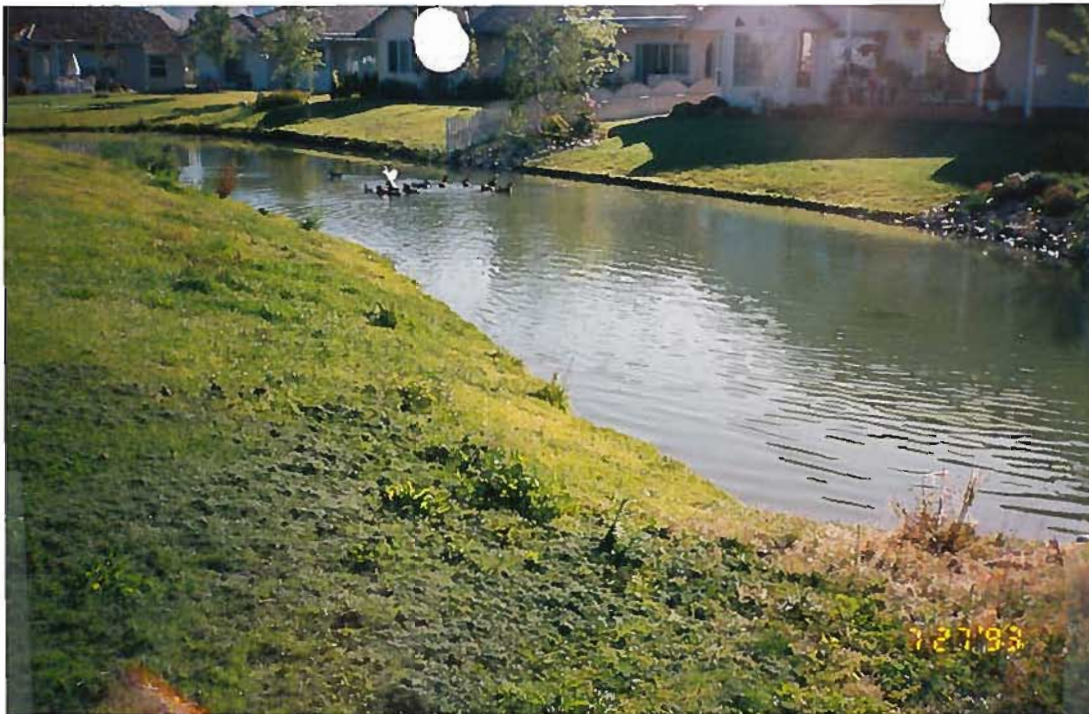
OPEN CHANNEL DISCHARGE MEASUREMENT NOTES (cjh 1/5/92)

1. Name of stream or ditch: PLANTATION GOLF CLUB
2. Location: NWNW S30 T04N R02E
3. Person conducting measure: Cindy Hodges
4. Date and time of measure: 7/27/93 1100
5. Accompanied by: None
6. Measuring device size and ID: Pygmy #090198 w/ CMD
7. Spin test OK? Before: Yes After: Yes
8. Purpose of measure: Assess ditch system capacity

DIST FROM LEW (feet)	WIDTH (feet)	DEPTH (feet)	OBS DEPTH	VELOCITY (at pt)	VELOCITY (avg)	DISCHARGE (cfs)
0.0						
1.0	1.50	0.4	0.6		0.26	0.16
2.0	1.00	0.7	0.2	0.71	0.58	0.40
			0.8	0.44		
3.0	1.00	0.7	0.2	0.78	0.64	0.45
			0.8	0.5		
4.0	1.00	0.8	0.6		0.75	0.60
5.0	1.00	0.7	0.6		0.91	0.64
6.0	1.50	0.3	0.6		0.46	0.21
7.0						

TOT WIDTH 7.0 TOTAL DISCHARGE: 2.45

MICROLOG
FEB 10 2004



Pond #1



Pond #2



Pond #3

MICROFILMED
FEB 10 2004

63.9633

MEMORANDUM

TO: WESTERN REGION

FROM: KAY WALKER

RE: EXAMINATION FEES RECEIVED

DATE: 16-MAR-1989

THESE PERMITS ARE NOW READY FOR EXAMS. I HAVE ENTERED THE "R"
FLAGS INTO THE DATA BASE. ATTACHED ARE COPIES OF EXAM FEE
INFORMATION SHEETS FOR PERMITS 51-2225, 63-9633, 63-9978.

I HAVE ALSO ENTERED AN "N" FLAG FOR PERMIT 78-7134. ATTACHED
IS A COPY OF THE INFORMATION SHEET FOR IT. THANKS. KAY

MICROFILMED

FEB 10 2004

*Plantation Development Inc. was the previous owner of the Plantation Golf Club. The golf course was repossessed by MHM Corp. in October of 1985, and we the MHM Corp. dba Plantation Golf Club are applying for this permit.

4/86

RECEIVED

OCT 07 1988

RECEIVED

OCT 13 1988

Department of Water Resources
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received \$150.00
Date 10/17/88
Receipt # 2002923
Receipt by CP
Sent to S.O.

OCT 14 1988

1. Permit No. 63-9633

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE: Department of Water Resources

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: * Plantation Development Inc.

3. Post Office Address: 6515 W. State St.

Telephone No. 345-4793

4. Source of Water: Spring overflow from Lake Harbor

Department of Water Resources
Western Regional Office

5. Extent of Use:

Domestic (No. of households) Stockwater (No. and type of stock)

Irrigation (acres) Other/Remark Aesthetics

6. Total rate &/or volume for which proof is submitted 2.01/3.0cfs 201/300 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

October 01, 1981

8. Person to contact to accompany the department representative during the field examination:

Jim Bodnar

(Name)

6515 W. State St.

(Address)

345-4793

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

MICROFILMED

FEB 10 1989

Date

Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
* 2.01 - 3.0	201 - 300	150.00 ✓
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

FROM Tim Luke

DATE 10/6/88

TO File

SUBJECT Address & Name change to Permit No. 63-9633

All Future correspondence concerning this right should be
Addressed to :

M H M Corporation (or Plantation Golf Club)

6515 W. State St.

Boise, ID 83703

phone 345-4793

MICROFILMED

FEB 10 2004

Tim Luke

SIGNATURE

345-4793

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MHM Corporation
6515 W. State
Boise, ID 83712

63-9633
~~Plantation Development Inc.~~
1810 Bergeson
Boise, ID 83706
Postmarked 8-11-88

NOT AT THIS ADDRESS Department of Water Resources

[THIS ADDRESS FOR PLANTATION LANDSCAPING]

UND 00 01039441 10/03/88
NOTIFY SENDER OF NEW ADDRESS
RETURN TO SENDER
UNDELIVERABLE/UNKNOWN
USPS USPS *

Collected
ID# 110



RECEIVED
OCT 05 1988

MICROFILMED
FEB 10 2004





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 28, 1988

63-9633
Plantation Development Inc.
6515 W. State
Boise, ID 83703

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit has lapsed for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of Section 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 30, 1986.

When a permit lapses, it can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department within sixty (60) days of the mailing of this notice, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to reinstate the permit. If you have questions, please contact any office of the Department.

Sincerely,

A handwritten signature in cursive script that reads "L. Glen Saxton".

L. GLEN SAXTON, Chief
Operations Bureau

LGS:hm

Enclosure

MICROFILMED

FEB 10 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 28, 1988

63-9633
Plantation Development Inc.
1810 Bergeson
Boise, ID 83706

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit has lapsed for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of Section 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 30, 1986.

When a permit lapses, it can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department within sixty (60) days of the mailing of this notice, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to reinstate the permit. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

LGS:hm

Enclosure

MICROFILMED

FEB 10 2004

Idaho Department of Water Resources
Western Region
Posthouse
Boise, Idaho 83720

RECEIVED
SEP 22 1986

SEP 19 1986
16 SEP
1986

ALWAYS
USE ZIP CODE
IDAH0 0018143
MICROFILMED
FEB 10 200

Department of Water Resources
Western Regional Office

Director

63-9633
PLANTATION DEVELOPM
P.O. BOX 2633
BOISE, ID 83701

PLA 33 001835N1 09/18/86
RETURN TO SENDER
NO FORWARDING ORDER ON FILE
UNABLE TO FORWARD

No Letter
At this Address
Returns to Sender

Send paper
notice to:

State
6515 W. 83703
Boise
Boise 83706
Boise 83706



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

63-9633
PLANTATION DEVELOPMENT INC.
P.O. BOX 2633
BOISE, ID 83701

Mailing address:
Storehouse
Boise, Idaho 83720
(208) 334-2190

September 4, 1986

EXAMINATION FEE REMINDER

Dear Permit Holder:

Earlier this year you were mailed a certified letter by our state office, which described a new law related to your water right permit. The water right permit to which this law applies is identified by the number at the top of the mailing label above. The purpose of this letter is to act as a reminder of the new law and to warn you that your permit is now losing priority daily.

As described in the certified letter, House Bill 671 enacted by the 1986 Idaho Legislature requires payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. The certified letter described the procedure for selecting the latter alternative, whereby you initially notify us regarding which water right examiner you have selected, and provide a statement from the examiner as verification.

The date of priority of your water right permit is now being delayed one day for each day the response is late. Also, if the fee or completed field examination report are not submitted within a year from the sixty-first day after the certified letter was mailed, the permit may be lapsed and rendered invalid. The fee, or notice that a private field examination will be conducted, should be submitted as soon as possible if you wish to maintain your permit in a valid status.

Enclosed please find an Examination Fee Information Sheet, with the License Examination Fee Schedule printed on the back. This sheet should be submitted if either the fee payment option or the private examination option is selected. If you have questions or desire assistance in this matter, please feel free to contact this office.

Sincerely,

David R. Tuthill Jr.

David R. Tuthill, Jr. P.E.
Manager, Western Regional Office

MICROFILMED

FEB 10 2004

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720

63-9633
PLANTATION DEVELOPMENT INC.
P.O. BOX 2633
BOISE, ID 83701

138963

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

MICROFILMED

FEB 10 1986

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

FEB 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

A. Kenneth Dunn

Director

(208) 334-2190

November 20, 1981

Plantation Development, Inc.
P.O. Box 2633
Boise, Idaho 83701

RE: 73-8633

Dear Gentlemen:

We acknowledge receipt of your statement submitted as proof as beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense

Judy Pense
Secretary

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138814

PLANTATION DEVELOPMENT INC.
P.O. BOX 2633
BOISE, ID 83701

SEPTEMBER 30, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-9633 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

RECEIVED
SEP 30 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

PLANTATION DEVELOPMENT INC.
P.O. BOX 2633
BOISE, ID 83701

DECEMBER 01, 1980

RE: PERMIT NO. 63-9633

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE EXERCISE OF THIS PERMIT MAY ALSO BE AFFECTED BY THE COURT'S DETERMINATION OF WATER RIGHTS IN THE CASE OF IDAHO POWER COMPANY V. STATE OF IDAHO, ET AL., CIVIC NO. 62237, CURRENTLY PENDING BEFORE THE DISTRICT COURT OF ADA COUNTY. SINCE THE USE OF WATER UNDER YOUR PERMIT MAY AFFECT THE FLOWS IN THE SNAKE RIVER BETWEEN MILNER DAM AND HELLS CANYON, THE FINAL DECISION IN THIS CASE MAY DETERMINE TO WHAT EXTENT THE EXERCISE OF YOUR PERMIT IS SUBJECT TO WATER RIGHTS OF IDAHO POWER. WHILE THE ADA COUNTY COURT IS EXAMINING THIS QUESTION, IDAHO POWER COMPANY HAS NOT FILED A SPECIFIC PROTEST TO YOUR PERMIT. HOWEVER, THE DEPARTMENT OF WATER RESOURCES HAS BEEN ADVISED THAT THE POWER COMPANY IS NOT WAIVING ANY OF ITS RIGHTS TO CONTEST OR LIMIT THE EXERCISE OF YOUR PERMIT OR SUBSEQUENT LICENSE.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Cem

APPLICATION NUMBER: 63-9633
PLANTATION PERM

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 10-3-80 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10/24/80 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 63
10/6/80 Date of priority recommended.
Special conditions of approval or cover letter. Right-of-way clause
I. P. letter
W.M. condition

By: DBS Date: 11/3/80 MICROFILMED

STATE OFFICE REVIEW:

SLW/L05 04, 05 (63 Box R.)

☐ See attached sheet for more information.
By: Robyn Date: 11/2/80

63-9633-

PLANTATION DEVELOPMENT INC.

P.O. BOX 2633, BOISE, ID 83701

Source: DRAINAGE DITCH tributary to BOISE RIVER

Date Filed: 10/06/1980

Amount: 3.00 CFS

Diversion Point: LOT 01 Sec 30 T 04N R 02E, ADA Co.

Use: AESTHETICS (3.00 CFS) from 01/01 to 12/31

Place of Use: NWSE NESW NENW SENW Sec 30 T 04N R 02E

Diversion Means: LAKES, DITCHES & PIPES.