

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 11 2020
DEPARTMENT OF
WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1199

This Lease Contract ("**Lease**") is between the Idaho Water Resource Board ("**Board**"), and

LESSOR: TETON RESERVE MASTER ASSOCIATION INC
PO BOX 838
VICTOR, ID 83455-0838

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on December 10, 2019.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
22-13210	3/24/1981	GROUND WATER, tributary to	0.26	45.5	13
Combined Lease Totals			0.26	45.5	13

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2020 to December 31, 2021. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.

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5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

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WATER SUPPLY BANK LEASE CONTRACT No. 1199

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

LESSOR: TETON RESERVE MASTER ASSOCIATION INC

PO BOX 838

VICTOR, ID 83455-0838

By Michael H. Patton

Title Secretary

Date 6 August 2020

IDAHO WATER RESOURCE BOARD

322 East Front Street

P.O. Box 83720

Boise, ID 83720-0098

By Brian Patton

Brian Patton, Acting Administrator
Idaho Water Resource Board

Date 08/12/20

Lease approved by IDWR TP

Date 08/12/20

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1199

ATTACHMENT A
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 22-13210

GROUND WATER NENE Sec. 35 Twp 04N Rge 45E TETON County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
22-13210	IRRIGATION	04/15	to	10/15	0.26 cfs	45.5 AF
Totals:					0.26 cfs	45.5 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	36		1.0	12														13

Total Acres: 13

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.

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WATER SUPPLY BANK LEASE CONTRACT No. 1199

10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. The unleased extent of water rights 22-13210 is limited to a maximum diversion rate of 1.30 cfs and 228 af, for the irrigation of 65 acres.
13. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.






Water Supply Bank Lease Contract No. 1199

22-13210

Effective until December 31, 2021

This map depicts the **place of use to be idled** pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



-  Approved Lease Point of Diversion
 Approved Lease Place of Use
 Township/Range
 Sections
 QQ



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

DEC 10 2019

Department of Water Resources
Eastern Region

**APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**

Designated Applicant Teton Reserve Master Association, Inc.
(Select one owner – see item 1A on the application)

Water Right No. 22-13210
(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? Yes ☐ No ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MIMUMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

Yes

- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*.
- ☒ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
- ☒ Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment N/A Yes

- | | | | |
|----|-------------------------------------|-------------------------------------|--|
| 1A | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Signatures and contact information for all owners of the water right to be leased or sold on this application. |
| 1B | <input type="checkbox"/> | <input type="checkbox"/> | An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant. |
| 1C | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <i>Notice of Change in Water Right Ownership</i> form (accessible from www.idwr.idaho.gov). |
| 1D | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity. |
| 2 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Description of a water right portion offered to the Water Supply Bank. |
| 3 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov . |
| 4A | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Written consent from irrigation district or water delivery company. |
| 4G | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code . |

Department Use Only

Fee Amount \$ <u>500.00</u>	Received By: <u>CH</u>	Date Received: <u>12/10/19</u>	Receipt # <u>E045499</u>
W-9 received? Yes <input type="checkbox"/> No <input type="checkbox"/> (Route W-9 to Fiscal)		Name on W-9:	

1554

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Teton Reserve Master Association, Inc.

Mailing Address 1732 Canyon Oaks Drive Mt. Pleasant South Carolina 29464
Street City State Zip Code

Email Address _____ Phone Number _____

☒ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☒
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☐ No ☒
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☒ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Luke Marchant Organization Holden, Kidwell, Hahn & Crapo, P.L.L.C.

Professional Title Attorney Email Address lmarchant@holdenlegal.com

Mailing Address PO Box 50130, Idaho Falls, ID 83405 Phone Number (208) 523-0620

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☒ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank.

OR

☒ A part of the water right is being offered to the Bank.

If a portion of the water right is being offered, **complete Attachment 2.**

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3.**

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

- B. Please provide a description of the current water diversion and delivery system.

Well and pump into pressurized pipeline.

- C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. Water Right No. 22-7347 is also used for irrigation on the same permissible place of use.

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒

Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒

If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased. _____

- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. This water right was not fully utilized in the last five years, but was protected from non-use under an approved Application for Extension of Time to Avoid Forfeiture.

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☒ No ☐

If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed. This water right was not fully utilized in the last five years, but was protected from non-use under an approved Application for Extension of Time to Avoid Forfeiture.

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?

If yes, describe.

Yes ☒ No ☐

An Application for Transfer will be submitted to IDWR at the same time that this Application is submitted to the Water Bank. That application will stack the water rights and create a permissible place of use.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

- A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒.

If lease, specify the years when the use of water will be suspended: 2020 to 2021 (maximum lease period 5 calendar years).
(Year) (Year)

- B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

Current rental rate.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Signature of Designated Applicant



Signature of Authorized Representative

Printed Name

Luke H. Marchant

Printed Name

Date

12/10/2019

Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	6 City, state, and ZIP code	
7 List account number(s) here (optional)		

Part I Taxpayer Information

Enter your TIN in the appropriate box for backup withholding. For individuals who are U.S. resident aliens, sole proprietorships, and other entities, it is your employer identification number (EIN) on page 3.

Note. If the account is in more than one name, enter the TIN guidelines on whose number to enter.

Will be submitted when received from client.

Security number								
-			-					
Identification number								
			-					

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign
Here

Signature of
U.S. person ▶

Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)

- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

STATE OF IDAHO
WATER RESOURCE BOARD

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1. <u>Water Right Number</u>	<u>Nature of Use</u>	<u>Leased Rate</u> (cfs)	<u>Leased Volume</u> (af)	<u>Leased Acres</u> (ac)
22-13210	Irrigation	0.534	94.5	26.7
Total Amounts:		0.534	94.5	26.7

2. Source of water Ground Water tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
04N	45E	35			NE	NE	Teton

This aerial map displays a large land parcel, primarily colored green with diagonal hatching, and a smaller, irregularly shaped parcel to its west, colored red with diagonal hatching. The map is overlaid with a grid of yellow lines representing section boundaries. Various survey labels are present throughout the map, including 'SESW', 'SWSE', 'SESE', 'SWSW', 'NENE', 'NWNW', 'NENW', 'NWNE', 'SENE', 'SWNE', 'SENW', 'SWNW', '4N 45E', 'NESE', 'NWSW', 'NESW', 'NWSE', 'NESE', 'SESE', 'SWSW', 'SESW', 'SWSE', and 'SESE'. The map also shows a road labeled '26' at the top, a road labeled '35' on the left, and a road labeled '36' on the right. A blue line, possibly a water feature or boundary, runs horizontally across the top of the green hatched area. A red line runs vertically through the center of the map, separating the red hatched area from the green hatched area. A small green dot is located in the red hatched area, and a small white dot is located in the green hatched area.



Prepared by:
Luke H. Marchant
12/09/2019

AFTER RECORDING MAIL TO:

Teton Reserve Master Association, Inc.
1732 Canyon Oaks Drive
Mt. Pleasant, SC 29464

RECEIVED

JAN 29 2020

DEPT OF WATER RESOURCES

QUITCLAIM DEED

For Value Received, **TR Golf, LLC**, do(es) hereby convey, release, remise, and forever quit claim unto **Teton Reserve Master Association, Inc.**, whose address is **1732 Canyon Oaks Drive, MT Pleasant, SC 29464**, herein after called the Grantee, the following described premises situated in **Teton County, Idaho**, to-wit:

SEE ATTACHED EXHIBIT A

together with its appurtenances.

Dated: 12/4/15

TR Golf, LLC

By: [Signature]

Bruce Hollis, Manager

STATE OF South Carolina)
COUNTY OF Charleston)

On this 4 day of December, 2015, before me, a Notary Public in and for said State, personally appeared **Bruce Hollis**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **TR Golf, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



[Signature]
Notary Public of
Residing at: 3080 Ironclad Alley
Commission Expires: 08-27-2023



DIOPTRA

A Company of Geomatics Professionals

Parcel 1

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho, described as;

Commencing at the Northwest Corner of Section 36, Township 4 North, Range 45 East, thence running N 89°41'33" E 125.18 feet along the north line of said section 36; thence S 00°00'00" E 53.92 feet to the intersection of the south right of way line of county road 600 South and the east right of way line of Red Fox Way point being the True Point of Beginning;

Thence S 00°43'15" E 90.40 feet along the east right of way line of Red Fox Way to a point on a curve to the left;

Thence along said curve to the left 24.37 feet (Curve Data: Radius = 50.00', Delta = 27°55'12", Chord = S 14°40'51" E 24.13');

Thence S 28°38'29" E 15.58 feet along the east right of way line of Red Fox Way to a point on a curve to the left;

Thence along said curve to the left 23.56 feet (Curve Data: Radius = 15.00', Delta = 89°59'48", Chord = S 73°38'31" E 21.21') to the north right of way line of Red Fox Lane;

Thence continuing along the north right of way line of Red Fox Lane part of Teton Reserve Amended Phase 1 Instrument # 153218 for the following 9 courses:

- (1) N 61°21'30" E 93.69 feet to a point on a curve to the right;
- (2) Thence along said curve to the right 263.82 feet (Curve Data: Radius = 375.00', Delta = 40°18'34", Chord = N 81°30'46" E 258.42');
- (3) Thence S 78°19'56" E 130.23 feet to a point on a curve to the left;
- (4) Thence along said curve to the left 156.63 feet (Curve Data: Radius = 394.99', Delta = 22°43'12", Chord = S 89°41'32" E 258.42');
- (5) Thence N 78°56'53" E 71.38 feet to a point on a curve to the right;

(6) Thence along said curve to the right 97.29 feet (Curve Data: Radius = 415.01', Delta = 13°25'56", Chord = N 85°39'52" E 97.07');

(7) Thence S 87°37'09" E 228.96 feet to a point on a curve to the left;

(8) Thence along said curve to the left 80.89 feet (Curve Data: Radius = 50.00', Delta = 92°41'16", Chord = N 46°02'11" E 72.35');

(9) Thence N 00°18'29" W 17.37 feet to the south right of way line of 600 South;

Thence S 89°23'30" W 111.32 feet along the south right of way line of 600 South;

Thence S 89°58'32" W 992.31 feet along the south right of way line of county road 600 South to the Point of Beginning.

Parcel Contains ±1.7 acres

CTP/SKW

October 9, 2015

Z:\projects\2015 Projects\15025-Teton Reserve\Legals\Parcel 1.doc





Parcel 2

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho, described as;

Commencing at the Northwest Corner of Section 36, Township 4 North, Range 45 East, thence running N 89°41'33" E 1996.78 feet along the north line of said section 36; thence S 00°00'00" E 54.21 feet to the intersection of the south right of way line of county road 600 South and the east right of way line of Silver Fox Lane point being the True Point of Beginning;

Thence along said Silver Fox Lane part of Teton Reserve Amended Phase 1 Instrument #153218 for the following 11 courses:

- (1) S 00° 43'15" E 27.14 feet to a point on a curve to the left;
- (2) Thence along said curve to the left 83.56 feet (Curve Data: Radius = 50.00', Delta = 95°45'31", Chord = S 48°35'59" E 74.17'),
- (3) Thence N 83°31'17" E 254.37 feet to a point on a curve to the right,
- (4) Thence along said curve to the right 343.63 feet (Curve Data: Radius = 1500.00', Delta = 13°07'33", Chord = S 89°54'56" E 342.88'),
- (5) Thence S 83°21'10" E 229.31 feet to a point on a curve to the left,
- (6) Thence along said curve to the left 167.03 feet (Curve Data: Radius = 400.00', Delta = 23°55'32", Chord = N 84°41'05" E 165.82'),
- (7) Thence N 72°43'20" E 40.04 feet to a point on a curve to the right,
- (8) Thence along said curve to the right 99.54 feet (Curve Data: Radius = 239.99', Delta = 23°45'50", Chord = N 84°36'13" E 98.83'),
- (9) Thence S 83°30'53" E 102.59 feet to a point on a curve to the left,
- (10) Thence along said curve to the left 84.72 feet (Curve Data: Radius = 50.00', Delta = 97°05'08", Chord = N 47°56'35" E 74.94'),

(11) Thence N 00°36'03" W 13.58 feet to the south right of way line of 600 South;

Thence S 89°23'30" W 1338.62 feet along the south right of way line of county road 600 South to the Point of Beginning.

Parcel Contains ±1.9 acres

CTP/SKW

October 9, 2015

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DIOPTRA

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Parcel 3

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the Northwest Corner of Section 36, Township 4 North, Range 45 East, thence
running N 89°41'33" E 1794.54 feet along the north line of said section 36; Thence
S 00°00'00" E 55.27 feet to a point on the south right of way line of county road 600 South point
being the True Point of Beginning;

Thence S 11°15'33" E 172.40 feet;

Thence S 55°43'44" E 160.74 feet;

Thence S 89°35'35" E 1023.17 feet;

Thence N 85°20'23" E 479.45 feet;

Thence S 32°12'35" E 197.19 feet;

Thence S 16°09'58" W 378.52 feet;

Thence S 21°58'15" E 70.21 feet;

Thence S 16°09'58" W 613.18 feet;

Thence S 17°59'03" E 112.72 feet;

Thence S 43°39'16" E 128.66 feet;

Thence S 37°51'28" W 72.41 feet to a point on a non-tangent curve to the left;

Thence along said non-tangent curve to the left 97.34 feet (Curve Data: Radius = 130.00',
Delta = 42°54'08", Chord = S 54°54'15" W 95.08');

Thence N 65°23'49" W 151.55 feet;

Thence S 24°36'11" W 457.00 feet;

Thence S 06°34'35" E 274.05 feet to a point on the north right of way of Teton Reserve Drive, a non-tangent curve to the left;

Thence along said curve to the left 230.39 feet (Curve Data: Radius = 520.00', Delta = 25°23'07", Chord = N 72°50'02" E 228.51') to the intersection of the north right of way of Teton Reserve Drive and the east right of way of Snow Goose Circle;

Thence N 29°51'32" W 40.77 feet along the east right of way of Snow Goose Circle to the Southeast corner of lot 6 block 4 of Teton Reserve Snow Goose/Trumpet Swan Instrument #172907;

Thence along the southerly line of said lot 6 block 4 S 60°08'28" W 150.00 feet to the southwest corner of said lot;

Thence along the westerly line of said lot and block N 31°31'11" W 120.26 feet to the northwest corner of lot 6;

Thence along the westerly line of lot 5 block 4 of said subdivision N 06°34'35" W 139.27 feet to the west corner of lot 5;

Thence along the westerly line of block 4 of said subdivision N 24°36'11" E 431.42 feet to the northwest corner of lot 1 block 4;

Thence along the north line of said lot 1 S 65°23'49" E 150.00 feet to the northeast corner of lot 1 block 4, point also being on a non-tangent curve to the right;

Thence along said curve to the right 125.55 feet (Curve Data: Radius = 110.00', Delta = 65°23'49", Chord = N 57°18'06" E 118.85') to the southwest corner of lot 1 block 1;

Thence along the westerly line of said lot 1 block 1 for the following 4 courses:

(1) N 00°23'21" W 23.00 feet,

(2) Thence N 37°51'28" E 48.92 feet,

(3) Thence N 00°51'58" E 23.61 feet,

(4) Thence N 43°39'16" W 126.97 feet to the west corner of lot 2 block 8 of Teton Reserve Peregrine Instrument #172906;

Thence along the westerly line of block 8 of said subdivision for the following 4 courses:

(1) N 17°59'03" W 102.02 feet to the west corner of lot 3,

(2) Thence N 16°09'58" E 613.95 feet to the northwest corner of lot 8,

(3) Thence N 21°58'15" W 70.21 feet to the northwest corner of lot 9,

(4) Thence N 16°09'58" E 339.81 feet to the northwest corner of lot 12;

Thence along the north line of block 8 of said subdivision N 89°24'02" E 297.36 feet to the north east corner of lot 13;

Thence along the west right of way of Teton Reserve Drive being a non-tangent curve to the left for a distance of 56.21 feet (Curve Data: Radius = 870.00', Delta = 03°42'07", Chord = N 02°23'17" E 56.20') to a point on the west right of way of said drive;

Thence N 00°32'13" E 393.75 feet along the west right of way of said drive to the south right of way of county road 600 South;

Thence S 89°23'30" W 521.60 feet along the south right of way of county road 600 South to the east right of way of Silver Fox Lane;

Thence S 00°36'03" E 13.58 feet along the east right of way of said lane to a point on a curve to the right;

Thence along said curve to the right 37.06 feet (Curve Data: Radius = 73.99', Delta = 28°41'55", Chord = S 13°44'53" W 36.68') to the northeast corner of lot 15 block 3 of Teton Reserve Amended Phase 1 Instrument # 153218;

Thence S 61°54'14" E 160.93 feet along the easterly line of lot 15 block 3 of said subdivision to the easterly corner of said lot;

Thence S 41°11'33" W 99.51 feet along the southerly line of lot 15 block 3;

Thence S 69°46'36" W 101.84 feet along said the southerly line of lot 15 block 3;

Thence S 85°20'23" W 349.33 feet along the southerly line of block 3 of said subdivision;

Thence N 89°35'35" W 1016.20 feet along the southerly line of block 3 of said subdivision;

Thence N 55°43'44" W 146.48 feet along the southerly line of lots 1 and 2;

Thence N 11°15'33" W 89.29 feet along the easterly line of lot 1 block 3 to the northwest corner of lot 1 block 1;

Thence N 72°56'23" E 150.97 feet along the northerly line of lot 1 to the northeast corner of said lot;

Thence N 00°43'15" W 27.19 feet along the west right of way of Silver Fox Lane to the south right of way of county road 600 South;

Thence S 89°23'30" W 178.24 feet along the south right of way of said county road to the Point of Beginning.

Parcel Contains ±6.6 acres

CTP/SKW

October 9, 2015

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DIOPTRA

A Company of Geomatics Professionals

Parcel 4

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho, described as;

Commencing at the North Quarter Corner of Section 36, Township 4 North, Range 45 East, thence running N 89°24'30" E 1336.22 feet along the north line of said section 36 to the East 1/16th corner of said section; Thence S 00°32'58" W 50.00 feet to the south right of way line of county road 600 South point being the True Point of Beginning;

Thence S 00°32'58" W 845.41 feet along the east 1/16th line to the northeast corner of lot 2 block 9 of Teton Reserve Peregrine Subdivision Instrument # 172906;

Thence S 89°29'56" W 225.89 feet to the northwest corner of lot 1 block 9 of said subdivision;

Thence along a non-tangent curve to the left 169.03 feet (Curve Data: Radius = 710.01', Delta = 13°38'26", Chord = S 20°02'26" W 168.63') to the north right of way of Peregrine Lane;

Thence N 77°44'53" W 10.00 feet along the north right of way of Peregrine Lane to a point on a non-tangent curve to the right point also being on the east right of way of Teton Reserve Drive;

Thence along said Teton Reserve Drive for the next 3 courses:

(1) Along said non-tangent curve to the right 188.87 feet (Curve Data: Radius = 720.00', Delta = 15°01'48", Chord = N 20°43'19" E 188.33') to a point on a reverse curve to the left,

(2) Thence along said curve to the left 449.61 feet (Curve Data: Radius = 930.00', Delta = 27°42'00", Chord = N 14°23'13" E 445.25'),

(3) Thence N 00°32'13" E 395.13 feet to the south right of way of county road 600 South;

Thence N 89°23'30" E 120.59 feet along the south right of way of county road 600 South to the Point of Beginning.

Parcel Contains ±2.8 acres

CTP/SKW

October 9, 2015

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DIOPTRA

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Parcel 5

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho, described as;

Commencing at the North Quarter Corner of Section 36, Township 4 North, Range 45 East, thence running N 89°24'29" E 1185.42 feet along the north line of said section 36; thence S 00°00'00" W 20.04 feet to the intersection of county road 600 South and Teton Reserve Drive;

Thence along the centerline of Teton Reserve Drive for the next 3 courses;

(1) S 00°32'13" W 424.36 feet to a curve to the right,

(2) Thence along said curve to the right 272.11 feet (Curve Data: Radius = 900.00', Delta = 17°19'23", Chord = S 09°11'54" W 271.08') to a curve to the right;

(3) Thence along said curve to the right 12.00 feet (Curve Data: Radius = 900.00', Delta = 00°45'51", Chord = S 18°14'32" W 12.00'); thence N 72°54'15" W 45.57 feet to the south right of way of Peregrine Circle part of Teton Reserve Peregrine Subdivision Instrument # 172906 point also being the True Point of Beginning;

Thence N 72°54'15" W 90.13 feet to a curve to the left;

Thence along said curve to the left 47.03 feet (Curve Data: Radius = 26.00', Delta = 103°38'55", Chord = S 55°16'17" W 40.88') to a reverse curve to the right;

Thence along said curve to the right 88.48 feet (Curve Data: Radius = 162.00', Delta = 331°17'31", Chord = S 19°05'35" W 87.38') to a reverse curve to the left;

Thence along said curve to the left 22.09 feet (Curve Data: Radius = 10.00', Delta = 126°32'51", Chord = S 28°32'05" E 17.86') to a reverse curve to the right;

Thence along said curve to the right 93.78 feet (Curve Data: Radius = 172.00', Delta = 31°14'25", Chord = S 76°11'17" E 92.63') to a reverse curve to the left;

Thence along said curve to the left 24.40 feet (Curve Data: Radius = 15.00', Delta = 93°11'01", Chord = N 72°50'25" E 21.79') to a reverse curve to the left;

Thence along said curve to the right 99.27 feet (Curve Data: Radius = 870.00',
Delta = $06^{\circ}32'16''$, Chord = N $22^{\circ}58'46''$ E 99.22') to a reverse curve to the left;

Thence along said curve to the left 24.25 feet (Curve Data: Radius = 15.00', Delta = $92^{\circ}36'53''$,
Chord = N $26^{\circ}35'49''$ W 21.69') to the Point of Beginning.

Parcel Contains ± 0.4 acres

CTP/SKW

October 9, 2015

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Parcel 6

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the North Quarter Corner of Section 36, Township 4 North, Range 45 East,
thence running N 89°24'29" E 1185.42 feet along the north line of said section 36; thence
S 00°00'00" W 20.04 feet to the intersection of county road 600 South and Teton Reserve Drive;
Thence along the centerline of Teton Reserve Drive for the next 5 courses:

(1) S 00°32'13" W 424.36 feet to a curve to the right,

(2) Thence along said curve to the right 272.11 feet (Curve Data: Radius = 900.00',
Delta = 17°19'23", Chord = S 09°11'54" W 271.08') to a curve to the right,

(3) Thence along said curve to the right 163.00 feet (Curve Data: Radius = 900.00',
Delta = 10°22'36", Chord = S 23°02'54" W 162.77') to a reverse curve to the left,

(4) Thence along said curve to the left 209.24 feet (Curve Data: Radius = 750.00',
Delta = 15°59'06", Chord = S 20°14'40" W 208.56'),

(5) Thence S 12°15'07" W 12.00 feet;

Thence S 77°44'53" E 30.00 feet to the south right of way of Peregrine Lane part of Teton
Reserve Peregrine Subdivision Instrument # 172906 point also being the True Point of
Beginning;

Thence S 77°44'53" E 10.00 feet to a curve to the left;

Thence along said curve to the left 97.35 feet (Curve Data: Radius = 247.75', Delta = 22°30'48",
Chord = S 89°00'17" E 96.72') to a curve to the right;

Thence along said curve to the right 14.98 feet (Curve Data: Radius = 8.00', Delta = 107°16'44",
Chord = S 46°37'19" E 12.88') to a curve to the left;

Thence along said curve to the left 65.53 feet (Curve Data: Radius = 177.00', Delta = 21°12'46",
Chord = S 03°35'20" E 65.16') to a curve to the right;

Thence along said curve to the right 13.12 feet (Curve Data: Radius = 8.00', Delta = 93°56'34", Chord = S 32°46'34" W 11.70");

Thence S 79°44'51" W 36.73 feet to a point on a curve to the right;

Thence along said curve to the right 87.88 feet (Curve Data: Radius = 223.75', Delta = 22°30'16", Chord = N 89°00'01" W 87.32');

Thence N 77°44'53" W 10.00 feet to the intersection of the east right of way of Teton Reserve Drive and the north right of way of Peregrine Lane;

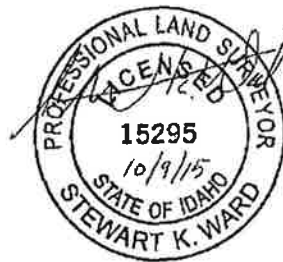
Thence N 12°15'07" E 92.53 feet along the east right of way of Teton Reserve Drive to the Point of Beginning.

Parcel Contains ±0.3 acres

CTP/SKW

October 9, 2015

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DIOPTRA

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Parcel 7

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the North Quarter Corner of Section 36, Township 4 North, Range 45 East,
thence running N 89°24'29" E 1185.42 feet along the north line of said section 36; Thence
S 00°00'00" W 20.04 feet to the intersection of county road 600 South and Teton Reserve Drive;
Thence along the centerline of Teton Reserve Drive for the next 5 courses:

- (1) S 00°32'13" W 424.36 feet to a curve to the right,
- (2) Thence along said curve to the right 272.11 feet (Curve Data: Radius = 900.00',
Delta = 17°19'23", Chord = S 09°11'54" W 271.08') to a curve to the right,
- (3) Thence along said curve to the right 163.00 feet (Curve Data: Radius = 900.00',
Delta = 10°22'36", Chord = S 23°02'54" W 162.77') to a reverse curve to the left,
- (4) Thence along said curve to the left 209.24 feet (Curve Data: Radius = 750.00',
Delta = 15°59'06", Chord = S 20°14'40" W 208.56'),
- (5) Thence S 12°15'07" W 27.43 feet;

Thence N 77°44'53" W 30.00 feet to the west right of way of Teton Reserve Drive part of Teton
Reserve Peregrine Subdivision Instrument # 172906 point also being the True Point of
Beginning;

Thence S 12°15'07" W 357.17 feet along the west right of way of Teton Reserve Drive to a
curve to the right;

Thence along said curve to the right 23.56 feet (Curve Data: Radius = 15.00', Delta = 90°00'00",
Chord = S 57°15'07" W 21.21') to the north right of way of Peregrine Drive;

Thence N 77°44'53" W 40.97 feet along the north right of way of Peregrine Drive to a curve to
the right;

Thence along the east right of way line of Peregrine Drive for the next 5 courses:

(1) Along said curve to the right 47.01 feet (Curve Data: Radius = 26.00',
Delta = 103°35'32", Chord = N 25°57'07" W 40.86'),

(2) Thence N 25°50'39" E 123.64 feet to a curve to the left,

(3) Thence along said curve to the left 40.24 feet (Curve Data: Radius = 112.00',
Delta = 20°35'02", Chord = N 15°33'08" E 40.02'),

(4) Thence N 05°15'37" E 155.53 feet to a curve to the right,

(5) Thence along said curve to the right 60.60 feet (Curve Data: Radius = 36.00',
Delta = 96°26'26", Chord = N 53°28'50" E 53.69') to the south right of way of Peregrine Drive;

Thence S 78°17'57" E 18.28 feet along the south right of way of Peregrine Drive to a curve to
the right;

Thence along said curve to the right 23.71 feet (Curve Data: Radius = 15.00', Delta = 90°33'04",
Chord = S 33°01'25" E 21.31') to the Point of Beginning.

Parcel Contains ±0.6 acres

CTP/SKW

October 9, 2015

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DIOPTRA

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Parcel 8

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the North Quarter Corner of Section 36, Township 4 North, Range 45 East,
thence running N 89°24'29" E 1336.22 feet along the north line of said section 36 to the East
1/16th corner of said section; Thence S 00°32'58" W 1345.49 feet to the southeast corner of lot 4
block 9 of Teton Reserve Peregrine Subdivision Instrument # 172906 point being the True Point
of Beginning;

Thence S 00°32'58" W 300.05 feet along the east 1/16th line to the northeast corner of lot 3 block
7 of Teton Reserve Snow Goose/Trumpet Swan Subdivision Instrument # 172907;

Thence S 89°29'56" W 415.68 feet to the northwest corner of lot 1 block 7 of said subdivision;
Thence N 12°15'07" E 468.82 feet along the east right of way of Teton Reserve Drive to the
south right of way of Peregrine Lane;

Thence S 77°44'53" E 10.00 feet along the south right of way of Peregrine Lane to the northwest
corner of lot 5 block 9 of Teton Reserve Peregrine Subdivision Instrument # 172906;

Thence S 12°15'07" W 158.97 feet along the westerly line of said lot 5 to the southwest corner
of said lot 5;

Thence N 89°29'56" E 343.03 feet along the south line of block 9 of said subdivision to the
Point of Beginning.

Parcel Contains ±2.7 acres

CTP/SKW

October 9, 2015

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Parcel 9

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the North Quarter Corner of Section 36, Township 4 North, Range 45 East,
thence running N 89°24'29" E 1185.42 feet along the north line of said section 36; Thence
S 00°00'00" W 20.04 feet to the intersection of county road 600 South and Teton Reserve Drive;
Thence along the centerline of Teton Reserve Drive for the next 5 courses:

(1) S 00°32'13" W 424.36 feet to a curve to the right,

(2) Thence along said curve to the right 272.11 feet (Curve Data: Radius = 900.00',
Delta = 17°19'23", Chord = S 09°11'54" W 271.08') to a curve to the right,

(3) Thence along said curve to the right 163.00 feet (Curve Data: Radius = 900.00',
Delta = 10°22'36", Chord = S 23°02'54" W 162.77') to a reverse curve to the left,

(4) Thence along said curve to the left 209.24 feet (Curve Data: Radius = 750.00',
Delta = 15°59'06", Chord = S 20°14'40" W 208.56'),

(5) Thence S 12°15'07" W 806.59 feet;

Thence N 77°44'53" W 30.00 feet to the west right of way of Teton Reserve Drive and the South
right of way of Snow Goose Circle part of Teton Reserve Snow Goose/Trumpet Swan
Subdivision # 172907, point also being the True Point of Beginning;

Thence S 12°15'07" W 178.37 feet along the westerly right of way of Teton Reserve Drive to a
curve to the right;

Thence along said curve to the right 374.50 feet (Curve Data: Radius = 520.00',
Delta = 41°15'49", Chord = S 32°53'01" W 366.46') to the intersection of the westerly right of
way of Teton Reserve Drive and the northerly right of way of Snow Goose Circle;

Thence N 29°51'32" W 114.81 feet along the northerly right of way of Snow Goose Circle to the
southwest corner of lot 4 block 5 of said subdivision;

Thence S 73°40'53" E 121.32 feet to the southeast corner of lot 4 block 5;

Thence along a non-tangent curve to the left 280.28 feet (Curve Data: Radius = 510.00', Delta = 31°29'19", Chord = N 27°59'46" E 276.77');

Thence N 12°15'07" E 126.65 feet along the easterly line of block 5 of said subdivision to the northeast corner of lot 1 block 5;

Thence N 65°23'48" W 127.71 feet along the north line of lot 1 block 5 to the northwest corner of lot 1;

Thence along a non-tangent curve to the right 51.68 feet (Curve Data: Radius = 50.00', Delta = 59°12'56", Chord = N 72°38'39" E 49.41') to the south right of way of Snow Goose Circle;

Thence S 77°44'53" E 91.80 feet along the south right of way of Snow Goose Circle to the Point of Beginning.

Parcel Contains ±0.3 acres

CTP/SKW

October 9, 2015

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DIOPTRA

A Company of Geomatics Professionals

Parcel 10

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the North Quarter Corner of Section 36, Township 4 North, Range 45 East,
thence running N 89°24'29" E 1185.42 feet along the north line of said section 36; Thence
S 00°00'00" W 20.04 feet to the intersection of county road 600 South and Teton Reserve Drive;
Thence along the centerline of Teton Reserve Drive for the next 5 courses:

- (1) S 00°32'13" W 424.36 feet to a curve to the right,
- (2) Thence along said curve to the right 272.11 feet (Curve Data: Radius = 900.00',
Delta = 17°19'23", Chord = S 09°11'54" W 271.08') to a curve to the right,
- (3) Thence along said curve to the right 163.00 feet (Curve Data: Radius = 900.00',
Delta = 10°22'36", Chord = S 23°02'54" W 162.77') to a reverse curve to the left,
- (4) Thence along said curve to the left 209.24 feet (Curve Data: Radius = 750.00',
Delta = 15°59'06", Chord = S 20°14'40" W 208.56'),
- (5) Thence S 12°15'07" W 806.59 feet;

Thence S 77°44'53" E 30.00 feet to the west right of way of Teton Reserve Drive and the South
right of way of Trumpet Swan Circle part of Teton Reserve Snow Goose/Trumpet Swan
Subdivision # 172907, point also being the True Point of Beginning;

Thence S 77°44'53" E 66.61 feet along the south right of way of Trumpet Swan Circle to a curve
to the left;

Thence along said curve to the left 24.48 feet (Curve Data: Radius = 110.00', Delta = 12°45'12",
Chord = S 84°07'29" E 24.43');

Thence N 89°29'56" E 67.72 feet along the south right of way of trumpet Swan Circle to a curve
to the right;

Thence along said curve to the right 102.42 feet (Curve Data: Radius = 50.00', Delta = 117°21'55", Chord = S 31°49'07" E 85.43') to the westerly right of way of Trumpet Swan Circle;

Thence S 26°51'50" W 37.13 feet along the westerly right of way of Trumpet Swan Circle to the northeast corner of lot 1 block 6 of said subdivision;

Thence N 62°03'46" W 204.61 feet along the northerly line of lot 1 to the northwest corner of lot 1 block 6;

Thence S 12°15'07" W 154.04 feet along the westerly line of block 6 of said subdivision to a curve to the right;

Thence along said curve to the right 378.45 feet (Curve Data: Radius = 590.00', Delta = 30°36'49" E 371.72 feet, Chord = S 30°35'57" E 372.00') to the southwest corner of lot 5 block 6 of said subdivision;

Thence S 68°21'26" E 196.12 feet along the southerly line of lot 5 to the southeast corner of lot 5 block 6 of said subdivision;

Thence along a non-tangent curve 67.09 feet to the right (Curve Data: Radius = 125.00', Delta = 30°45'00", Chord = S 74°07'26" W 66.28') to the north right of way of Trumpet Swan Circle;

Thence S 89°29'56" W 81.74 feet to a curve to the right;

Thence along said curve to the right 84.67 feet (Curve Data: Radius = 80.00', Delta = 60°38'32", Chord = N 60°10'48" W 80.78');

Thence N 29°51'32" W 29.62 feet to the intersection of the northerly right of way of Trumpet Swan Circle and the easterly right of way of Teton Reserve Drive;

Thence along the easterly right of way of Teton Reserve being a non-tangent curve to the left 424.67 feet (Curve Data: Radius = 580.00', Delta = 41°57'06", Chord = N 33°13'40" E 415.25');

Thence N 12°15'07" E 178.37 feet along the east right of way of Teton Reserve Drive to the Point of Beginning.

Parcel Contains ±0.7 acres

CTP/SKW

October 9, 2015

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DIOPTRA

A Company of Geomatics Professionals

Parcel 11

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the North Quarter Corner of Section 36, Township 4 North, Range 45 East,
thence running N 89°24'29" E 1185.42 feet along the north line of said section 36; Thence
S 00°00'00" W 20.04 feet to the intersection of county road 600 South and Teton Reserve Drive;
Thence along the centerline of Teton Reserve Drive for the next 5 courses:

- (1) S 00°32'13" W 424.36 feet to a curve to the right,
- (2) Thence along said curve to the right 272.11 feet (Curve Data: Radius = 900.00',
Delta = 17°19'23", Chord = S 09°11'54" W 271.08') to a curve to the right,
- (3) Thence along said curve to the right 163.00 feet (Curve Data: Radius = 900.00',
Delta = 10°22'36", Chord = S 23°02'54" W 162.77') to a reverse curve to the left,
- (4) Thence along said curve to the left 209.24 feet (Curve Data: Radius = 750.00',
Delta = 15°59'06", Chord = S 20°14'40" W 208.56'),
- (5) Thence S 12°15'07" W 776.59 feet,

Thence along the centerline of Trumpet Swan Circle for the next 6 courses:

- (1) Thence S 77°44'53" E 96.61 feet to a curve to the left,
- (2) Thence along said curve to the left 17.81 feet (Curve Data: Radius = 80.00',
Delta = 12°45'12", Chord = S 84°07'29" E 17.77'),
- (3) Thence N 89°29'56" E 67.72 feet to a curve to the right,
- (4) Thence along said curve to the right 163.87 feet (Curve Data: Radius = 80.00',
Delta = 117°21'55", Chord = S 31°49'07" E 136.69'),
- (5) Thence S 26°51'50" W 38.57 feet to a curve to the left,

(6) Thence along said curve to the left 12.21 feet (Curve Data: Radius = 3500.00', Delta = 00°12'00", Chord = S 26°45'51" E 12.21'),

Thence S 63°20'09" E 30.00 feet to the east right of way of Trumpet Swan Circle and the south right of way of Trumpet Swan Lane part of Teton Reserve Snow Goose/Trumpet Swan Subdivision # 172907, point also being the True Point of Beginning;

Thence S 62°56'12" E 12.33 feet to a curve to the right;

Thence along the westerly right of way of Trumpet Swan Lane for the next 5 courses:

(1) Thence along said curve to the right 53.93 feet (Curve Data: Radius = 38.00', Delta = 81°18'33", Chord = S 22°16'55" E 49.51'),

(2) Thence S 18°22'21" W 55.60 feet to a curve to the left,

(3) Thence along said curve to the left 141.26 feet (Curve Data: Radius = 232.00', Delta = 34°53'08", Chord = S 00°55'47" W 139.09'),

(4) Thence S 16°30'47" E 62.98 feet to a curve to the right,

(5) Thence along said curve to the right 307.80 feet (Curve Data: Radius = 118.00', Delta = 149°27'16", Chord = S 58°12'51" W 227.67') to the northerly right of way of Trumpet Swan Lane;

Thence N 47°03'31" W 22.48 feet along the northerly right of way of Trumpet Swan Lane to the east right of way line of Trumpet Swan Circle;

Thence along the east right of way of Trumpet Swan Circle for the next 3 courses:

(1) Thence along a non-tangent curve to the left 44.70 feet (Curve Data: Radius = 185.00', Delta = 13°50'42", Chord = N 28°33'55" E 44.60'),

(2) Thence N 21°38'34" E 98.64 feet to a curve to the right,

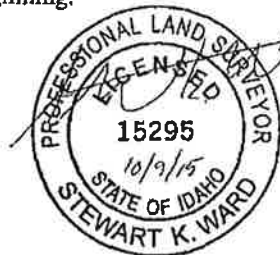
(3) Thence along said curve to the right 304.11 feet (Curve Data: Radius = 3470.00', Delta = 05°01'17", Chord = N 24°09'12" E 304.01') to the Point of Beginning.

Parcel Contains ±1.2 acres

CTP/SKW

October 9, 2015

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DIOPTRA

A Company of Geomatics Professionals

Parcel 12

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho, described as;

Commencing at the North Quarter Corner of Section 36, Township 4 North, Range 45 East, thence running N 89°24'29" E 1185.42 feet along the north line of said section 36; Thence S 00°00'00" W 20.04 feet to the intersection of county road 600 South and Teton Reserve Drive; Thence along the centerline of Teton Reserve Drive for the next 7 courses:

- (1) S 00°32'13" W 424.36 feet to a curve to the right,
- (2) Thence along said curve to the right 272.11 feet (Curve Data: Radius = 900.00', Delta = 17°19'23", Chord = S 09°11'54" W 271.08') to a curve to the right,
- (3) Thence along said curve to the right 163.00 feet (Curve Data: Radius = 900.00', Delta = 10°22'36", Chord = S 23°02'54" W 162.77') to a reverse curve to the left,
- (4) Thence along said curve to the left 209.24 feet (Curve Data: Radius = 750.00', Delta = 15°59'06", Chord = S 20°14'40" W 208.56'),
- (5) Thence S 12°15'07" W 984.97 feet to a curve to the right,
- (6) Thence along said curve to the right 429.69 feet (Curve Data: Radius = 550.00', Delta = 44°45'46", Chord = S 34°38'00" W 418.85') to a curve to the right,
- (7) Thence along said curve to the right 30.01 feet (Curve Data: Radius = 550.00', Delta = 03°07'36", Chord = S 58°34'41" W 30.01');

Thence S 29°51'31" E 30.00 feet to the westerly right of way of Teton Reserve Drive and the South right of way of Trumpet Swan Circle part of Teton Reserve Snow Goose/Trumpet Swan Subdivision # 172907, point also being the True Point of Beginning;

Thence S 29°51'32" E 10.00 feet to the northeast corner of lot 15 block 7 of said subdivision;

Thence along a non-tangent curve to the right 184.53 feet (Curve Data: Radius = 590.00', Delta = 17°55'14", Chord = S 69°06'06" W 183.78') to the northwest corner of lot 15 block 7;

Thence S 45°13'04" E 241.90 feet to the south line of TR Golf LLC Property Instrument # 224404;

Thence S 89°29'44" W 1110.75 feet along the south line of said TR Golf LLC Property;

Thence N 44°21'50" E 288.51 feet to the south right of way line of Teton Reserve Drive;

Thence along a non-tangent curve to the left 172.76 feet (Curve Data: Radius = 430.00', Delta = 23°01'12", Chord = S 78°59'28" E 171.60');

Thence N 89°29'56" E 451.88 feet along the south right of way line of Teton Reserve Drive to a curve to the left;

Thence along said curve to the left 297.18 feet (Curve Data: Radius = 580.00', Delta = 29°21'27", Chord = N 74°49'12" E 293.94') to the Point of Beginning.

Parcel Contains ±3.8 acres

CTP/SKW

October 9, 2015

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DIOPTRA

A Company of Geomatics Professionals

Parcel 13

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the North Quarter Corner of Section 36, Township 4 North, Range 45 East,
thence running N 89°24'29" E 1185.42 feet along the north line of said section 36; Thence
S 00°00'00" W 20.04 feet to the intersection of county road 600 South and Teton Reserve Drive;
Thence along the centerline of Teton Reserve Drive for the next 7 courses:

- (1) S 00°32'13" W 424.36 feet to a curve to the right,
- (2) Thence along said curve to the right 272.11 feet (Curve Data: Radius = 900.00',
Delta = 17°19'23", Chord = S 09°11'54" W 271.08') to a curve to the right,
- (3) Thence along said curve to the right 163.00 feet (Curve Data: Radius = 900.00',
Delta = 10°22'36", Chord = S 23°02'54" W 162.77') to a reverse curve to the left,
- (4) Thence along said curve to the left 209.24 feet (Curve Data: Radius = 750.00',
Delta = 15°59'06", Chord = S 20°14'40" W 208.56'),
- (5) Thence S 12°15'07" W 984.97 feet to a curve to the right,
- (6) Thence along said curve to the right 429.69 feet (Curve Data: Radius = 550.00',
Delta = 44°45'46", Chord = S 34°38'00" W 418.85') to a curve to the right,
- (7) Thence along said curve to the right 311.83 feet (Curve Data: Radius = 550.00',
Delta = 32°29'04", Chord = S 73°15'24" W 307.67'),
- (8) Thence S 89°29'56" W 451.88 feet to a curve to the right;
- (9) Thence along said curve to the right 548.51 feet (Curve Data: Radius = 400.00',
Delta = 78°34'04", Chord = N 51°13'02" W 506.53'),
- (10) Thence N 11°56'00" W 121.78 feet,

Thence N 78°04'00" E 30.00 feet to the easterly right of way of Teton Reserve Drive and the south right of way of Royal Elk Circle part of Teton Reserve Royal Elk Subdivision # 186347, point also being the True Point of Beginning;

Thence N 78°04'00" E 10.00 feet to the northwest corner of lot 1 block 15 of Teton Reserve Royal Elk Subdivision # 186347;

Thence S 11°56'04" E 121.79 feet along the westerly line of said lot 1 block 15 to a curve to the left;

Thence along said curve to the left 28.03 feet (Curve Data: Radius = 360.00', Delta = 04°27'43", Chord = S 14°09'51" E 28.03') to the southwest corner of said lot 1;

Thence N 67°16'55" E 199.09 feet along the south line of said block 15 to the southerly corner of lot 2 block 15;

Thence along the easterly line of block 15 for the next 7 courses:

(1) N 29°25'16" E 160.76 feet to the easterly corner of said lot 2 block 15,

(2) Thence N 16°48'21" E 700 feet to the northeast corner of lot 9 block 15 of said subdivision,

(3) Thence N 25°09'48" E 101.07 feet to the northeast corner of lot 10,

(4) Thence N 16°39'16" E 92.58 feet to the easterly corner of lot 11,

(5) Thence N 11°36'45" W 102.75 feet to the northeast corner of said lot 11,

(6) Thence N 40°21'21" W 95.81 feet to the northerly corner of lot 12 block 15,

(7) Thence N 70°06'00" W 109.48 feet to the northwest corner of said lot 12;

Thence S 83°08'08" W 101.98 feet along the north line of lot 13 block 15 to the northwest corner of said lot 13;

Thence N 85°33'28" W 500 feet along the north line of said block 15 to the northeast corner of lot 19 block 15;

Thence S 82°02'49" W 160.12 feet to the northeast corner of lot 20;

Thence S 48°40'39" W 171.45 feet to the northwest corner of said lot 20;

Thence along a non-tangent curve to the right 151.40 feet (Curve Data: Radius = 838.77', Delta = 10°20'31", Chord = S 55°17'50" E 151.19') to the southwest corner of said lot 20;

Thence S 41°54'34" W 10.00 feet to the intersection of the easterly right of way of Teton Reserve Drive and the northerly right of way of Royal Elk Circle;

Thence along a non-tangent curve to the left 174.01 feet (Curve Data: Radius = 830.00', Delta = 12°00'45", Chord = N 56°10'06" W 173.70') along the easterly right of way of Teton Reserve Drive;

Thence N 48°40'39" E 245.78 feet;

Thence S 85°33'27" E 629.39 feet;

Thence N 83°08'08" E 104.76 feet;

Thence S 70°06'00" E 179.48 feet;

Thence S 11°36'45" E 199.23 feet;

Thence S 25°09'48" W 179.50 feet;

Thence S 16°48'21" W 700.74 feet;

Thence S 29°25'12" W 415.67 feet to the easterly right of way of Teton Reserve Drive;

Thence along a non-tangent curve to the right 203.80 feet (Curve Data: Radius = 370.00', Delta = 31°33'32", Chord = N 27°42'46" W 201.23');

Thence N 11°56'00" W 121.79 feet to the Point of Beginning.

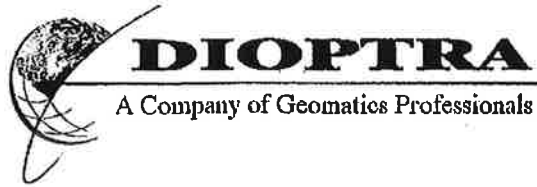
Parcel Contains ±1.7 acres

CTP/SKW

October 9, 2015

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Parcel 14

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho, described as;

Commencing at the North Quarter Corner of Section 36, Township 4 North, Range 45 East, thence running N 89°24'29" E 1185.42 feet along the north line of said section 36; Thence S 00°00'00" W 20.04 feet to the intersection of county road 600 South and Teton Reserve Drive; Thence along the centerline of Teton Reserve Drive for the next 7 courses:

- (1) S 00°32'13" W 424.36 feet to a curve to the right,
- (2) Thence along said curve to the right 272.11 feet (Curve Data: Radius = 900.00', Delta = 17°19'23", Chord = S 09°11'54" W 271.08') to a curve to the right,
- (3) Thence along said curve to the right 163.00 feet (Curve Data: Radius = 900.00', Delta = 10°22'36", Chord = S 23°02'54" W 162.77') to a reverse curve to the left,
- (4) Thence along said curve to the left 209.24 feet (Curve Data: Radius = 750.00', Delta = 15°59'06", Chord = S 20°14'40" W 208.56'),
- (5) Thence S 12°15'07" W 984.97 feet to a curve to the right,
- (6) Thence along said curve to the right 429.69 feet (Curve Data: Radius = 550.00', Delta = 44°45'46", Chord = S 34°38'00" W 418.85') to a curve to the right,
- (7) Thence along said curve to the right 311.83 feet (Curve Data: Radius = 550.00', Delta = 32°29'04", Chord = S 73°15'24" W 307.67'),
- (8) Thence S 89°29'56" W 451.88 feet to a curve to the right;
- (9) Thence along said curve to the right 548.51 feet (Curve Data: Radius = 400.00', Delta = 78°34'04", Chord = N 51°13'02" W 506.53'),
- (10) Thence N 11°56'00" W 181.79 feet,

Thence N 78°04'00" E 30.00 feet to the easterly right of way of Teton Reserve Drive and the north right of way of Royal Elk Circle part of Teton Reserve Royal Elk Subdivision # 186347, point also being the True Point of Beginning;

Thence N 11°56'00" W 416.10 feet along the easterly right of way of Teton Reserve Drive;

Thence along a curve to the left 493.78 feet (Curve Data: Radius = 830.00', Delta = 34°05'10", Chord = N 28°58'35" W 486.53') to the intersection of the easterly right of way of Teton Reserve Drive and the southerly right of way of Royal Elk Circle;

Thence N 41°54'34" E 60.79 feet to a curve to the right;

Thence along said curve to the right 45.84 feet (Curve Data: Radius = 50.00', Delta = 52°31'59", Chord = N 68°10'33" E 44.25');

Thence S 85°33'27" E 30.88 feet to the northwest corner of lot 1 block 16 of Teton Reserve Royal Elk Subdivision # 186347;

Thence S 04°26'33" W 150.00 feet to the southwest corner of said lot 1 block 16;

Thence S 85°33'27" E 500.00 feet along the south line of said block 16 to the southeast corner of lot 5;

Thence N 04°26'33" E 150.00 feet along the east line of said block 16 to the northeast corner of lot 5;

Thence S 85°33'27" E 35.66 feet to a curve to the right;

Thence along said curve to the right 35.73 feet (Curve Data: Radius = 20.00', Delta = 102°21'48", Chord = S 34°22'33" E 31.17');

Thence S 16°48'21" W 189.20 feet to the northeast corner of lot 5 block 17 of said Royal Elk Subdivision;

Thence N 73°11'39" W 150.00 feet along the north line of said lot 5 block 17 to the northwest corner of said lot 5;

Thence S 16°48'21" W 500.00 feet along the westerly line of block 17 to the southwest corner of lot 1 of said block 17;

Thence S 73°11'38" E 150.00 feet to the southeast corner of said lot 1;

Thence S 16°48'21" W 120.83 feet to a curve to the right;

Thence along said curve to the right 53.46 feet (Curve Data: Radius = 50.00', Delta = 61°15'39", Chord = S 47°26'11" W 50.95');

Thence S 78°04'00" W 72.22 feet to the Point of Beginning.

Parcel Contains ±3.4 acres

CTP/SKW

October 9, 2015

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DIOPTRA

A Company of Geomatics Professionals

Parcel 15

Part of Section 35, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho, described as;

Commencing at the Northeast Corner of Section 35, Township 4 North, Range 45 East, thence running S 89°24'07" W 1848.01 feet along the north line of said Section 35; thence S 00°00'00" E 4.80 feet to the intersection of the centerline of county road 600 South and the centerline of Teton Reserve Drive part of Teton Reserve Red Hawk Subdivision Instrument# 180719; thence along the centerline of Teton Reserve Drive for the next 5 courses:

- (1) S 00°27'07" E 646.35 feet to a curve to the left,
- (2) Thence along said curve to the left 176.18 feet (Curve Data: Radius = 950.00', Delta = 10°37'32", Chord = S 05°45'53" E 175.93') to a curve to the left,
- (3) Thence along said curve to the left 1656.42 feet (Curve Data: Radius = 950.00', Delta = 99°54'04", Chord = S 61°01'41" E 1454.43') to a curve to the left,
- (4) Thence along said curve to the left 15.77 feet (Curve Data: Radius = 950.00', Delta = 00°57'05", Chord = N 68°32'44" E 15.77'),
- (5) Thence N 68°04'12" E 221.65 feet;

Thence N 21°55'48" W 30.00 feet to the north right of way of Teton Reserve Drive point being the True Point of Beginning;

Thence N 21°55'48" W 209.53 feet;

Thence N 68°04'12" E 200.00 feet;

Thence S 21°55'48" E 56.03 feet;

Thence N 68°04'12" E 204.47 feet;

Thence S 21°55'48" E 153.50 feet to the north right of way of Teton Reserve Drive;

Thence S 68°04'12" W 404.47 feet along the north right of way of Teton Reserve Drive to the Point of Beginning.

Parcel Contains ±1.7 acres

CTP/SKW

October 9, 2015

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DIOPTRA

A Company of Geomatics Professionals

Parcel 16

Part of Section 35, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the Northeast Corner of Section 35, Township 4 North, Range 45 East, thence
running S 89°24'07" W 1815.47 feet along the north line of said section 35; thence
S 00°00'00" E 73.68 feet to the True Point of Beginning;

Thence S 00°27'07" E 92.20 feet to a curve to the right;

Thence along said curve to the right 100.53 feet (Curve Data: Radius = 32.00',
Delta = 180°00'00", Chord = S 89°32'53" W 64.00');

Thence N 00°27'07" W 92.20 feet to a curve to the right;

Thence along said curve to the right 100.53 feet (Curve Data: Radius = 32.00',
Delta = 180°00'00", Chord = N 89°32'53" E 64.00');

Parcel Contains ±0.2 acres

CTP/SKW

October 9, 2015

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DIOPTRA

A Company of Geomatics Professionals

Parcel 17

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the Northeast Corner of Section 35, Township 4 North, Range 45 East, thence
running S 89°24'07" W 1813.57 feet along the north line of said section 35; thence
S 00°00'00" E 313.89 feet to the True Point of Beginning;

Thence S 00°27'07" E 132.00 feet to a curve to the right;

Thence along said curve to the right 100.53 feet (Curve Data: Radius = 32.00',
Delta = 180°00'00", Chord = S 89°32'53" W 64.00');

Thence N 00°27'07" W 132.00 feet to a curve to the right;

Thence along said curve to the right 100.53 feet (Curve Data: Radius = 32.00',
Delta = 180°00'00", Chord = N 89°32'53" E 64.00');

Parcel Contains ±0.3 acres

CTP/SKW

October 9, 2015

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DIOPTRA

A Company of Geomatics Professionals

Parcel 18

Part of Section 35, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the Northeast Corner of Section 35, Township 4 North, Range 45 East, thence
running S 89°24'07" W 1811.36 feet along the north line of said section 35; thence
S 00°00'00" E 593.90 feet to the True Point of Beginning;

Thence S 00°27'07" E 4.94 feet;

Thence S 03°15'52" W 174.48 feet to a curve to the right;

Thence along said curve to the right 38.02 feet (Curve Data: Radius = 13.00',
Delta = 167°34'16", Chord = N 87°03'00" E 25.85');

Thence N 09°09'52" W 177.53 feet;

Thence N 00°10'14" W 4.70 feet to a curve to the right;

Thence along said curve to the right 100.22 feet (Curve Data: Radius = 32.00',
Delta = 179°26'13", Chord = N 89°32'56" E 64.00');

Parcel Contains ±0.2 acres

CTP/SKW

October 9, 2015

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Parcel 19

Part of Section 35, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the Northeast Corner of Section 35, Township 4 North, Range 45 East, thence
running S 89°24'07" W 1848.01 feet along the north line of said section 35; thence
S 00°00'00" E 4.80 feet to the intersection of the centerline of county road 600 South and the
centerline of Teton Reserve Drive part of Teton Reserve Red Hawk Subdivision # 180719;
thence S 00°27'07" E 264.84 feet along the centerline of Teton Reserve Drive; thence N
89°32'53" E 62.50 feet to the intersection of the east right of way of Teton Reserve Drive and
the south right of way of Red Hawk Drive part of Teton Reserve Red Hawk Subdivision #
180719 point being the True Point of Beginning;

Thence N 89°24'32" E 26.17 feet to the northwest corner of lot 1 block 11 of Teton Reserve Red
Hawk Subdivision # 180719;

Thence S 00°27'07" E 220.00 feet to the southwest corner of lot 10 block 11 of said subdivision;

Thence S 89°24'32" W 26.17 feet to the east right of way of Teton Reserve Drive;

Thence N 00°27'07" W 220.00 feet along the east right of way of Teton Reserve Drive to the
Point of Beginning.

Parcel Contains ±0.1 acres

CTP/SKW

October 9, 2015

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DIOPTRA

A Company of Geomatics Professionals

Parcel 20

Part of Section 35, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the Northeast Corner of Section 35, Township 4 North, Range 45 East, thence
running S 89°24'07" W 1848.01 feet along the north line of said section 35; thence
S 00°00'00" E 4.80 feet to the intersection of the centerline of county road 600 South and the
centerline of Teton Reserve Drive part of Teton Reserve Red Hawk Subdivision # 180719;
thence S 00°27'07" E 544.84 feet along the centerline of Teton Reserve Drive; thence
N 89°32'53" E 62.50 feet to the intersection of the east right of way of Teton Reserve Drive and
the south right of way of Red Hawk Avenue part of Teton Reserve Red Hawk Subdivision #
180719 point being the True Point of Beginning;

Thence N 89°24'32" E 26.17 feet to the northwest corner of lot 1 block 12 of Teton Reserve Red
Hawk Subdivision # 180719;

Thence S 00°27'07" E 141.52 feet to a point on a curve to the left;

Thence along said curve to the left 96.91 feet (Curve Data: Radius = 869.74', Delta = 06°23'03",
Chord = S 03°38'39" E 96.86') to the southwest corner of lot 2 block 12;

Thence S 83°25'32" W 31.74 feet to the east right of way of Teton Reserve Drive;

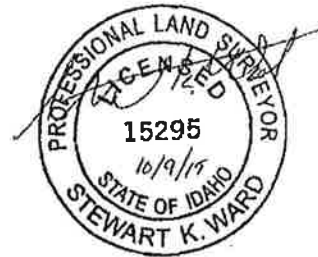
Thence N 00°27'07" W 241.55 feet along the east right of way of Teton Reserve Drive to the
Point of Beginning.

Parcel Contains ±0.1 acres

CTP/SKW

October 9, 2015

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DIOPTRA

A Company of Geomatics Professionals

Parcel 21

Part of Section 35, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho,
described as;

Commencing at the Northeast Corner of Section 35, Township 4 North, Range 45 East, thence
running S 89°24'07" W 1848.01 feet along the north line of said section 35; thence
S 00°00'00" E 4.80 feet to the intersection of the centerline of county road 600 South and the
centerline of Teton Reserve Drive part of Teton Reserve Red Hawk Subdivision # 180719;
Thence S 00°27'07" E 544.84 feet along the centerline of Teton Reserve Drive; thence
N 89°32'53" E 62.50 feet to the intersection of the east right of way of Teton Reserve Drive and
the south right of way of Red Hawk Avenue part of Teton Reserve Red Hawk Subdivision #
180719; Thence N 89°24'32" E 516.17 feet along the north line of block 12 of said subdivision
to the northeast corner of lot 15 of said block point being the True Point of Beginning;

Thence N 89°34'32" E 25.32 feet to a point on a curve to the right;

Thence along said curve to the right 25.61 feet (Curve Data: Radius = 15.00', Delta = 97°48'26",
Chord = S 41°41'15" E 22.61') to a point on a non-tangent curve to left;

Thence along said curve to the left 125.72 feet (Curve Data: Radius = 1030.00',
Delta = 06°59'36", Chord = S 03°43'10" W 125.64');;

Thence S 00°13'22" W 62.90 feet to a curve to the right;

Thence along said curve to the right 23.35 feet (Curve Data: Radius = 15.00', Delta = 89°11'10",
Chord = S 44°48'57" W 21.06');;

Thence S 89°34'32" W 15.38 feet to the southeast corner of lot 16 block 12 of said subdivision;

Thence N 00°27'07" W 220.00 feet along the east line of block 12 to the Point of Beginning.

Parcel Contains ±0.2 acres

CTP/SKW

October 9, 2015

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Parcel 22

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho, described as;

Commencing at the Northwest Corner of Section 36, Township 4 North, Range 45 East, thence running N 89°41'33" E 101.18 feet along the north line of said section 36; thence S 00°00'00" E 53.80 feet to the intersection of the south right of way line of county road 600 South and the west right of way line of Red Fox Way part of Teton Reserve Amended Phase 1 Subdivision Instrument # 163218 point being the True Point of Beginning;

Thence S 00°43'15" E 90.69 feet to a curve to the left;

Thence along said curve to the left 36.06 feet (Curve Data: Radius = 74.00', Delta = 27°55'12", Chord = S 14°40'51" E 35.70');

Thence S 28°38'32" E 15.58 feet to a curve to the right;

Thence along said curve to the right 23.56 feet (Curve Data: Radius = 15.00', Delta = 89°59'53", Chord = S 16°21'30" W 21.21');

Thence S 61°21'30" W 96.45 feet along the north right of way of Red Fox Lane part of said subdivision to a point on a curve to the right;

Thence along said curve to the right 30.40 feet (Curve Data: Radius = 188.00', Delta = 09°15'53", Chord = S 65°59'27" W 30.37') to the southeast corner of lot 1 block 1 of said subdivision;

Thence N 18°31'04" E 176.73 feet to the northeast corner of said lot 1;

Thence N 71°28'56" W 116.41 feet to the northwest corner of said lot 1;

Thence S 18°45'31" W 216.37 feet to the southwest corner of said lot 1;

Thence N 70°55'03" W 46.50 feet along the north right of way of Red Fox Lane to the southeast corner of lot 2 block 1 of Teton Reserve Replat of Lots 2 & 3 Block 1 Subdivision Instrument # 192722;

Thence N 18°45'31" E 161.32 feet along the east line of lot 2 of said subdivision Instrument # 192722 to the northeast corner of said lot 2;

Thence S 89°58'32" W 150.00 feet to the northwest corner of said lot 2;

Thence S 00°01'28" E 106.99 feet to a non-tangent curve to the left;

Thence along said non-tangent curve to the left 71.47 feet (Curve Data: Radius = 50.00', Delta = 81°54'00", Chord = N 49°04'21" W 65.54') to the east line of lot 3 block 1 of said subdivision;

Thence N 00°01'28" W 64.03 feet to the northeast corner of said lot 3;

Thence S 89°58'32" W 163.61 feet to the northwest corner of said lot 3;

Thence S 00°01'28" E 97.31 feet to the southwest corner of said lot 3;

Thence N 89°58'32" E 128.77 feet to a non-tangent curve to the left;

Thence along said non-tangent curve to the left 24.24 feet (Curve Data: Radius = 30.00', Delta = 46°18'12", Chord = S 04°21'12" W 23.59') to the northerly corner of lot 1 block 2 of Teton Reserve Amended Phase 1 Subdivision Instrument # 163218;

Thence S 71°12'13" W 45.66 feet to the northwest corner of said lot 1;

Thence S 15°22'21" W 118.06 feet to the southwest corner of said lot 1;

Thence along the southerly line of block 2 of said subdivision for the next 9 courses:

- (1) S 64°54'37" E 101.04 feet to the southeast corner of said lot 1,
- (2) Thence S 76°31'29" E 240.92 feet to the southwest corner of lot 4,
- (3) Thence S 88°48'44" E 113.17 feet to the southeast corner of said lot 4,
- (4) Thence N 63°33'37" E 351.72 feet to the southeast corner of lot 7,
- (5) Thence N 70°04'10" E 79.53 feet to the southeast corner of lot 8,
- (6) Thence S 80°53'39" E 294.74 feet to the southeast corner of lot 11,
- (7) Thence N 83°18'42" E 276.95 feet,
- (8) Thence S 87°12'59" E 227.08 feet to the southeast corner of lot 16,
- (9) Thence N 83°03'36" E 107.52 feet to the southeast corner of lot 17;

Thence N 00°08'05" E 130.42 feet to the easterly corner of said lot 17;

Thence N 39°38'29" W 82.17 feet to the northerly corner of said lot 17;

Thence along a non-tangent curve to the left 20.76 feet (Curve Data: Radius = 74.00',
Delta = 16°04'20", Chord = N 07°43'43" E 20.69');

Thence N 00°18'28" W 17.50 feet to the intersection of the south right of way of county road
600 South and the east right of way of Red Fox Lane;

Thence N 89°23'30" E 69.94 feet along the south right of way of county road 600 South;

Thence S 00°08'05" W 250.29 feet;

Thence S 83°03'36" W 126.89 feet;

Thence N 87°12'59" W 227.13 feet;

Thence S 83°18'42" W 278.07 feet;

Thence N 80°53'39" W 306.61 feet;

Thence S 63°33'37" W 416.63 feet;

Thence N 88°48'44" W 120.24 feet;

Thence N 76°31'29" W 864.39 feet;

Thence S 26°05'07" W 137.69 feet;

Thence S 08°49'06" W 251.31 feet;

Thence S 00°13'23" W 259.97 feet;

Thence S 63°56'40" W 22.31 feet to the southeast corner of lot 21 block 10 of Teton Reserve
Red Hawk Subdivision Instrument # 180719;

Thence along the east line of block 10 of said subdivision for the next 8 courses:

- (1) N 00°13'23" E 271.51 feet,
- (2) Thence N 08°49'03" E 255.82 feet,
- (3) Thence N 26°05'07" E 55.41 feet,
- (4) Thence N 19°37'21" W 152.45 feet,

(5) Thence N 55°30'58" W 146.30 feet;

Thence S 89°24'32" W 517.99 feet to the northwest corner of lot 1 of said block 10;

Thence S 00°35'28" E 110.00 feet to the southwest corner of said lot 1;

Thence S 89°24'32" W 96.25 feet along the north right of way of Red Hawk Drive to the east right of way of Teton Reserve Drive;

Thence N 00°27'07" W 174.37 feet along the east right of way of Teton Reserve Drive to the south right of way of county road 600 South;

Thence N 89°58'32" E 1886.35 feet along the south right of way of county road 600 South to the Point of Beginning.

Parcel Contains ±7.6 acres

CTP/SKW

October 9, 2015

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Parcel 23

Part of Section 35, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho, described as;

Commencing at the Northeast Corner of Section 35, Township 4 North, Range 45 East, thence running S 89°24'07" W 1848.01 feet along the north line of said section 35; thence S 00°00'00" E 4.80 feet to the intersection of the centerline of county road 600 South and the centerline of Teton Reserve Drive part of Teton Reserve Red Hawk Subdivision # 180719; thence along the centerline of Teton Reserve Drive for the next 5 courses:

- (1) S 00°27'07" E 646.35 feet to a curve to the left,
- (2) Thence along said curve to the left 176.18 feet (Curve Data: Radius = 950.00', Delta = 10°37'32", Chord = S 05°45'53" E 175.93') to a curve to the left,
- (3) Thence along said curve to the left 1656.42 feet (Curve Data: Radius = 950.00', Delta = 99°54'04", Chord = S 61°01'41" E 1454.43') to a curve to the left,
- (4) Thence along said curve to the left 15.77 feet (Curve Data: Radius = 950.00', Delta = 00°57'05", Chord = N 68°32'44" E 15.77'),
- (5) Thence N 68°04'12" E 14.22 feet;

Thence S 21°55'48" E 30.00 feet to the intersection of the south right of way of Teton Reserve Drive and the east right of way of Bison Drive part of Teton Reserve Bison Area Replat of Block 13 and Block 14 Subdivision Instrument # 187153 point being the True Point of Beginning;

Thence N 68°04'12" E 607.18 feet along the south right of way of Teton Reserve Drive;

Thence S 26°42'55" E 386.42 feet;

Thence S 54°04'16" W 100.62 feet;

Thence S 75°28'16" W 443.96 feet;

Thence S 69°52'25" W 104.19 feet;

Thence S 87°03'15" W 94.81 feet;

Thence N 66°54'09" W 88.70 feet;

Thence S 87°21'25" W 282.65 feet;

Thence S 89°16'45" W 260.53 feet;

Thence S 00°41'42" E 101.82 feet to the south line of TR Golf LLC Property Instrument #224404;

Thence S 89°27'14" W 1317.80 feet along the south line of said TR Golf LLC Property to the east right of way of State Highway 33;

Thence N 00°32'55" W 1221.89 feet along the east right of way of State Highway 33 to the southeast corner of Teton County Property Instrument #229272;

Thence N 89°27'05" E 542.24 feet along the southerly line of said Teton County Property to the west right of way of Teton Reserve Drive;

Thence along the westerly right of way of Teton Reserve Drive for the next 3 courses:

(1) Along a non-tangent curve to the left 291.49 feet (Curve Data: Radius = 1000.00', Delta = 16°42'05", Chord = S 18°18'03" E 290.46'),

(2) Thence S 26°39'05" E 68.96 feet to a curve to the left,

(3) Thence along said curve to the left 1412.83 feet (Curve Data: Radius = 980.00', Delta = 82°36'05", Chord = S 67°57'08" E 1293.62') to the west right of way of Bison Drive part of Said Teton Reserve Bison Area Replat of Block 13 and Block 14 Subdivision Instrument # 187153;

Thence S 21°55'39" E 141.07 feet along the west right of way line of Bison Drive to a point on a curve to the left;

Thence along said curve to the left 44.95 feet (Curve Data: Radius = 80.00', Delta = 32°11'31", Chord = S 38°01'25" E 44.36') to the northeast corner of lot 1 block 14 of said subdivision;

Thence S 35°52'49" W 33.35 feet along the westerly line of said lot 1;

Thence S 03°07'01" W 93.81 feet along the westerly line of said lot 1 to the southwest corner of said lot;

Thence along the southerly line of block 14 for the next 4 courses:

(1) S 86°52'59" E 81.55 feet,

(2) Thence N 73°44'15" E 145.37 feet to the southeast corner of lot 4 block 14,

(3) Thence N 75°28'16" E 441.53 feet,

(4) Thence N 54°04'16" E 84.87 feet to the southeast corner of lot 14;

Thence N 34°46'19" W 127.75 feet along the easterly line of said lot 14 block 14;

Thence N 85°57'59" W 7.49 feet to the right of way of Bison Drive;

Thence along a non-tangent curve to the left 59.37 feet (Curve Data: Radius = 55.00', Delta = 61°51'06", Chord = N 30°17'36" W 56.53') to the southeast corner of lot 12 block 13 of said subdivision;

Thence N 20°06'41" E 24.59 feet along the easterly line of said lot 12;

Thence N 26°42'55" W 117.50 feet along the easterly line of said lot 12 to the northeast corner of said lot 12;

Thence along the northerly line of block 13 of said subdivision for the next 12 courses:

- (1) S 63°02'53" W 96.71 feet to the northwest corner of lot 11,
- (2) Thence S 25°55'47" E 32.80 feet to the northeast corner of lot 10,
- (3) Thence S 75°33'24" W 91.86 feet to the northwest corner of lot 9,
- (4) Thence S 15°23'50" E 8.83 feet to the northeast corner of lot 8,
- (5) Thence S 76°02'46" W 94.40 feet to the northwest corner of lot 7,
- (6) Thence S 75°32'34" W 96.33 feet to the northwest corner of lot 5,
- (7) Thence S 74°22'37" W 106.89 feet to the northwest corner of lot 3,
- (8) Thence S 68°04'12" W 105.03 feet to the northwest corner of lot 1;

Thence N 21°55'39" W 52.11 feet along the east right of way of Bison Drive to the Point of Beginning.

Parcel Contains ±27.9 acres

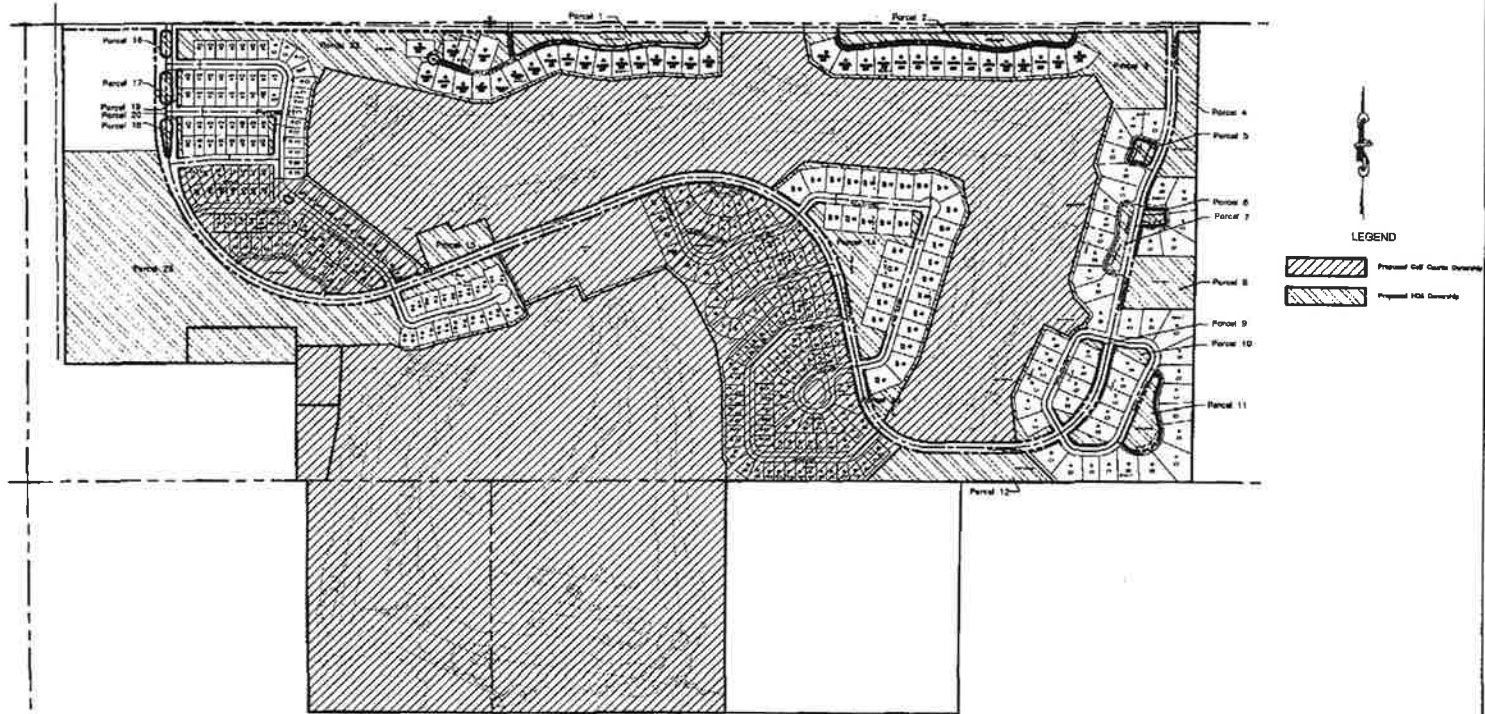
CTP/SKW

October 13, 2015

Rev. October 13, 2015

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 www.dioptragomatics.com



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

August 14, 2020

TETON RESERVE MASTER ASSOCIATION INC
PO BOX 838
VICTOR, ID 83455-0838

**RE: WATER SUPPLY BANK LEASE CONTRACT 1198 & 1199
FOR WATER RIGHTS 22-7347 & 22-13210**

Dear Lessor:

Water rights **22-7347 & 22-13210** were leased into the Water Supply Bank (Bank) as of January 1, 2020, in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank.** More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The rights will automatically be released from the Bank on **December 31, 2021**, unless the rights are released earlier by the Water Resource Board (Board). On behalf of the Board, the Department of Water Resources (Department) can evaluate an early release of the lease contract upon your request. To release the water rights from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at www.idwr.idaho.gov. **Please note your water rights may not be available for immediate release if they have been rented or are being considered for a future rental. Furthermore, it is at the discretion of the Department whether or not a water right can be released early from a lease contract.**

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

Water Supply Bank

Enclosure: Executed Lease Contract

c: IDWR- Eastern Region
Luke Marchant – Holden, Kidwell, Hahn & Crapo, PLLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 30, 2020

TETON RESERVE MASTER ASSOCIATION INC
PO BOX 838
VICTOR, ID 83455-0838

**RE: APPLICATION TO LEASE WATER RIGHT 22-7347 & 22-13210 TO THE WATER SUPPLY
BANK**

CONTRACTS 1198 & 1199

******TIME SENSITIVE RESPONSE REQUIRED******

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 days.** Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, 2021**, unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your right may not be available for immediate release if it has been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,


Alexandra Schuster-Verbeke
Water Supply Bank

Enclosures: Proposed Lease Contracts

Buyer, Remington

From: Buyer, Remington
Sent: Thursday, May 7, 2020 2:55 PM
To: Cefalo, James
Subject: Teton Reserve Master Association WSB Lease Applications for WRs 22-7347 and 22-13210
Attachments: Lease Review Memo.docx; Application Correspondence.pdf; Lease Contract 1198.docx; Lease Contract 1199.docx; Lease Map - WR 22-7347.pdf; Lease Map - WR 22-13210.pdf; WSB Lease Approvals for Water Rights 22-7347 and 22-13210

James,

The Bank has received a request to lease portions of water rights 22-7347 and 22-13210 into the Bank for two years. The water rights are recorded in IDWR's ownership database as belonging to TR Golf LLC, however through a review of quitclaim deeds provided by the applicant, it is apparent that they may own as much as 197.6 acres under the water rights, of which, through their representative Luke Marchant, they are proposing to lease into the Bank portions of the water right which I've calculated equate to 60.8 acres.

I am prepared to move forward with a lease of the 60.8 acres, however I have today reached out to Luke Marchant, to ask him for any final information that might be provided, which might result in an adjustment to the lease approval (email to Luke is attached). In the meantime, I wanted to obtain from you any comments or recommendations you might have regarding our potential lease of portions of these water rights. Please let me know if you have any questions, comments or concerns regarding the lease proposals/approvals. For your consideration, I'm attaching my correspondence to date with Luke, which includes the warranty deeds provided by him, along with my lease review memo, maps and draft approvals.

Thank you for your consideration of this WSB lease proposal,

Remington

Buyer, Remington

From: Buyer, Remington
Sent: Thursday, May 7, 2020 2:45 PM
To: 'Luke Marchant'
Subject: WSB Lease Approvals for Water Rights 22-7347 and 22-13210

Luke,

I've completed a review of the lease applications for portions of water rights 22-7347 and 22-13210. Based on Teton Reserve Master Association's (TRMA's) ownership of land in Teton County, and based on the irrigation place of use proposed to be idled (which you provided as a map with the recent lease application), IDWR is prepared to approve a lease into the Bank of 48.3 acres under water right 22-7347 and 12.5 acres under water right 22-13210.

I have drafted lease contracts for consideration by TRMA. However, prior to finalizing my review of this lease proposal, I wanted to obtain from them, through you, confirmation to the following questions:

- **Are there any additional deeds which have not yet, and which can be provided to IDWR, that can confirm the full extent of land (and appurtenant water right) ownership by TRMA?** If there are, and you can provide them to me, I can update the lease information calculated to date.
- In light of TRMA's ownership of portions of water rights 22-7347 and 22-13210, they should submit a notice of ownership change form to IDWR, so that we can place portions of the water right into their name. Optimally, the ownership change should be received and processed prior to the leasing of their water rights into the Water Supply Bank. **Please confirm if and when you intend to submit an ownership change on behalf of TRMA, for the portions of water rights 22-7347 and 22-13210 owned by them?**
- The lease is proposed to commence in 2020. It may be advantageous for your clients to have the lease contract commence in 2019. This is because, although the water rights were protected from forfeiture from 2014 through 2019, any parts of the water right irrigable places of use not irrigated from 2009 through 2014 would have accrued six years of non-use in 2014 and an additional, seventh year of non-use will be considered as having occurred in 2020. Commencing the lease in 2019 would ensure that any acres not irrigated between 2009 through 2019 would only have six years of non-use associated with them once they are released from the Bank, in the future. Else, if the lease commences in 2020, it may be considered that seven years of non-use will have elapsed under the water rights, as they are released, which would prevent a future renewal of a Water Supply Bank lease, until such time as the water rights were once again fully exercised. **Please confirm whether you would like the lease to be adjusted, to commence in 2019, and not in 2020?**
- TRMA provided a mailing address of 1732 Canyon Oaks Drive, Mt. Pleasant, SC, 29464 on their lease application. This South Carolina address is the address of TR Golf LLC and IDWR's current contact information for TRMA indicates their mailing address is PO Box 838, Victor, ID 83455-0838. **Would you like IDWR to update our contact information for TRMA, to make their mailing address the South Carolina address? Or, would you like us to disregard the mailing address provided on the lease application and keep the Victor address as the current mailing address for TRMA?**

Your consideration and responses in regards to the above would be appreciated. I will move forward in finalizing the lease proposals, as they are currently drafted, however changes may be made to the lease approvals if information to the above is received from TRMA, or from you, within the next seven days.

Regards,

Remington

Subject: RE: WSB Lease Application for Water Rights 22-7347 and 22-13210

I had a chance to look over the additional information you submitted. Based on quit claim documents you provided, it appears that Teton Reserve Master Association Inc (Teton Reserve) has become the owner of portions of water rights 22-7347 and 22-13210, through the acquisition of lands from TR Golf, upon which water rights 22-7347 and 22-13210 were appurtenant. The lands acquired by Teton Reserve, as described in the PDF you emailed to me, largely correspond to the lands now recognized as owned by Teton Reserve, per Teton County Assessor Office data.

Based on the land owned by Teton Reserve, and the portions of water rights 22-7347 and 22-13210 potentially appurtenant to those lands, and the map submitted with the lease application in which the acres proposed to be leased were delineated, it appears that the Bank can lease 49 acres of water right 22-7347 and 12 acres of 22-13210, for a total of 61 acres under both water rights. The following summarizes how these amounts were calculated:

WRs Potentially Owned by Teton Reserve					
WR	Rate	Vol	Acres	Rate / AC	Vol / AC
22-7347	2.62	393	131	0.02	3.0
22-13210	0.92	161	46	0.02	3.5
	3.54	554	177	0.020	3.1

Land owned by Teton Reserve Master Association																			
TWP	Range	Section	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	35	27	11	14	27											33	112	
		36		27	19			23	28	36	11		40					184	
																		296	

Potential Ownership of Water Rights by Teton Reserve Master Association																			
TWP	Range	Section	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	35	6			27												33	
		36		27	19		23	28	36	11								144	
																		177	

Boundaries of Place of Use Proposed for Lease to WSB																			
TWP	Range	Section	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	35	4.5	8.6	16	12												44.2	
		36		1	11		4.4	8	13.0	7.1		10			3			54.5	

98.7

Proposed Lease POU																			
TWP	Range	Section	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	35	4.5			12												16.5	
		36		1	11		4.4	8	13.0	7.1								44.5	

61.0

WR Elements Proposed for Lease						
WR	Use	Rate	Vol	Acres	Rate / AC	Vol / AC
22-7347	Irrigation	1.35	201.9	67.3	0.02	3.0
22-13210	Irrigation	0.53	93.5	26.7	0.02	3.5
		1.88	295.4	94.0	0.02	3.1

WR Elements Possible for Lease					
WR	Rate	Vol	Acres	Rate / AC	Vol / AC
22-7347	0.98	147	49.0	0.02	3.0
22-13210	0.24	42	12	0.02	3.5
	1.22	189	61	0.020	3.1

With respect to the lease proposal for these two water rights, the Department can:

- move forward with a lease of 61 acres under the water rights; or,
- hold off on processing for 30 days, to allow for a transfer application to be registered in our system (after which it is presumed ownership and place of use information may be updated); or
- return the lease applications until the transfer applications are processed and completed.

Please advise on behalf of your client how you would like to proceed.

Regards,

Remington

From: Luke Marchant [<mailto:lmarchant@holdenlegal.com>]

Sent: Wednesday, January 29, 2020 5:27 PM

To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>

Subject: RE: WSB Lease Application for Water Rights 22-7347 and 22-13210

Remington,

As we discussed on the phone this afternoon, Teton Reserve is the owner of the entirety of Water Right Nos. 22-7347 and 22-13210. We submitted a quitclaim deed from TR Golf, LLC to Teton Reserve Master Association, Inc. with our Application for Transfer that conveyed most of the place of use to Teton Reserve. I have attached a copy of that deed to this email. We are in the process of acquiring other deeds for the remaining place of use not covered by this deed. If you have any questions, do not hesitate to contact me.

Thank you.



Luke H. Marchant

Holden, Kidwell, Hahn & Crapo, P.L.L.C.

1000 Riverwalk Drive, Suite 200

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Memorandum

To: Water Rights 22-7347 and 22-13210
From: Remington Buyer
Date: May 6, 2020
Re: Water Supply Bank Lease Applications 1554 and 1713

Purpose/Narrative: On December 19, 2019, the Department received applications to lease portions of water rights 22-7347 and 22-13210 into the Water Supply Bank for two years. The applications were submitted by Teton Reserve Master Association Incorporated (TRMA) through Luke Marchant of Holden, Hahn, Kidwell and Crapo PLLC.

Water rights 22-7347 and 22-13210 are ground water irrigation rights associated with the Teton Reserve golf course, located approximately 2 miles northeast of Victor Idaho. Water rights 22-7347 and 13210 authorize irrigation of the golf course but their places of use do not overlap and they have different duties of water. As such, although the water rights could be leased into the Bank on a single lease contract, the rights will be leased on separate contracts. Water right 22-7347 is being leased through application 1554, while water right 22-13210 will be leased through application 1713.

Authority to File: Water rights 22-7347 and 22-13210 are recorded in IDWR's database as belonging to TR Golf LLC, which acquired the rights on December 9, 2014, from Teton Valley Golf Associates LP (TVGA). To date, no ownership change form has been submitted to IDWR, to place water rights 22-7347 or 22-13210 into TRMA's name.

There is an unanswered question regarding how much of water rights 22-7347 and 22-13210 may have been originally acquired by TR Golf LLC from TVGA. Specifically, it is unclear whether TVGA conveyed any land (and portions of water rights 22-7347 or 22-13210 appurtenant to such lands) to any other parties, during the time between when the water rights were decreed (in November 2008) and when the water rights remaining under ownership by TVGA were conveyed to TR Golf LLC (in December 2014).

There are 76 parcels presently underlying the place of use for water right 22-7347 which are not owned by either TR Golf LLC or TRMA. Similarly, there are 55 parcels presently underlying the place of use for water right 22-13210 which are not owned by either TR Golf LLC or TRMA. If any of these 131 parcels were acquired from TVGA between November 2008 and December 2014, then the property owner may have also acquired a portion of the water rights with the land acquisition and TRMA would not have been able to acquire such portions of water rights 22-7347 and 13210 from TR Golf LLC. Furthermore, TR Golf did not fully quitclaim to TRMA all of the lands that they acquired from TVGA; approximately 36.3 acres within the place of use for water right 22-7347 remains under present ownership by TR Golf LLC, and equivalent portions of water right 22-7347 may remain appurtenant to these lands, under TR Golf LLC's ownership.

On December 19, 2019, IDWR requested from the applicant, through their representative, confirmation as to the exact extent to which water rights 22-7347 and 22-13210 remained under ownership by TR Golf LLC. On January 29th, 2020, the applicant's representative provided IDWR with copies of quitclaim deeds, documenting the conveyance of lands (with appurtenant water rights) from TR Golf LLC to TRMA. The deeds align with the current Teton County Assessor Office records of ownership for lands owned by TRMA and it appears TRMA is the owner of as much as 197.6 acres under both water rights.

100

In the image below, lands which are presently owned by TRMA are delineated in purple (with TR Golf LLC owned lands in blue), while the place of use boundaries for water rights 22-7347 and 22-13210 are delineated in green and red, respectively. As visualized in the image, TRMA appears to be the owner of approximately 151.1 acres of land under 22-7347 (located in the NENE and SENE QQs of 04N 45E S35, as well as across the NW quarter of 04N 45E S36), along with 46.5 acres of land under water right 22-13210 (located in the NWNE and SWNE QQs of 04N 45E S36).



Furthermore, it should be noted that there is a question regarding the mailing address that should be associated with TRMA. TRMA is presently recorded in IDWR's contact database as having the PO Box 838, Victor, ID 83455-0838 as its mailing address, and this is the same address with which TRMA is registered with the Secretary of State's office. However, TRMA has provided 1732 Canyon Oaks Drive, Mount Pleasant,

SC, 29464 as the mailing address on its lease application. This South Carolina address is also the mailing address for TR Golf LLC. Prior to finalization of this lease review, the applicant will be contacted to confirm whether they desire to have their current Victor Idaho mailing address updated to the South Carolina address. The applicant will also be directed to submit an ownership change for the portions of the water rights that remain owned by them.

Water Right Validity/Forfeiture Evaluation: Water rights 22-7347 and 22-13210 were decreed to Teton Valley Golf Associates LP in November of 2008. Six years later, on December 9th, 2014, Teton Valley Golf Associates LP quitclaimed to TR Golf LLC its interest in any and all water associated with water rights 22-7347 and 22-13210, along with the land to which they might be appurtenant. Immediately thereafter, TR Golf LLC filed for an extension of time to avoid forfeiture on these water rights.

In the application for an extension of time to avoid forfeiture, TR Golf LLC affirmed that it did not own all the land upon which water rights 22-7347 and 22-13210 were situated. In spite of uncertainty regarding TR Golf's exact ownership of the water rights, IDWR granted an extension of time to avoid forfeiture for both water rights, which was effective from December 2014 through December 2019. Six years of some non-use of the water rights appears to have elapsed, following the decree in 2008. Discounting the period of time from December 2014 through December 2019, this lease can be considered as having been submitted in the sixth year of any partial non-use. Per IDWR policy, there are no concerns about forfeiture or the validity of these water rights.

The applicant has requested that the lease take effect in 2020, which would effectively be the seventh year following potential partial non-irrigation use under these water rights. Commencing the lease in 2020 may result in a future finding that seven years of partial non-use will have effectively occurred under the portions of the water rights proposed for lease. Full resumption of irrigation use under the leased portions would thereafter be necessary to dispel notions of forfeiture. Alternatively, the applicant could request that lease commence in 2019, which would allow for the lease protections of the Water Supply Bank to take effect in the sixth year of non-use. The applicant will be contacted to confirm their lease intentions.

Enlargement of Use: To avoid enlargement in water use, only those portions of water rights 22-7347 and 13210 which are likely owned by the applicant, and which have been identified as proposed for idling through this application, will be considered for lease.

The lease proposal is summarized in the table immediately to the right and lease contract conditions will state the maximum irrigation extent that will remain unleased during the term of the lease contract.

Maximum Potential WR Lease					
WR	Rate	Vol	Acres	Rate / AC	Vol / AC
22-7347	0.966	144.90	48.3	0.020	3.00
22-13210	0.250	43.75	12.5	0.020	3.50
	1.216	188.65	60.8	0.020	3.10

Local Public Interest: This lease appears consistent with local public interests.

Beneficial Use/Conservation of Water Resources: The lease appears consistent with the conservation of water resources in Idaho.

Department/Watermaster Comments: Comments were requested from IDWR Eastern Region office staff on May 7, 2020. No comments were received back.

Water Supply Bank Evaluation: Based on the information presented by the applicant, staff recommend the application be approved.

Licensed / Decreed Irrigation Authorizations										WR Geospatial Polygon Place of Use Acres										Differences between Authorized and Mapped Acres										Maximum Potential WR Ownership										POU Geospatial Polygon Acres									
TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	WR	Rate	Vol	Acres	Rate / AC	Vol / AC	WR	Rate	Vol	Acres	Rate / AC	Vol / AC								
04N	45E	35	6.0					33.0	39.0	04N	45E	35	5.3					33.6	38.9	04N	45E	35	0.7			-0.6			0.1	22-7347	3.940	591.00	197.0	0.020	3.00	22-7347	3.950	592.50	197.50	0.020	3.00								
		36		39.0	39.0			39.0	39.0 40.0 40.0			36		39.0	38.8			39.2	40.6 39.9 38.9			36		0.0	0.2	-0.2	-1.6	0.1	1.1	0.1	22-13210	1.556	273.00	78.0	0.020	3.50	22-13210	1.556	272.30	77.80	0.020	3.50							
275.0										275.3										-0.3										3.14										3.14									
Land Remaining Owned by TR Golf										WR Geospatial Polygon Place of Use Acre Ownership										Differences between Authorized and Mapped Polygon Acres										Maximum Potential WR Ownership										POU Geospatial Polygon Acres									
TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	WR	Rate	Vol	Acres	Rate / AC	Vol / AC	WR	Rate	Vol	Acres	Rate / AC	Vol / AC								
04N	45E	35	5.3					4.2	9.5	04N	45E	35	0.5					3.0	3.5	04N	45E	35	4.8			1.2			6.0	22-7347	0.846	126.90	42.3	0.020	3.00	22-7347	0.726	108.90	36.30	0.020	3.00								
		36		0.0	0.0			3	4.2 3.7 21.9			36		0.0	0.0			3	4.2 3.7 21.9			36		0.0	0.0	0.0	0.0	0.0	0.0	0.0	22-13210	0.000	0.00	0.0	0.000	0.00	22-13210	0.000	0.00	0.000	0.00	0.00							
42.3										36.3										6.0										3.00										3.00									
Land Owned by Third Parties										WR Geospatial Polygon Place of Use Acre Ownership										Differences between Authorized and Mapped Polygon Acres										Maximum Potential WR Ownership										POU Geospatial Polygon Acres									
TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	WR	Rate	Vol	Acres	Rate / AC	Vol / AC	WR	Rate	Vol	Acres	Rate / AC	Vol / AC								
04N	45E	35	5.7					2.9	8.6	04N	45E	35	0.0					2.9	2.9	04N	45E	35	5.7			0.0			5.7	22-7347	0.560	84.00	28.0	0.020	3.00	22-7347	0.446	66.90	22.30	0.020	3.00								
		36		9.0	15.4			9.7	4.6 0.5 4.6			36		9.0	15.4			9.7	4.6 0.5 4.6			36		0.0	0.0	0.0	0.0	0.0	0.0	0.0	22-13210	0.488	85.40	24.4	0.020	3.50	22-13210	0.488	85.40	24.40	0.020	3.50							
52.4										46.7										5.7										3.23										3.26									
Land owned by Teton Reserve Master Association										WR Geospatial Polygon Place of Use Acre Ownership										Differences between Authorized and Mapped Polygon Acres										Maximum Potential WR Ownership										POU Geospatial Polygon Acres									
TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	WR	Rate	Vol	Acres	Rate / AC	Vol / AC	WR	Rate	Vol	Acres	Rate / AC	Vol / AC								
04N	45E	35	26.6					26.7	53.3	04N	45E	35	5.0					26.7	51.7	04N	45E	35	21.6			0.0			21.6	22-7347	3.022	453.30	151.1	0.020	3.00	22-7347	2.590	388.50	129.50	0.020	3.00								
		36		27.1	19.4			23	28 36.1 10.8			36		27.1	19.4			23.3	27.6 36.1 10.8			36		0.0	0.0	0.0	0.0	0.0	0.0	0.0	22-13210	0.930	162.75	46.5	0.020	3.50	22-13210	0.930	162.75	46.50	0.020	3.50							
197.6										176										21.6										3.12										3.13									
Potential Lease of Teton Reserve Master Association Water Rights										WR Geospatial Polygon Place of Use Acre Lease Potential										Differences between Authorized and Mapped Polygon Acres										Maximum Potential WR Lease										POU Geospatial Polygon Acres									
TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	WR	Rate	Vol	Acres	Rate / AC	Vol / AC	WR	Rate	Vol	Acres	Rate / AC	Vol / AC								
04N	45E	35	4.5					11.8	16.3	04N	45E	35	4.5					11.8	16.3	04N	45E	35	0.0			0.0			0.0	22-7347	0.966	144.90	48.3	0.020	3.00	22-7347	0.966	144.90	48.30	0.020	3.00								
		36		1.0	11.5			4.4	8 12.5 7.1			36		1.0	11.5			4.4	8.0 12.5 7.1			36		0.0	0.0	0.0	0.0	0.0	0.0	0.0	22-13210	0.250	43.75	12.5	0.020	3.50	22-13210	0.250	43.75	12.50	0.020	3.50							
60.8										60.8										0.0										3.10										3.10									
Sum of Lands owned by Various Parties										WR Geospatial Polygon Place of Use Acre Ownership by Various Parties										Differences between Authorized and Mapped Polygon Acres										Maximum Potential WR Ownership by All Parties										POU Geospatial Polygon Acres									
TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	WR	Rate	Vol	Acres	Rate / AC	Vol / AC	WR	Rate	Vol	Acres	Rate / AC	Vol / AC								
04N	45E	35	37.6					33.8	71.4	04N	45E	35	5.5					32.6	38.1	04N	45E	35	32.1			1.2			33.3	22-7347	4.428	664.20	221.4	0.020	3.00	22-7347	3.762	564.30	188.10	0.020	3.00								
		36		36.1	34.8			36	36 40.3 37.3			36		36.1	34.8			36.0	36.4 40.3 37.3			36		0.0	0.0	0.0	0.0	0.0	0.0	0.0	22-13210	1.418	248.15	70.9	0.020	3.50	22-13210	1.418	248.15	70.90	0.020	3.50							
292.3										259.0										33.3										3.1										3.1									
Differences Between Decreed and Current Ownership Elements										Differences Between Geospatial Polygon Place of Use Acres										Differences between Authorized and Mapped Polygon Acres										Differences B/N Decreed & Current Ownership										POU Geospatial Polygon Acres									
TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	TWP	Range	Section	NE			NW			Totals	WR	Rate	Vol	Acres	Rate / AC	Vol / AC	WR	Rate	Vol	Acres	Rate / AC	Vol / AC								
04N	45E	35	-31.6					-0.8	-32.4	04N	45E	35	-0.2					1.0	0.8	04N	45E	35	-31.4			-1.8			-33.2	22-7347	-0.488	-73.2	-24.4	0.020	3.00	22-7347	0.188	28.2	9.4	0.020	3.00								
		36		2.9	4.2			3.0	2.6 -0.3 2.7			36		2.9	4.0			3.2	4.2 -0.4 1.6			36		0.0	0.2	-0.2	-1.6	0.1	1.1	-0.4	22-13210	0.142	24.9	7.1	0.020	3.50	22-13210	0.138	24.2	6.9	0.020	3.50							
-17.3										16.3										-33.6										2.8										3.2									

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1198

This Lease Contract ("**Lease**") is between the Idaho Water Resource Board ("**Board**"), and

LESSOR: TETON RESERVE MASTER ASSOCIATION INC
PO BOX 838
VICTOR, ID 83455-0838

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on December 10, 2019.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
22-7347	2/18/1981	GROUND WATER	0.96	144	48
Combined Lease Totals			0.96	144	48

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2020 to December 31, 2021. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1198

**ATTACHMENT A
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE**

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 22-7347

GROUND WATER NENE Sec. 35 Twp 04N Rge 45E TETON County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
22-7347	IRRIGATION	06/01	to	10/01	0.96 cfs	144 AF
Totals:					0.96 cfs	144 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	35	4.5			12													16.5
04N	45E	36					4.4	8.0	12	7.1									31.5

Total Acres: 48.0

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1198

9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
13. The unleased extent of water rights 22-7347 is limited to a maximum diversion rate of 2.98 cfs and 447 af, for the irrigation of 149 acres.

Buyer, Remington

From: Buyer, Remington
Sent: Wednesday, January 29, 2020 11:55 AM
To: 'lmarchant@holdenlegal.com'
Subject: RE: WSB Lease Application for Water Rights 22-7347 and 22-13210
Attachments: Lease Application Returned.pdf

Luke,

Please note the attached letter is being mailed to your clients today.

Regards,

Remington

From: Buyer, Remington
Sent: Thursday, December 19, 2019 1:15 PM
To: Luke Marchant <lmarchant@holdenlegal.com>
Subject: WSB Lease Application for Water Rights 22-7347 and 22-13210

Luke,

The attached letter will be going out by mail from IDWR tomorrow. I suspect an ownership change is ready, to convey portions of water rights 22-7347/13210 from TR Golf LLC to Teton Reserve Master Association Inc, contingent on the approval of the transfer application for the water rights, which has been submitted to IDWR's Eastern Office?

We can move forward with a lease application for the water rights, once we receive information requested in the attached letter. Else, we can return the application so that it might be resubmitted at a later date, once the transfer of the water rights is completed.

Please let me know if you have any questions, else, we look forward to receiving the requested items from your client(s).

Regards,

Remington



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 29, 2020

Teton Reserve Master Association, INC
1732 Canyon Oaks Drive
Mt. Pleasant, SC
29464

RE: RETURNED APPLICATION(S) TO LEASE WATER RIGHT NO(S). 22-7347 and 22-13210 TO THE WATER SUPPLY BANK

Dear Applicant:

The Department of Water Resources (Department) has completed its review of your application(s) to lease water right(s) to the Water Supply Bank (Bank). To be eligible for lease to the Bank, Water Supply Bank rule 25.02.b (IDAPA 37.02.03.25.02.b) requires a completed application showing proof of ownership by the applicant.

On December 19, 2019, the Department requested from you information to confirm your ownership and/or authorization to lease into the Bank portions of water rights 22-7347 and 22-13210. A deadline of January 20th, 2019 was provided by which this information should have been submitted. As of today, no information has been provided to confirm your authority to lease the proposed portions of water rights 22-7347 and 22-13210 into the Bank.

As such, your applications are being denied and your filing fee is being refunded. This letter is notice that the attached application(s) to lease water to the Bank are now returned.

Please note the forfeiture period is not tolled unless a right is accepted into the Bank, or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. If forfeiture is a concern, you may consider filing an Application for Extension of Time to Avoid Forfeiture of a Water Right form. This and other water right forms are available from the Department's web site at www.idwr.idaho.gov.

If you have questions regarding this matter, you may contact our office at (208) 287-4800.

Remington Buyer
Water Supply Bank Coordinator

cc: Luke Marchant – Holden, Kidwell, Hahn & Crapo LLC
Enclosure: Lease Application



State of Idaho
DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 19, 2019

TETON RESERVE MASTER ASSOCIATION INC
1732 CANYON OAK DRIVE
MT PLEASANT SC 29464

RESPONSE DEADLINE
01/20/2020

Dear Applicant,

On December 10, 2019, the Department of Water Resources received from you applications to lease portions of water rights 22-7347 and 22-13210 into the Water Supply Bank (Application ID 1554). The application has requested a lease period of 2020 through 2021.

Water rights 22-7347 and 22-13210 are still recorded in IDWR's water right management system as belonging to TR Golf LLC. Additionally, the extent to which TR Golf LLC retains ownership of some or all of water rights 22-7347 and 22-13210 is unclear.

The purpose of this letter is to inform you that, per Water Supply Bank rule 25.02.b, Water Supply Bank lease application 1554 is considered deficient and cannot be accepted without additional information. Specifically, the Department is requesting that you submit to our office the following information so that we may continue processing lease application 1554:

- confirmation of the specific extent (diversion rate, volume and irrigable acres) authorized under water rights 22-7347 and 22-13210, to which TR Golf LLC remains the owner;
- confirmation that you are authorized to represent TR Golf LLC as the designated lessor for water rights 22-7347 and 22-13210, which can be provided through the completion of the enclosed lessor designation form.

Our office is requesting that you have TR Golf LLC provide our office with the above requested items, no later than January 20, 2020, so that we may continue processing lease application 1554. If we do not receive the requested information prior to the deadline specified above, your lease application may be returned to you, and your filing fee will be refunded.

If you have questions regarding this matter, please contact our office at (208) 287-4800.

Regards,

Remington Buyer
Water Supply Bank Coordinator

CC: Luke Marchant – Holden, Kidwell, Hahn & Crapo PLLC

Enclosures: Lessor Designation Form



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

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Department of Water Resources
Eastern Region

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December 10, 2019

Eastern Region Office
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402

Re: *Application for Transfer for Water Right Nos. 22-7347 and 22-13210; Water Supply Bank Lease Applications for Water Right Nos. 22-7347 and 22-13210; Resumption of Beneficial Use for Water Right Nos. 22-7347 and 22-13210.*

Dear Reviewing Agent:

Enclosed for processing are three categories of water right filings associated with Water Right Nos. 22-7347 and 22-13210.

The first is a *Transfer Application* along with a filing fee in the amount of \$900. These water rights are associated with the Teton Reserve Golf Course and its associated surrounding residential subdivision located in Teton County, Idaho. These water rights previously received an approved *Application for Extension of Time to Avoid Forfeiture*, with a resumption date of December 15, 2019. In order to best address these water rights, we believe it is necessary to submit this *Transfer* to update the place of use of the water rights as they have been used on property outside of its currently authorized place of use. Accordingly, the *Transfer* seeks approval for a permissible place of use that includes all of the land owned by the Teton Reserve Master Association, Inc., which includes the Teton Reserve Golf Course. We are aware that the original place of use for these water rights covers currently platted residential lots, and we are in the process of recording deeds conveying the small portions of the above water rights associated with these parcels to Teton Reserve Master Association, Inc. We intend to have those to you in the coming weeks. Please also note that we are requesting that the ownership of these water rights be updated through this transfer from TR Golf, LLC to Teton Reserve Master Association, Inc.

The second set of documents are *Water Supply Bank Lease Applications* along with the associated \$500 filing fee to place portions of 22-7347 and 22-13210 into the Idaho Water Supply Bank. We are providing these completed applications to you simply so that you are initially aware of the plan relative to these water rights. We assume that you will forward these documents to the Boise IDWR office, and should any questions arise, please have those agents in Boise contact us with any questions.

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Finally, we are submitting a completed *Resumption of Use* form for Water Right Nos. 22-7347 and 22-13210.

We appreciate your attention to this matter. If you have any questions regarding these documents, please contact Luke Marchant at our office. Once the reviewing agent on each matter is assigned, please email Luke at lmarchant@holdenlegal.com and he will email you any of the shapefiles associated with these filings

Best regards,



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures