

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 04 2020
Department of Water Resources
Eastern Region

Notice of Abandonment of Water Right

Print Name of Water Right Owner(s): The Conservation Fund, a Maryland nonprofit corporation

Mailing Address: 1655 N. Fort Myer Drive, Suite 1300, Arlington, Virginia 22209, Attn. General Counsel

Phone: 703-908-5816

Note: If you are not listed as the current owner of the water right in the Idaho Department of Water Resources' records, you must include evidence of ownership of the water right (or portion of the water right) with this form. Evidence may include a warranty deed, quitclaim deed, court decree, contract of sale, etc.

I am the current owner of X all, or _____ part of, the water right described in the Idaho Department of Water Resources' records as Water Right No. 22-12283.

I hereby abandon X all, or _____ part of the water right designated above. This abandonment is intentional and voluntary. I recognize that this abandonment permanently eliminates the right to divert and use water under the water right designated above.

If this abandonment applies to a portion of the water right, please indicate which part is abandoned by describing the diversion rate, annual diversion volume or storage volume, and place of use (include acres if the use is irrigation) and by attaching a detailed map identifying the specific locations.

Dean H. Cannon

Signature of Water Right Owner(s) or Authorized Representative

May 1, 2020
Date

Dean H. Cannon, Executive Vice President

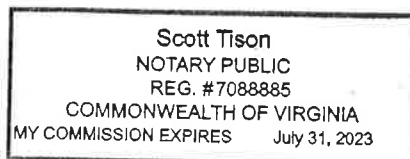
Print Name and Title of Authorized Representative

(Complete if applicable and include your authority to act on behalf of the water right owner)

State of Virginia)
County of Arlington) ss

On this 1st day of May, 2020, the signer(s) of the above instrument appeared before me and duly acknowledged to me that he/she executed the same.

SEAL



AT
Notary Public

My commission expires: 7/31/23

GENERAL WARRANTY DEED

Teton Timbers to TCF
Teton County, Idaho

THIS INDENTURE is made this 10th day of April, 2020, by **TETON TIMBERS RANCH, LLC**, a Delaware limited liability company, the address of which is 7 West Main, Suite 202, Bozeman, Montana 59715 (the "Grantor"), to **THE CONSERVATION FUND**, a Maryland non-profit corporation, whose mailing address is 1655 North Fort Myer Drive, Suite 1300, Arlington, Virginia 22209-3199, Attention: General Counsel (the "Grantee").

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described property ("Property") located in the County of Teton, State of Idaho, to-wit:

See Exhibit A, attached hereto.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor, together with all rights in Water Right Identification No. 22-12283 in the amount of 0.04 cfs, Priority Date 06/01/1906, subject to those matters described in Exhibit B, attached hereto.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor warrants that it has full power and lawful authority to convey the Property as described. The Grantor and the Grantor's successors shall warrant and defend the Property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who holds (or who later claims to have held) rights in the Property as of the date hereof, subject to the matters set forth above.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

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Teton Timbers to TCF

Teton County, Idaho

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See **Exhibit A**, attached hereto.

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IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

GRANTOR:

Teton Timbers Ranch, LLC, a Delaware limited liability company

By: Beartooth Capital II, LP, its Member

By: Beartooth Capital GPII, LLC, its Managing Member

By: Robert Keith
Robert Keith, its Managing Member

STATE OF Texas)
COUNTY OF Dallas) ss.

On this 7th day April, 2020, before me, the undersigned, a notary public, in and for said State, personally appeared Robert Keith as Managing Member of Beartooth Capital GPII, LLC, as Managing Member of Beartooth Capital II, LP as the Member of Teton Timbers Ranch, LLC, a Delaware limited liability company, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Notary Public for Electronic Notary Public
Residing at Dallas Texas
My Commission Expires: 11/08/2022



Kelsee Hearne Kelsee Hearne

Notarized online using audio-video communication

EXHIBIT "A"
DESCRIPTION OF PROPERTY

The following property located in Township 5 North, Range 43 East, Boise Meridian, Teton County, Idaho:

Section 24: SE1/4SW1/4

Section 25: W1/2; W1/2E1/2; SE1/4SE1/4

Section 36: E1/2; E1/2NW1/4

EXHIBIT "B"
EXCEPTIONS TO TITLE
(3 pages)

1. Reservations or exceptions as may be contained in the following deeds:
 - 1.1. Warranty Deed from Idaho Coal and Coke Inc. to Hazel H. French, recorded December 15, 1936 in Book 67 at Page 185, Records of Teton County, Idaho.
 - 1.2. Warranty Deed from Fred P. French and to Hazel H. French, recorded December 15, 1936 in Book 67 at Page 187, Records of Teton County, Idaho.
 - 1.3. Warranty Deed from Teton Coal Company to H.F. Samuels, recorded December 11, 1942 in Book 73 at Page 339, Records of Teton County, Idaho.
 - 1.4. Warranty Deed from Adrian Cook and Martha Cook and Emma Hanks to Henry D. Mikesell and Edna R. Mikesell, recorded August 9, 1995 in Book 81, Page 381, Records of Teton County, Idaho.
 - 1.5. Warranty Deed from Henry D. Mikesell and Edna R. Mikesell to Carl A. Ripplinger and Alena Ripplinger recorded October 22, 1958 in Book 81 at Page 509, Records of Teton County.
 - 1.6. Warranty Deed from Adrian H. Cook and Martha W. Cook to Lorin A. Murdock and Dorothy Lee Murdock recorded June 18, 1970, Recorder's No. 68373, Records of Teton County, Idaho.
 - 1.7. Gift Deed from Henry Dee Mikesell to Harvey D. Mikesell and Pauline C. Mikesell recorded June 2, 1971 Recorder's No. 69611, Records of Teton County, Idaho.
 - 1.8. Quitclaim Deed from Lorena M. Mikesell to Pauline C. Mikesell recorded November 3, 1972, Recorder's No. 71759, Records of Teton County, Idaho.
 - 1.9. Decree from Harvey Dee Mikesell to Pauline C Mikesell recorded January 6, 1974, Recorder's No. 73718, Records of Teton County, Idaho.
 - 1.10. Quitclaim Deed from Blanchet W. Hansen to Vivian C. Bagley individually and personal representative of the Estate of Floyd S. Bagley, recorded December 1, 1982, Recorder's No. 91561, Records of Teton County, Idaho.
 - 1.11. Quitclaim Deed from Spent Hansen to Vivian C. Bagley individually and personal representative of the Estate of Floyd S. Bagley, recorded December 1, 1982 Recorder's No. 91562, Records of Teton County, Idaho.
 - 1.12. Grant Deed by Personal Representative from Vivian C. Bagley as Personal Representative to Vivian C. Bagley Individually, recorded January 3, 1983, Recorder's No. 91734, Records of Teton County, Idaho.

- 1.13. Quitclaim Deed from Domestic Power Development Company to Vivian C. Bagley individually and as Personal Representative of the Estate of Floyd S. Bagley, recorded February 23, 1983, Recorder's No. 92005, Records of Teton County, Idaho.
- 1.14. Judgement and Decree Quieting Title to Vivian C. Bagley individually and Personal Representative of the Estate of Floyd S. Bagley as Plaintiffs and Domestic Power Development Company and Spencet and Blanchet W. Hansen as Defendants, recorded July 26, 1983, Recorder's No. 92977, Records of Teton County, Idaho.
- 1.15. Grant Deed by Personal Representative from Terrence F. Bagley as Personal Representative of the Estate of Vivian C. Bagley to Terrence F. Bagley, Gerald C. Bagley, Julie Rose McKeller, Errol C. Bagley, John K. Bagley, Christy B. Dyer, Liza Jane Wilson, as to each an undivided 14.2857 percent interest, Recorded January 6, 1986, Recorder's No. 98069, Records of Teton County, Idaho.
- 1.16. Grant Deed by Personal Representative from Terrence F. Bagley as Personal Representative of the Estate of Vivian C. Bagley to Terrence F. Bagley, an undivided .0001 percent interest, Recorded July 14, 1986, Recorder's No. 99150, Records of Teton County, Idaho.
- 1.17. Warranty Deed from Carl A. Ripplinger and Alena Ripplinger to Floyd S. Bagley, recorded August 8, 1986 Recorder's No. 99289, Records of Teton County, Idaho.
- 1.18. Warranty Deed from Pauline C. Mikesell to Floyd S. Bagley, recorded August 11, 1986, recorders No. 99304, Records of Teton County.
- 1.19. Correction Deed by Terrance F. Bagley as Personal Representative of the Estate of Vivian C. Bagley to Terrance F. Bagley, an undivided 14.2858 percent interest; Gerald C. Bagley, Julie Rose McKeller, Errol C. Bagley, John K. Bagley, Christy B. Dyer, Liza Jane Wilson, each an undivided 14.2857 percent interest, recorded October 24, 1991, Recorder's No. 108880, Records of Teton County, Idaho.
- 1.20. Correction Gift Deed by Julie Rose McKeller to Ricks College, an undivided 14.2857 percent interest, recorded August 24, 1991, Recorder's No. 108881, Records of Teton County.
- 1.21. Correction Gift Deed by Errol C. Bagley to Ricks College, an undivided 14.2857 percent interest, recorded August 24, 1991, Recorder's No. 108882, Records of Teton County.
- 1.22. Correction Gift Deed by Liza Jane Wilson to Ricks College, an undivided 14.2857 percent interest, recorded August 24, 1991, Recorder's No. 108883, Records of Teton County.

- 1.23. Correction Gift Deed by Christy B. Dyer to Ricks College, an undivided 14.2857 percent interest, recorded August 24, 1991, Recorder's No. 108884, Records of Teton County.
- 1.24. Correction Gift Deed from John K. Bagley to Ricks College, an undivided 14.2857 percent interest, recorded August 24, 1991, Recorder's No. 108885, Records of Teton County.
- 1.25. Correction Gift Deed from Terrence F. Bagley to Ricks College, an undivided 14.2857 percent interest, recorded August 24, 1991, Recorder's No. 108886, Records of Teton County.
- 1.26. Correction Gift Deed from Gerald C. Bagley to Ricks College, an undivided 14.2857 percent interest, recorded January 16, 1992, Recorder's No. 109457, Records of Teton County.
- 1.27. Warranty Deed from Adrian H. Cook and Martha W. Cook recorded April 1, 1993, Recorder's No. 112515, Records of Teton County, Idaho.
2. Easement for ingress and egress granted to Gerald S. Williams and Ann H. Williams in Warranty Deed recorded April 14, 1999 as Instrument No. 133586.
3. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded May 13, 2016, as Instrument Number 240780, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).