

OCT 19 2017

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81986

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Russell and Danielle Wootton

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 19 2017

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Russell and Danielle Wootton Phone _____

Mailing address 177 S. Lavaside Rd., Blackfoot, ID 83221 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Luke H. Marchant Phone (208) 523-0620

Mailing address PO Box 50130, Idaho Falls, ID 83405 Email lmarchant@holdenlegal.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Luke H. Marchant, Attorney
Print Name and Title if applicable

10/19/2017
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

The purpose of this Application for Transfer is to change the point of diversion and place of use for a four (4) acre portion of Water Right No. 35-7273. The place of use for Water Right No. 35-2288 will also be changed and combined with the 4 acre portion of 35-7273 to form a 46 acre place of use. This Application will also correct the location of the point of diversion for 35-2288. The water right shows that the point of diversion is located in the NESENW, Lot 4, Sec. 04 of Township 02S, Range 36E. The correct location is in the SENENW, Lot 2, Sec. 04 of Township 02S, Range 36E. It is likely that this error was made due to a projection error or was based on outdated PLSS lines.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	35-2288	0.84 cfs/168 afa	Irrigation	04/01 to 10/31	Ground water
☐ ☒	35-7273	0.08 cfs/16 afa	Irrigation	04/01 to 10/31	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.92 cfs and/or 184 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.92 cubic feet per second and/or 184 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
	2		NE	NW	04	02S	36E	Bingham	Ground water	
		Per Transfer Memo No. 24, Part 12 it is not necessary to run an ESPA analysis because the proposed point of diversion is in a model grid cell adjacent to the current point of diversion.								

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	36E	04			5.8				7	25.4									38.2
										L4									
		04								7.8									7.8
										L11									
Total Acres (for irrigation use)																			46

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Well and pump into pressurized pipeline.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete [Attachment WSB](#).

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

It will no longer be irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/18/2017

WATER RIGHT NO. 35-2288

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DANIELLE WOOTTON
Current Owner	RUSSELL WOOTTON 177 S LAVASIDE RD BLACKFOOT, ID 83221 2087854633
Original Owner	V F WOOTTON BLACKFOOT, ID 83221
Original Owner	BODEAN WOOTTON
Original Owner	G N WOOTTON 187 S LAVASIDE BLACKFOOT, ID 83221 2087853763

Priority Date: 12/10/1952

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.84 CFS	168 AFA
Total Diversion			0.84 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESENW Lt 4|Sec. 04|Township 02S|Range 36E|BINGHAM County

Place(s) of use:

81986

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	36E	4	12	SWNE	2									
				SWNW	11	4	SENW	27	11	SENW	2			

Total Acres: 42

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. E05 USE OF THIS RIGHT IS COMBINED WITH WATER FROM NEW LAVASIDE DITCH CO.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 03/08/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

81986

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/18/2017

WATER RIGHT NO. 35-7273

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DANIELLE WOOTTON
Current Owner	RUSSELL WOOTTON 177 S LAVASIDE RD BLACKFOOT, ID 83221 2087854633
Original Owner	BODEAN WOOTTON
Original Owner	G N WOOTTON 187 S LAVASIDE BLACKFOOT, ID 83221 2087853763

Priority Date: 02/07/1973

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.52 CFS	104 AFA
Total Diversion			0.52 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSWSW Lt 17|Sec. 04|Township 02S|Range 36E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

81986

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	36E	4	17	SWSW	6									
		5	8	SESE	2	9	SESE	18						

Total Acres: 26

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. E05 USE OF THIS RIGHT IS COMBINED WITH WATER FROM NEW LAVASIDE DITCH CO.

Dates:

Licensed Date:

Decreed Date: 03/08/2002

Permit Proof Due Date: 3/1/1979

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 3/2/1973

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

81986

81986

Attachment No. 7a

GIS Maps

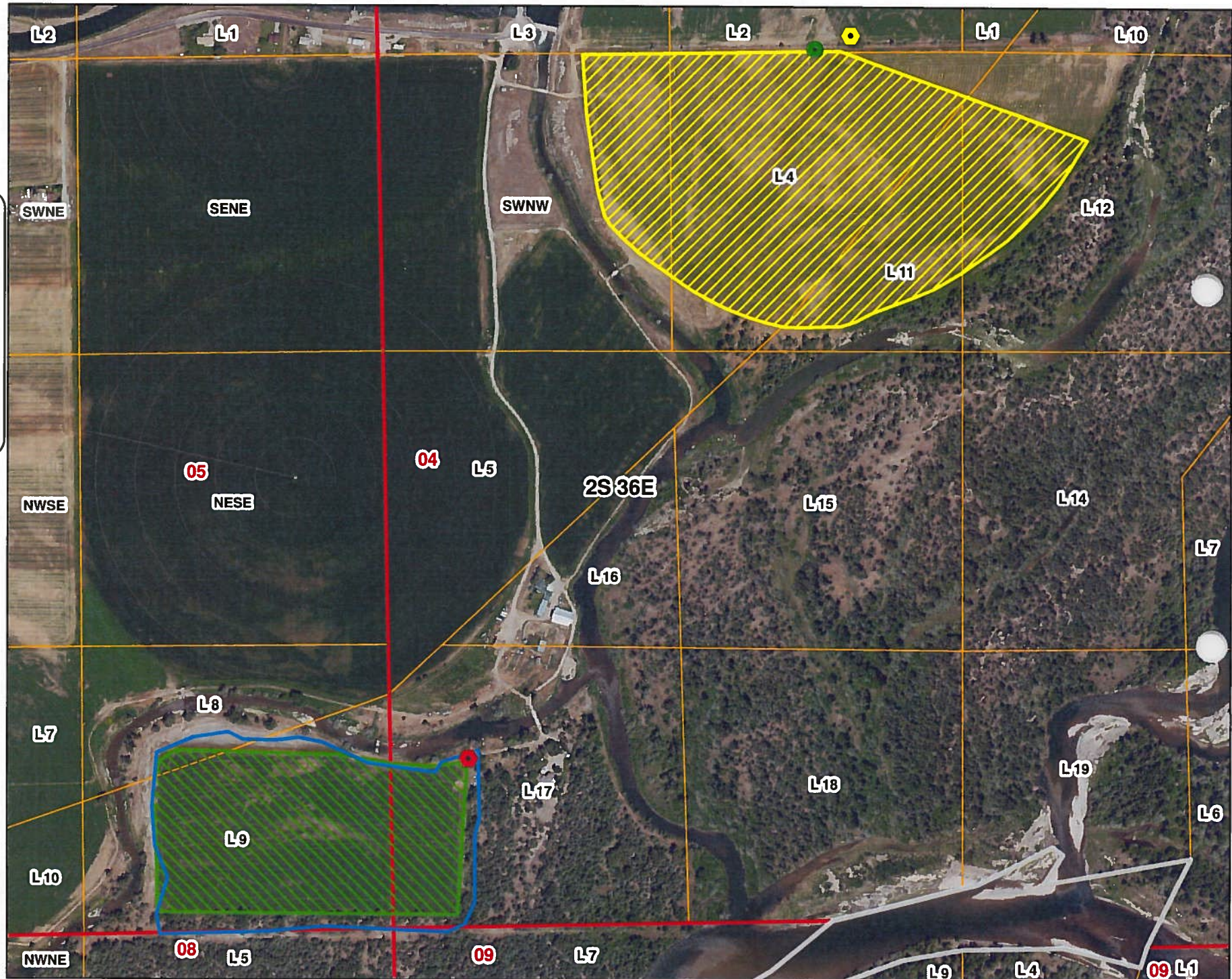
81986

WOOTTON APPLICATION FOR TRANSFER



Legend

- Proposed POD
- ⬡ 35-2288 Current POD
- ⬡ 35-7273 POD
- ▨ Proposed POU
- ▭ 35-7273 Current POU
- ▨ 35-7273 Proposed POU
- ▭ TR Lines
- ▭ Section Lines
- ▭ Quarter Quarters



98618

2015 NAIP Photo



Prepared by:
Luke H. Marchant
10/19/2017

Attachment No. 7b
GIS Shapefile

**(Will be sent via email upon
request from IDWR)**

After recording, return to:
Aren Eddingsaas
Shoshone-Bannock Tribes
Fish and Wildlife Department
P.O. Box 306
Fort Hall, ID 83203-0306

Instrument # 631190

BINGHAM COUNTY, IDAHO
2011-09-06 10:25:52 AM No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - BLACKFO
SARA J. STAUB Fee: \$19.00
Ex-Officio Recorder Deputy CMiles
Index To: QUIT CLAIM DEED
Electronically Recorded by Simplifile

QUITCLAIM DEED

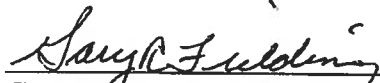
THIS DEED made this 6th day of September, 2011, between **G. FIELDING SOUTH LAVASIDE FARMS LLC, an Idaho Limited Liability Company** hereinafter called Grantor, which address is 4020 Canterbury Way, Idaho Falls, ID, 83404 and **Russell D. Wootton and Danielle Wootton, husband and wife**, hereinafter called Grantee whose address is 187 S. Lavaside, Blackfoot, ID 83221..

NOW THEREFORE, Grantor, for and in consideration of the cooperation of Grantee in achieving resolution of the boundaries of the real property of Grantor, in order to quiet any potential claims against the title of Grantor, does hereby remise, release, and quitclaim unto Grantee, their heirs and assigns, all Grantor's right, title, interest to the following described real property:

That particular boundary shown and described as "Tract 5 Boundary Line by Agreement between Wootton & Fielding", on that certain Document entitled "Record of Survey - Bonneville Power Administration", recorded as Instrument No. 630585, on August 10, 2011 in the records of Bingham County, Idaho.

IN WITNESS WHEREOF, the Grantor, has executed this deed.

Dated this 9/6/11 day of September, 2011.



Grantor: **G. FIELDING RIVER ROAD FARMS, LLC**

By: **Gary R. Fielding as Manager/Member G. Fielding River Road Farms**

ACKNOWLEDGMENT

CORPORATION ACKNOWLEDGMENT
Washington, Oregon, Idaho, Montana, and California

State of IDAHO)
County of BINGHAM) ss.

On this 6th day of September, 20 11, before me personally
appeared GARY R. FIELDING, known to me, or
proved to me on the basis of satisfactory evidence, to be the MANAGER / MEMBER of * the
corporation that executed the within instrument or the person(s) who executed the within instrument as authorized
agent(s) on behalf of the corporation; acknowledged to me that such corporation executed the same; acknowledged
said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein
mentioned; and on oath stated that he authorized to execute said instrument, ~~and that seal, if any,~~ he
~~affixed is the corporate seal of said corporation.~~ he.



L. Michelle Reay
Signature
L. MICHELLE REAY
Print Name

Notary Public in and for the
State of IDAHO
Residing at BLACKFOOT
My commission expires 08/28/2012

* G. FIELDING RIVER ROAD FARMS, LLC

EXHIBIT A

TRACT 5 - 1.831 ACRE LEGAL DESCRIPTION - BOUNDARY LINE BY AGREEMENT (G. FIELDING SOUTH LAVA SIDE FARMS TO RUSSELL D. & DANIELLE WOOTTON)

SITUATED IN THE STATE OF IDAHO, COUNTY OF BINGHAM, BEING PART OF LOTS 2, AND 3 IN THE NORTHWEST QUARTER AND BEING PART OF LOTS 1 AND 10 IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BEING A 1.831 ACRE TRACT OUT OF AN ORIGINAL TRACT CONVEYED TO G. FIELDING SOUTH LAVASIDE FARMS OF RECORD IN INSTRUMENT NUMBER 533282, SAID 1.831 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT A BLM MONUMENT WITH A BRASS CAP FOUND MARKING THE NORTHWEST CORNER OF SAID SECTION 4;

THENCE SOUTH $0^{\circ}05'17''$ WEST, A DISTANCE OF 1329.36 FEET WITH THE WEST LINE OF SAID SECTION 4 TO A POINT MARKING THE SOUTHWEST CORNER OF SAID LOT 3;

THENCE SOUTH $89^{\circ}46'27''$ EAST, A DISTANCE OF 913.09 FEET WITH THE SOUTH LINE OF SAID LOT 3 AND THE NORTH LINE OF LOT 4 AS CONVEYED TO RUSSELL D. AND DANIELLE WOOTTON OF RECORD IN INSTRUMENT NUMBER 420932, TO AN IRON PIN SET MARKING THE POINT OF BEGINNING;

THENCE NORTH $03^{\circ}41'45''$ WEST, A DISTANCE OF 20.43 FEET OVER AND ACROSS SAID G. FIELDING SOUTH LAVASIDE FARMS TRACT TO AN IRON PIN SET;

THENCE NORTH $89^{\circ}39'14''$ EAST, A DISTANCE OF 1502.71 FEET OVER AND ACROSS SAID G. FIELDING SOUTH LAVASIDE FARMS TRACT TO AN IRON PIN SET;

THENCE NORTH $89^{\circ}47'42''$ EAST, A DISTANCE OF 533.80 FEET OVER AND ACROSS SAID G. FIELDING SOUTH LAVASIDE FARMS TRACT TO AN IRON PIN SET;

THENCE SOUTH $89^{\circ}50'04''$ EAST, A DISTANCE OF 452.87 FEET OVER AND ACROSS SAID G. FIELDING SOUTH LAVASIDE FARMS TRACT TO AN IRON PIN SET;

THENCE SOUTH $00^{\circ}01'57''$ WEST, A DISTANCE OF 39.87 FEET OVER AND ACROSS SAID G. FIELDING SOUTH LAVASIDE FARMS TRACT TO AN IRON PIN SET, SAID IRON PIN SET BEING ON THE SOUTH LINE OF SAID LOT 10 AND THE NORTH LINE OF LOT 12 AS CONVEYED TO SAID RUSSELL D. & DANIELLE WOOTTON;

THENCE NORTH 89°46'27" WEST, A DISTANCE OF 2488.02 FEET WITH THE SOUTH LINE OF SAID G. FIELDING SOUTH LAVASIDE FARMS TRACT, THE NORTH LINE OF SAID RUSSELL D. & DANIELLE WOOTTON TRACT, TO THE POINT OF BEGINNING, CONTAINING 1.831 ACRES OF LAND, MORE OR LESS, OF WHICH 0.210 ACRES OUT OF LOT 3, 0.939 ACRES OUT OF LOT 2, 0.172 ACRES OUT OF LOT 1, AND 0.510 ACRES OUT OF LOT 10.

THE ABOVE DESCRIPTION WAS PREPARED BY FORSGREN ASSOCIATES, UNDER THE DIRECT SUPERVISION OF JEFFREY M. ROWE, PLS 13856 IN AUGUST 2011, AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS SHOWN HEREIN ARE GRID BEARINGS BASED ON A GPS SURVEY.

ALL IRON RODS SET ARE 5/8" x 30" IRON ROD WITH AN ALUMINUM CAP STAMPED "PLS 13856".