

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Woods Creek 2 LLC Phone (214) 697-5695

Mailing address 3953 Maple Ave., Ste 290, Dallas, Texas 75219 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.

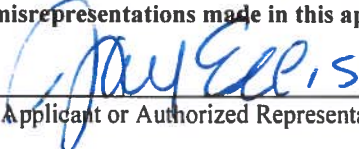
☐ No Representative

Name of Representative Rocky Mountain Environmental Associates Phone 208-524-2353

Mailing address 482 Constitution Way St 303, Idaho Falls, ID 83402 Email kristin.rmea@gmail.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.

 Jay Ellis manager 3/31/15
Signature of Applicant or Authorized Representative Print Name and Title if applicable 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**.

Applicant proposes to update the water right according to changes that have been made in recent years, including reconfiguring irrigated acres and converting a portion of the right to wildlife storage for two ponds that have already been developed on the land.

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 ☒ ☐	22-10762	0.27 cfs	Irrigation	4/15 to 10/31	Woods Creek Trib Teton River
☐ ☐		0.23 cfs	Diversion to Storage	4/15 to 10/31	Woods Creek Trib Teton River
☐ ☐		28.2 afa	Wildlife Storage	01/01 to 12/31	Woods Creek Trib Teton River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.5 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.5 cubic feet per second and/or _____ acre-feet per annum.

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 #

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	
5N	45E	32			2.5	13.9													16.4
					W	W													
		33							W										
Total Acres (for irrigation use)																			16.4

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:

An existing point of diversion and ditch system will convey the proposed water to the place of use. A screened diversion box will be installed. Measuring devices and lockable works could be installed at this location.

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

The land currently described under the water right will be dried up and reconfigured according to the place of use description proposed in this transfer, as shown on the map in Attachment #7a.

- e. 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:

No other water rights exist on the proposed place of use for the same purpose. A companion transfer proposes to provide purchased water rights for a third pond that will be excavated upon approval.

- f. 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:

Part 2A

WATER RIGHT NO. 22-10762

Owner Type **Name and Address**

Current Owner RULON EARL MORTENSEN
5803 S 3100 W
REXBURG, ID 83440
(208)356-5320

Priority Date: 04/15/1970

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WOOD CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.5 CFS	
Total Diversion			0.5 CFS	

Location of Point(s) of Diversion:

WOOD CREEK	NESWNW	Sec. 33	Township 05N	Range 45E	TETON County
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Place of Use Legal Description: IRRIGATION TETON 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>
05N	45E	32		SENE	10									
		33		SWNW	20									

Total Acres: 30

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.

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☒ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

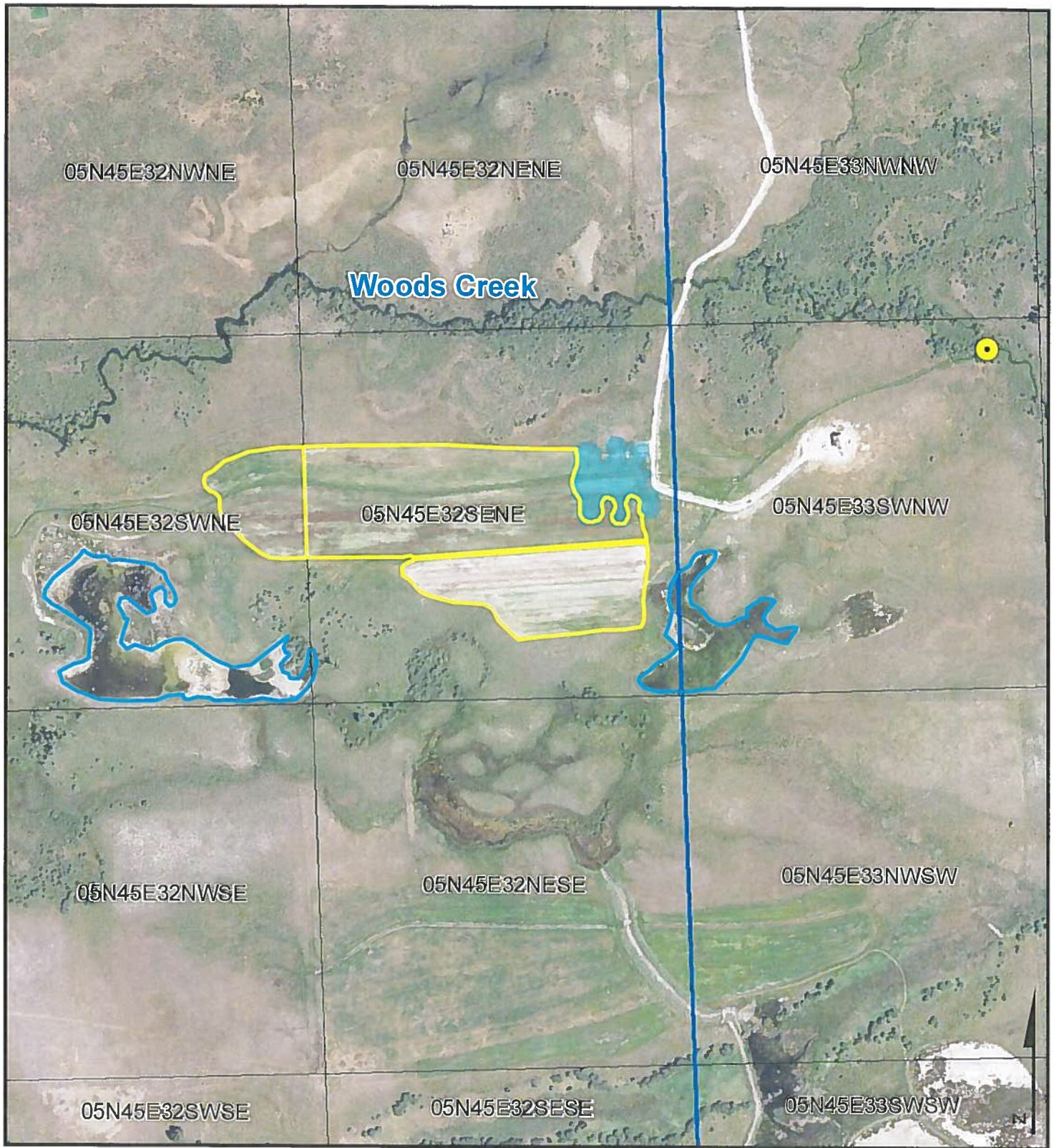
This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____
 Fee paid \$775.⁰⁰ Date 4-7-2015 Received by [Signature] Receipt # E040871
 Add'l fee paid _____ Date _____ Received by [Signature] Receipt # _____

Attachment #7a

Water Right No. 22-10762



● Existing POD

■ Proposed Ponds

■ Proposed Irrigation POU

■ Pond via Companion Transfer

■ Twp & Rng

■ Section

■ QQ

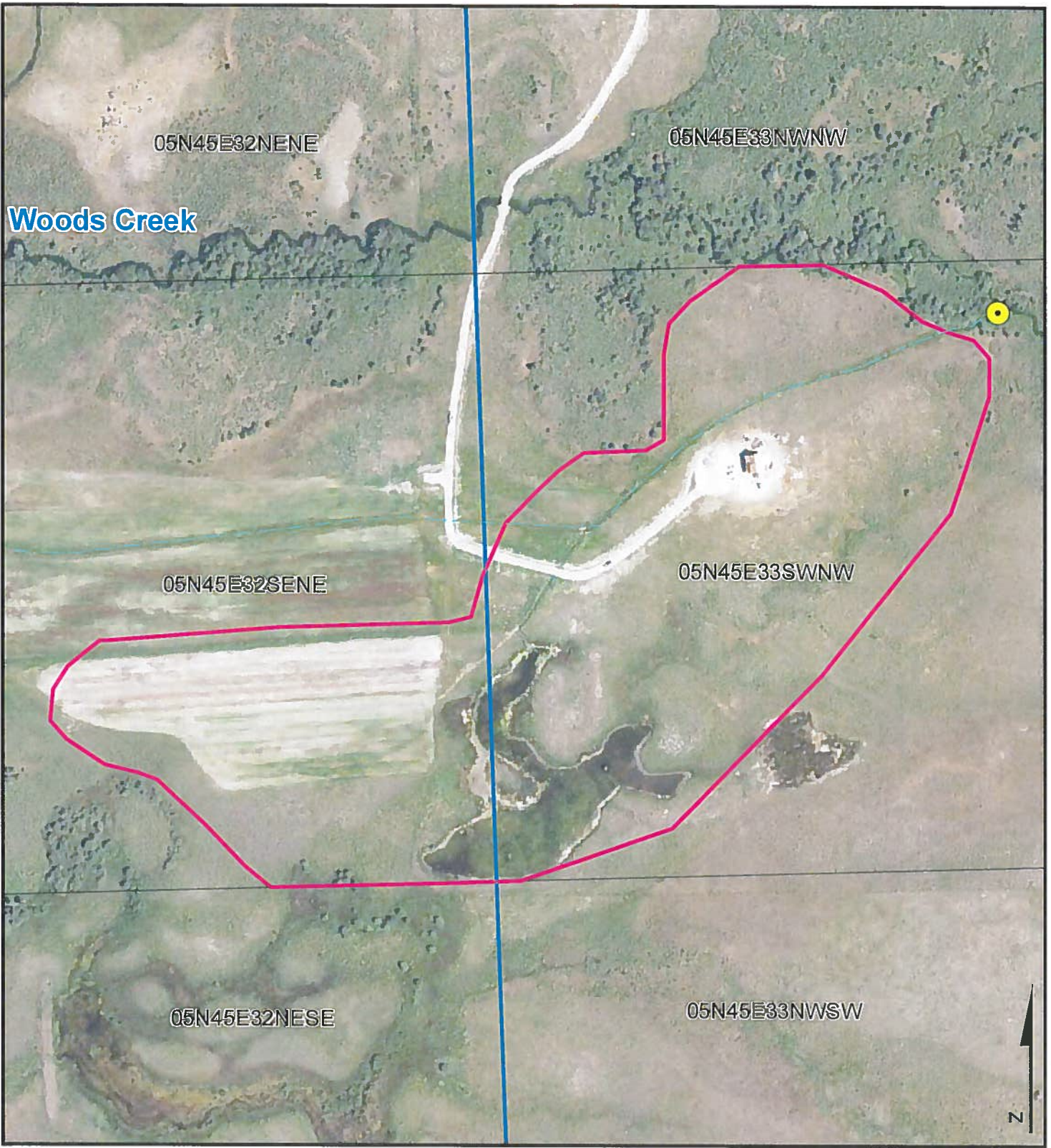
0 300 600 1,200 Feet

2013 NAIP Photography

79974

Attachment #7b

Water Right No. 22-10762



- Existing POD
- Existing Ditch
- WR POU 22-10762
- Township and Range
- Section
- QQ

0 200 400 800 Feet

2013 NAIP Photography

Pond Calculations
Climate Station: Driggs, Idaho (NWS--102676)
Project Name: Woods Creek II LLC

Pond Consumptive Use Calculations

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Annual FWW Evaporation (inches)	35	35	35	35	35	35	35	35	35	35	35	35	35
Monthly Distribution (%) ^{#1}	1	2	4	7	12	15	19	16	11	6	4	3	100
Monthly FWS Evaporation (in/mo)	0.35	0.7	1.4	2.45	4.2	5.25	6.65	5.6	3.85	2.1	1.4	1.05	35
Avg. Total Precipitation (in/mo) ^{#2}	1.43	1.08	1.11	1.28	1.91	1.86	1.11	1.19	1.29	1.25	1.11	1.39	16.01
Pond Loss [(Evap.) - (Precip.in.)] ^{#3}	0	0	0.29	1.17	2.29	3.39	5.54	4.41	2.56	0.85	0.29	0	20.79
Pond Surface Area (acres)	7.56	7.56	7.56	7.56	7.56	7.56	7.56	7.56	7.56	7.56	7.56	7.56	7.56
Total Pond Loss (ac-in)	0.0	0.0	2.2	8.8	17.3	25.6	41.9	33.3	19.4	6.4	2.2	0.0	157.2
Total Pond Loss (ac-ft)	0.0	0.0	0.2	0.7	1.4	2.1	3.5	2.8	1.6	0.5	0.2	0.0	13.1
													#7

Irrigation Consumption Crop

Alfalfa-less freq cuttings (mm/yr)	632	#4 = (Precipitation Deficit Growing Season, Site & Crop Specific (mm))											
Mean Irr. Requirement (ac-in/ac/season)	24.9	#5 = [(Precipitation Deficit (#4)) ÷ (25.4) = ac-in/ac/season]											
Mean Irr. Requirement (ac-ft/ac/season)	2.07	#6 = [(Precipitation Deficit (#5)) ÷ (12) = ac-ft/ac/season]											
Acres to dry up for pond use =	6.32	rounded =	6.3	#8 = [(Pond Loss Total (#7)) ÷ (Mean Irrig.Req (#6))]									

Summary

Original Ground Water Right 22-10762	Diversion Rate (cfs)	Place of Use (acres)	cfs per acre	AF per acre (#6)
	0.5	30	0.017	2.07
Amount of Water Needed For Evaporation	Pond Surface Area (acres)	Acres Equivalent to Evaporation Use (#8)	cfs required	AF (#7)
	7.6	6.3	0.105	13.1
Amount of Water Needed for Pond Fill	Pond Volume (AF)	Acres Equivalent to Pond Fill	cfs required	AF Required
	15.12	7.3	0.122	15.12
Total Water Transferred for Ponds	For Evaporation	For Pond Fill	Amt Transferred	
cfs	0.11	0.12	0.23 cfs	
AF	13.1	15.1	28.2 AF	
acres	6.3	7.3	13.6 acres	

#1 - Molnau, Myron, Kpodtze, Kojo C.S., and Craine, Katherine L., 1992. Monthly shallow pond evaporation in Idaho. ASAE paper PNW 92-111.

#2 - Data collected from the Western Regional Climate Summary, Monthly Climate Summary @ <http://www.wrcc.dri.edu/summary/Climsmsid.html> - See attached.

#3 - Note: for months where precipitation exceeds evaporation, the resultant pond loss is set to zero

#4, 5 & 6 - <http://www.kimberly.und.edu/ETIdaho/> - Precipitation Deficit values used synonymously w/mean irrigation requirement. Values from Allen, Richard G. & Clarence W. Robison, 2012. Evapotranspiration & Consumptive Irrigation Water Requirements for Idaho: Supplement updating the Time Series through December 2008, Research Technical Completion Report, Kimberly Research & Extension Center, University of Idaho, Moscow, ID.





RECEIVED
APR 07 2015
Department of Water Resources
Eastern Region

April 7, 2015

RMEA 14-0011

Idaho Department of Water Resources
900 N Skyline Dr. Suite A
Idaho Falls, Idaho 83402

Re: Application for Transfer of Water Right No. 22-10762

Dear Agent,

Please find enclosed an Application for Transfer for Woods Creek 2, LLC to update and correct Water Right No. 22-10762. This application proposes to change the location of the irrigated acres as well as add two shallow wildlife ponds to be filled and maintained by this right. The changes to this right were made several years ago under another owner, but were not updated in the water rights record.

The wildlife ponds are only 2 feet deep and are about 7.6 acres in surface area. Attachment #8a shows the calculations to determine pond fill and evaporation. Applicant has indicated that the ponds do not drain during the non-irrigation season when diversions to the ponds cease. Ground water levels are shallow, and therefore seepage losses are minimal to none.

A companion transfer for a purchased water right has already been filed for a third pond that will be excavated on the same property. Attachment #7a indicates the location of the third pond, since it will be within the irrigated acreage.

A check for the \$775 filing fee is also attached.

- \$500 Transfer Fee
- \$250 Change in Nature of Use Fee
- \$25 Change in Ownership Fee

Please contact me if you have questions regarding this transfer. I am happy to send over shapefiles when requested.

Thank you,

A handwritten signature in blue ink that reads "Kristin Moore".

Kristin Moore
Water Rights Analyst

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
22-10762	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Rulon Earl Mortensen
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Woods Creek 2 LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 3953 Maple Ave., Ste 290 Dallas TX 75219
Mailing address City State ZIP
- 214-697-5695 _____
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: October 2, 2012
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
- ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - ☐ Filing fee (see instructions for further explanation):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
 - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
 - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: *John Ellis* *manager* *3/31/15*
Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JJ* Date *4.7.15* Receipt No. *E040871* Receipt Amt. *\$25.00*

Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

RECEIVED

9655

AUG 23 1995

121051

TETON Co. Id.
Clerk Recorder

QUIT CLAIM DEED

FOR VALUE RECEIVED RULON EARL MORTENSEN and LILLIAN B. MORTENSEN, husband and wife, do hereby convey, release, remise and forever quit claim unto LORIN LEORY MORTENSEN and COLLEEN C. MORTENSEN, husband and wife, whose current address is 6338 South 550 West, Rexburg, Idaho 83440, the following described premises, to-wit:

Township 5 North, Range 45 East of the Boise Meridian,
Teton County, Idaho
Section 32: S $\frac{1}{2}$ NE $\frac{1}{4}$
Section 33: W $\frac{1}{2}$ NW $\frac{1}{4}$

RESERVING UNTO THEMSELVES the right to use the corrals
that presently exist on the above described property.

together with their appurtenances.

DATED this 16 day of ^{Aug}~~June~~, 1995.

Rulon Earl Mortensen
RULON EARL MORTENSEN

Lillian B. Mortensen
LILLIAN B. MORTENSEN

STATE OF IDAHO

: ss.

County of Madison

On this 16 day of ^{August}~~March~~, 1995, before me, a notary public in and for said State, personally appeared RULON EARL MORTENSEN and LILLIAN B. MORTENSEN, husband and wife, known to me to be the persons, whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

121051

FILED

AT THE REQUEST OF

Thomas E. Moss, Atty.

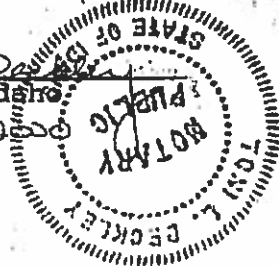
AT 45 MINUTES PAST 11 a. M.

DATE: Aug. 23, 1995

Dea. J. Drake
CLERK OF RECORDER

BY Nora Righy
FBI

Notary Public for Idaho
My Com Exprs: 11-01-2000



Filed ☒
Indexed ☒
Platted ☒

121051

175302

RECEI

MAR 07

TETON CO
CLERK RECC

File Number: 50195

TCT
Teton County Title

Instrument # 175302

DRIGGS, TETON, IDAHO

2006-03-07

03:51:38 No. of Pages: 2

Recorded for: TETON COUNTY TITLE

NOLAN G. BOYLE

Fee: 8.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

WARRANTY DEED

FOR VALUE RECEIVED

Lorin LeRoy Mortensen aka
Lorin Leory Mortensen and Colleen C. Mortensen, Husband and Wife,

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

474 Club, LLC, a Tennessee limited liability company,

GRANTEE(S), whose current address is: 100 Peabody Place Ste. 1335, Memphis, TN 38103

the following described premises, to wit:

See "Exhibit A" attached hereto

Subject to: all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations of record, and payment of accruing taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 6th day of March, 2006.

Lorin LeRoy Mortensen
Lorin Leory Mortensen aka
Lorin LeRoy Mortensen

Colleen C. Mortensen
Colleen C. Mortensen

STATE OF Idaho

COUNTY OF Teton

On this 7th day of March, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Lorin Leory Mortensen and Colleen C. Mortensen known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Patricia L. Wallace
Notary Public
Residing at: Driggs, Idaho
My commission expires: October 21, 2011

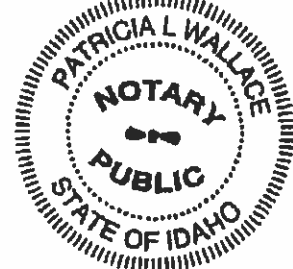


EXHIBIT "A"

MORTENSEN PROPERTY - PARCEL 1

THE W 1/2 NW 1/4 SECTION 33, TWP. 5N., RNG. 45E., B.M.,
TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:
BEGINNING AT THE SW CORNER OF SAID SECTION 33,
THENCE N 01° 10' 34" W. 2578.10 FEET ALONG WEST LINE OF
SECTION 33 TO A POINT;
THENCE S 89° 51' 43" E 1325.29 FEET TO A POINT;
THENCE S 01° 04' 19" E 2575.27 FEET TO A POINT;
THENCE N 89° 58' 50" W 1320.54 FEET TO THE POINT OF BEGINNING.

MORTENSEN PROPERTY - PARCEL 2

THE S 1/2 NE 1/4 OF SECTION 32, TWP. 5N., RNG. 45E., B.M.,
TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:
BEGINNING AT THE SW CORNER OF SECTION 33,
THENCE N 89° 36' 03" W 2633.69 FEET TO THE CENTER 1/4 CORNER
SECTION 32;
THENCE N 01° 10' 00" W. 1314.42 FEET TO A POINT;
THENCE S 89° 41' 02" E 2633.37 FEET TO A POINT;
THENCE S 01° 10' 34" E 1318.25 FEET TO THE POINT OF BEGINNING.

NOT A LEGAL COPY

175302

Instrument # 224439

TETON COUNTY, IDAHO

10-10-2012 08:29:51

No. of Pages: 2

Recorded for: ALLIANCE TITLE - DRIGGS OFFICE

MARY LOU HANSEN

Fee: \$13.00

Ex-Officio Recorder Deputy, Mary Lou Hansen

Index to: DEED, WARRANTY

WARRANTY DEED

ATEC Order No.:144555

FOR VALUE RECEIVED

474 Club LLC, a Tennessee limited liability company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Woods Creek 2, LLC

whose current address is

3953 Maple Ave Ste 290

Dallas, TX 75219

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Parcel 1

The West Half Northwest Quarter Section 33, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as: Beginning at the Southwest corner of said Section 33, thence North 01°10'34" West 2578.10 feet along West line of Section 33 to a point; thence South 89°51'43" East 1325.29 feet to a point; thence South 01°04'19" East 2575.27 feet to a point; thence North 89°58'50" West 1320.54 feet to the point of beginning.

Less: Commencing at the Northwest corner of Section 33, Township 5 North, Range 45 East, Boise Meridian, which point is also approximately the center line station 751+45.0 of the County Secondary Road Project S-6820 (3), and running thence South 89°53' East 1338.0'; thence South 0°7' West 35.0 feet; thence North 89°53' West 1338.0 feet; thence North 0°7' East 35.0 feet more or less to the point of beginning, excepting therefrom the existing road right of way

Parcel 2

The South Half Northeast Quarter of Section 32, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as: Beginning at the Southwest corner of Section 33, thence North 89°36'03" West 2633.69 feet to the center Quarter corner Section 32; thence North 01°10'00" West 1314.42 feet to a point; thence South 89°41'02" East 2633.37 feet to a point; thence South 01°10'34" East 1318.25 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 2, 2012

474 Club LLC, a Tennessee limited liability company

BY: Edward A. Labry, III

It's: President

State of Tennessee ss
County of DeKalb

On this 3rd day of October, 2012, before me,
Doris Joy Entwistle, a Notary Public in and for said state,
personally appeared Edward A. Labry, III known or identified to me
to be the Managing Member in the Limited Liability Company known as who executed the
foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

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

Doris Joy Entwistle
Notary Public for the State of Tennessee

Residing at: DeKalb County, GA

Commission Expires: 5/17/16

DORIS JOY ENTWISTLE
Notary Public
DeKalb County
State of Georgia
My Commission Expires May 17, 2016