

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
<u>8310000</u>	<u>83-10000</u>	☐			☐
		☐			☐
		☐			☐
		☐			☐
		☐			☐

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Department of Water Resources

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Frank A Campbell (deceased - remove from ownership)
Katherine Campbell " " "

~~Catherine D. Halen or Eugene A Halen~~

4. New Owner/Claimant(s)

ATTACHED

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Box 171

City, State and ZIP Code

Deary, ID 83823

New Telephone Number

(208) 877-1565

5. Date you acquired the property

Mar. 31, 2004

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>83-10000</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>occasional use</u>	<u>property acreage 120.9</u>
Stock	<u>" "</u>	<u>horses</u>
Domestic	<u>0.04 CFS</u> <u>13,000 gal per day</u>	<u>4 camp trailers (1 existing)</u>
Other		
Total		<u>Basin 84 Clearwater Co.</u> <u>Parcel # RP38NO6 E366600A</u>

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

7. Signature of New Owner(s) or Claimant(s) Catherine A. Halen or Eugene A. Halen
(include title if applicable) Stephen C. Halen or Michael A. Halen or Brian S. Halen

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

NEW OWNERS FOR WR No. 83-10000

Catherine J. Halen, or Eugene A. Halen
PO Box 171
Deary ID 83823
Phone: 208-877-1565

Or

Stephen C. Halen
503 5th Ave.
Deary ID 83823
Phone: 208-877-1143

Or

Michael A. Halen
1369 Big Bear Ridge Rd
Kendrick ID 83537
Phone: 208-289-5191

Or

Brian S. Halen
1427 10th Ave
Lewiston ID 83501
Phone: 208-746-7749

Cathy Halen and Katherine Campbell
Box 171 703 Idaho Street
Deary , Idaho 83823
June 29, 2004

RECEIVED
JUN 30 2004
IDWR/North

State of Idaho Water Resources
Northern Region
Suite No. 210
1910 Northwest Blvd.
Coeur d'Alene, Idaho 83814-215

Dear Mr. Knoblock,

Enclosed is the information you requested concerning the water easement (number 6053). We found the original papers and made copies for you to keep. According to number 3 on page 2 of 4 we have interpreted the meaning as to what Dad meant by the 100-year lease. Every 5 years we specify the use intention and then consecutively every 5 years we continue the water usage according to the easement regulations. On the numbers 4- 12 the regulations are very clear as to how we must use the spring. We have always been in compliance with these terms. If we are not correct will you please notify us. Should you need pictures of the spring and how the ground has been taken care of, I will be happy to send you some pictures. I also enclosed a copy of the diagram of the spring waterline as well as copies of the letter from the Idaho Department of Lands giving their permission for the easement(NO 6053.) Are there forms we need to fill out following each 5-year period usage? If needed, will you please send them to us? We haven't previously received such a form.

Enclosed is a copy of the Deed Reserving Life Estate. It states that Frank A. Campbell, upon his death, on March 31, 2004, passes the property on to Katherine A. Campbell. Then ,upon her death, the property will be passed on to Catherine J. Halen. The property description is also included on the deed copy. Should you need a copy of his death certificate ,I will send this to you.

I also enclosed copied pages from the Halen Will and Testament. These pages state that all our property will be passed onto our surviving children Mike, Brian & Steven Halen. Then upon their passing, the property will be passed onto Kaleb Halen and Kennon Halen. These two boys are Mike's. Sons. At this time they are the only grand children. Please include the grandsons' names on the final draft of these papers. Should we send copies of the final draft to the Clearwater County Court House, or do you send the copies?

Thank you for your time concerning these matters. We really appreciate your caring thoughts at this difficult time in our lives. Our intentions are to clear this matter for the future generations.

Sincerely, Cathy Halen and Katherine Campbell

Cathy Halen Katherine Campbell

STATE OF IDAHO
EASEMENT NO. 6053

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THIS INDENTURE, made this 27 day of October, 1997, by and between the STATE OF IDAHO, Department of Lands, 1215 W. State Street, Boise, Idaho 83720-7000, acting by and through the State Board of Land Commissioners, as party of the first part (Grantor), and **FRANK CAMPBELL**, P.O. Box 171, Deary, Idaho 83823, and his successors and assigns, as party of the second part (Grantee);

WITNESSETH: That for and in consideration of the sum of TWO HUNDRED FIFTY and no/100ths DOLLARS (\$250.00), lawful money of the United States of America, receipt whereof is hereby acknowledged, the Grantor does hereby grant to the Grantee an easement for the purpose of using and maintaining an existing buried domestic water supply pipeline and spring collection box over and across the following described lands situated in **CLEARWATER COUNTY**, State of Idaho, to wit:

A strip of land ten (10.00) feet wide, being five (5.00) feet on each side of the following described centerline:

Commencing at the WC 1/16 corner, Section 36, Township 38 North, Range 6 East, Boise Meridian, thence south 80° east, 195.0 feet to center of the spring collection barrel which is the REAL POINT OF BEGINNING; thence along an existing skid trail the following courses and distances; south 63° west, 81.0 feet; thence south 40° west, 96.4 feet; thence south 27° west, 139.5 feet; thence south 45° west, 39.0 feet to approximate state/Campbell property line, said crossing is approximately south 4° west, 304.2 feet of the WC 1/16 corner of Section 36, and this is the terminus of this easement. The spring is located approximately north 48° east, no more than 35.0 feet, from the spring collection barrel. The above described area contains 0.09 of an acre, more or less.

Subject to the following terms:

1. The boundary lines of said easement shall be prolonged or shortened to end on and conform to the property lines.
2. Prior to performing reconstruction or maintenance to a degree that shall cause soil disturbance and/or the destruction of vegetation, the Grantee shall obtain written authorization from the Grantor. The authorization shall provide for appropriate operating and reclamation procedures such as leveling the ground surface and reseeding of vegetation, if necessary; prevention of erosion; and any other special provisions appropriate to protect the land and other resources.

3. If the easement is not used for the specified purpose within five (5) years from the date the easement is issued or any consecutive five (5) year period thereafter, then, in such event, the said lands so granted shall revert to the Grantor.

4. Upon termination or abandonment, the Grantee shall have six (6) months from the date of receipt of the final notice to remove any facilities or improvements. Grantee will be liable for any damage to Grantor's land or resources thereon caused by removal of such facilities or improvements.

5. In the event that the Grantor commences a contractual activity on the property, the Grantor and their contractor will take every precaution to protect the Grantee's pipeline and spring development. If damaged, it shall be restored by said contractor to the condition prior to commencement of said contractual activity.

6. This easement is non-exclusive to the Grantee except that other uses will not be designed to restrict the Grantee in the exercise of this permit.

7. The Grantee shall comply with all state laws, and with all rules and regulations of the State Board of Land Commissioners including, but not limited to those pertaining to watershed protection and with the Stream Channel Protection Act as designated in Chapter 38, Title 42 of the Idaho Code.

8. The Grantee shall indemnify and hold harmless the Grantor and its representatives against and from any and all demands, claims, or liabilities of every nature whatsoever, arising directly or indirectly from or in any way connected with the use authorized under this easement.

9. This easement is issued by the authority of the Rules for Easements on State Land (IDAPA 20.03.08) dated September 9, 1986.

10. The Grantor reserves to itself, its successors and assigns, all timber, present and future, within the easement area.

11. This easement shall be effective upon execution and shall continue in perpetuity subject only to the terms and provisions of this easement.

12. This easement is granted for the benefit of and as appurtenant to the following described parcel of land:

Victory No. 2 Placer Claim, comprising the Lot 1 of Section 36, Township 38 North, Range 6 East, Boise Meridian; the Victory Loan Placer Claim, comprising the Lot 2 and north half southwest quarter southwest quarter of said Section 36; and the Liberty Loan Placer Claim, comprising the south half southwest quarter southwest quarter of said Section 36;

containing approximately 79.379 acres. AND ALSO the Frank A., N.E.P., Ethel #1, and Ethel #2 lode mining claims, designated as Survey No. 3274, embracing a portion of Sections 35 and 36, in Township 38 North, Range 6 East, Boise Meridian, excepting from the lode claims all of that portion of ground within Section 35 and the east half, west half of Section 36; said Survey No. 3274 containing approximately 41.605 acres, for a total aggregate of approximately 120.94 acres.

IN WITNESS WHEREOF, the State Board of Land Commissioners has caused these presents to be executed by its President, the Governor of the State of Idaho, and countersigned by the Secretary of State and the Director, Department of Lands, and Frank Campbell.

STATE BOARD OF LAND COMMISSIONERS

Philip E. Tate

Governor of the State of Idaho and
President of the State Board of Land
Commissioners

Countersigned:

Robert C. Anderson

Secretary of State



Charles F. Hamilton

Director, Department of Lands

Frank Campbell

Frank Campbell

State of Idaho
Easement No. 6053
Page 4 of 4

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STATE OF IDAHO)
)
COUNTY OF ADA) SS.

On this 27th day of October, 1997, before me, a Notary Public in and for said State, personally appeared **PHILIP E. BATT**, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners; **PETE T. CENARRUSA**, known to me to be the Secretary of State of the State of Idaho; and **STANLEY F. HAMILTON**, known to me to be the Director of the Department of Lands of the State of Idaho, that executed the said instrument and acknowledged to me that such State of Idaho and State Board of Land Commissioners executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

Smoo
NOTARY PUBLIC for Idaho
Residing at Boise Idaho
My Commission expires 6-8-2001

STATE OF Idaho)
)
COUNTY OF Latah) SS.

On this 2nd day of October, 1997, before me, a Notary Public in and for said county and state, personally appeared **FRANK CAMPBELL**, known 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 first above written.

Marilyn L. Henderson
Notary Public for Idaho
Residing at Deary
My Commission expires 1-10-98

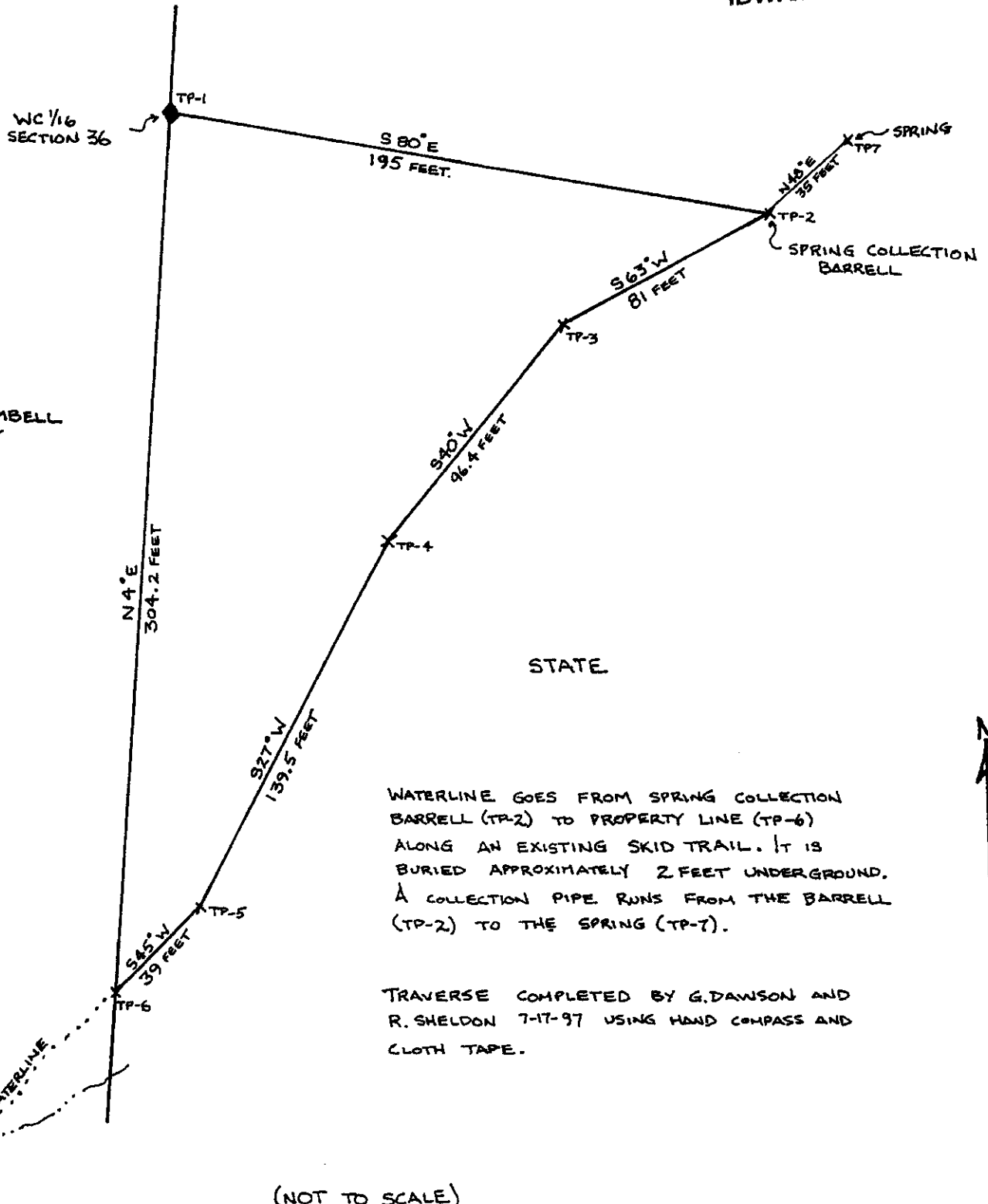
CAMBELL WATERLINE EASEMENT

TOWNSHIP 38 NORTH, RANGE 6 EAST

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JUN 30 2004

IDWR/North



IDAHO DEPARTMENT OF LANDS

954 W. Jefferson St., PO Box 83720
Boise, Idaho 83720-0050
Phone (208) 334-0200 Fax (208) 334-2339

STANLEY F. HAMILTON - DIRECTOR

BOARD OF LAND
COMMISSIONERS

PHILIP E. BATT
Governor

PETE T. CENARRUSA
Secretary of State

ALAN G. LANCE
Attorney General

J.D. WILLIAMS
State Controller

ANNE C. FOX
Sup't of Public
Instruction

October 29, 1997

Mr. and Mrs. Frank Campbell
P.O. Box 171
Deary, ID 83823

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JUN 30 2004
IDWR/North

SUBJECT: State of Idaho Easement No. 6053
(Parts of Section 36, Township 38 North, Range 6 East, Boise Meridian)

Dear Mr. and Mrs. Campbell:

Enclosed is the executed subject easement authorizing a waterline across public school endowment land near Pierce, Idaho. This document is now ready to be recorded in the office of the Clearwater County Clerk-Recorder.

Also enclosed are Receipt Nos. 45132 and 45361 acknowledging payment of the fees required for this easement.

Thank you for your cooperation in this matter.

Sincerely,



Donald F. McNarie
Real Estate Specialist
Bureau of Real Estate

DFM:dl

c: AS-Clearwater

CERTIFIED MAIL

RECEIVED
JUN 30 2004
IDWR/North

149045

178810

RECEIVED
INDEXED (X)
FILED ()
DELIVERED ()
MAILED ()

DEED RESERVING LIFE ESTATE

KNOW ALL PERSONS BY THESE PRESENTS:

FOR VALUE RECEIVED, this 10 day of February, 1988, FRANK A. CAMPBELL and KATHERINE A. CAMPBELL, husband and wife, of Deary, Idaho, GRANTORS, do by these presents hereby expressly reserve the right to the use, occupation, rents, issues, and profits of all that real property described hereinbelow for and during each of said Grantor's natural lives and, at the death of the last of said Grantors, do by these presents grant, bargain, sell, and convey that real property described hereinbelow to CATHERINE J. HALEN, a married woman of Deary, Idaho, dealing with her sole and separate property, GRANTEE.

The real property transferred herein is located in Clearwater County, State of Idaho, to-wit:

Victory No. 2 Placer Claim, comprising the Lot 1 of Section 36, Township 38 North, Range 6 East, & Boise Meridian; the Victory Loan Placer Claim, comprising the Lot 2 and north half southwest quarter southwest quarter of said Section 36; and the Liberty Loan Placer Claim, comprising the south half southwest quarter southwest quarter of said Section 36; containing approximately 79.379 acres. AND ALSO the Frank A., N.E.P., Ethel #1, and Ethel #2 lode mining claims, designated as Survey No. 3274, embracing a portion of Sections 35 and 36, in Township 38 North, Range 6 East, Boise Meridian, ~~excepting~~ from the lode claims all of that portion of ground within Section 35 and the east half, west half of Section 36; said Survey No. 3274 containing approximately 41.605 acres, for a total aggregate of approximately 120.94 acres.

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GRANTORS do by these presents grant, bargain, sell, remise, release, convey, and confirm to the remainderman the above described real property to have and to hold all and singular, together with the appurtenances and every part thereof after the death of the last of the Grantors to said remainderman, her heirs and assigns.

IN WITNESS WHEREOF, we have hereunto set our hands the date last above written.

Frank A. Campbell
Frank A. Campbell, Grantor

Katherine A. Campbell
Katherine A. Campbell, Grantor

STATE OF IDAHO)
COUNTY OF LATAH)

On this 10th day of February, 1988, before me personally appeared Frank A. Campbell and Katherine A. Campbell, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

James Whitcomb
NOTARY PUBLIC in and for the
State of Idaho, residing at
Moscow therein.

Filed and recorded at the request of Frank A. Campbell
at 10:00 o'clock A.M., this 17th day of February, 1988
By: James Whitcomb Deputy
Notary Public, State of Idaho
Blairwater County, Idaho
Notary Seal

Return: Attorney
Box 9291
Moscow, ID 83843

DEED RESERVING LIFE ESTATE 2

to discharge a parent's or Trustee's personal legal obligation to provide for maintenance, education, support, or health of another.

C. On my husband's death or if my husband does not survive me then on my death, the remainder of the trust estate or my residuary estate (as the case may be) shall be disposed of as set forth in Article V.

Article V

PROVISIONS FOR CHILDREN AND MORE REMOTE DESCENDANTS

A. I hereby give, devise, and bequeath the rest, residue, and remainder, including the assets directed to be disposed of under the provisions of this Article V, at the times set forth herein for disposition, to MICHAEL A. HALEN, as Trustee (hereinafter "Trustee") (or, in the event MICHAEL A. HALEN shall be unable and/or unwilling so to serve as Trustee, then STEPHEN C. HALEN shall serve as Trustee; or, in the event STEPHEN C. HALEN shall be unable and/or unwilling so to serve as Trustee, then BRIAN S. HALEN shall serve as Trustee) to be held, administered, and distributed as follows:

1. All of such property shall be divided into equal shares, one (1) for each then living child of mine as set forth in Article I to be distributed outright and free of trust and one (1) share for each deceased child of mine to be held in trust for my deceased child's issue, per stirpes.

2. As regards each deceased child of mine, each share set aside for the living issue of a deceased child of mine shall be distributed by my Trustee to such living issue, per stirpes, subject to the withholding provisions set forth below in Article V, paragraph B.

3. If a beneficiary dies prior to me or does not survive by sixty (60) days, without children surviving, his/her share shall revert equally to the surviving beneficiaries entitled to said distribution, or the surviving issue of such beneficiaries if they are also deceased, and shall be added to and applied along with the original shares applicable to them.

4. With respect to any distribution to a disabled beneficiary, the following provisions are intended to guide the Trustee, who may not be such beneficiary:

a. Disability or being disabled shall include but not be limited to the inability to manage property and affairs effectively for reasons such as mental illness, mental deficiency, physical illness or disability, handicap, advanced age, chronic use of drugs, chronic intoxication, or confinement.

b. If a beneficiary is disabled or handicapped, an additional purpose of any trust created hereunder shall be to provide extra and supplemental health, support,

Testatrix's Initials _____

maintenance and education in addition to, and over and above, the benefits such beneficiary would otherwise be entitled to receive as a result of his or her disability or handicap from any local, state or federal governmental department or agency, or from any private agency, any of which provide services or benefits to disabled or handicapped persons. This supplemental is considered a discretionary and not a basic support trust and shall not be used to provide basic food, clothing, and shelter nor be available to a beneficiary for conversion for such items, unless all local, state and federal benefits to which a beneficiary is entitled are used.

c. Notwithstanding any provision to the contrary in any trust established hereunder, distributions of income and/or principal on the behalf of any disabled or handicapped beneficiary shall be made by the Trustee, in the exercise of absolute discretion, for the sole purpose of providing extra and supplemental benefits to such beneficiary. Any trust for a disabled beneficiary shall continue for such beneficiary's life or until such disability ends. Such trust shall be irrevocable and may only be amended by court order.

B. If any living issue of a deceased child of mine is under the age of twenty-four (24) years when my Trustee is directed to distribute property to him or her, such property shall be held in trust or continued in trust by my Trustee until such child reaches said age, when it shall be distributed to him or her free of trust. In the meantime, my Trustee shall use so much of the income and principal for his or her maintenance, education, support, and health as my Trustee determines to be reasonable for those purposes, adding to principal any income not so used. In case of any such descendant's death prior to reaching the age of twenty-four (24) years, any part then so held by my Trustee shall be distributed in this Trust for the benefit of such surviving issue equally, and if no surviving issue then pursuant to Article V, paragraph C.

C. If at any time there should be a failure of beneficiary(ies), my Personal Representative shall distribute outright the residuary trust estates, as then constituted, to Kaleb Allen
Halen 11-15-94 ; Kennor Michael Halen 12-07-97.

Article VI

PROTECTIVE PROVISIONS AND RULE AGAINST PERPETUITIES

A. Neither the income nor the principal of the trusts created by this Will shall be alienable by any beneficiary (whether income beneficiary or remainderman), either by assignment or by any other method; and the same shall not be subject to be taken by beneficiary's creditors or by any

Testatrix's Initials _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 1, 2004

Cathy Halen & Katherine Campbell
Box 171
Deary, ID 83823

RE: 83-10000

We have received the additional for the change of ownership for the water right for the spring. We will be sending the information to KariLynn Townsend (208-327-7941) in our state office.

We do not need any documentation regarding the use of the water every 5 years. We do not have any forms that need to be completed.

We do not notify the County Court House of an ownership change. We suggest that you check with them if you need to provide them with this type of information.

This concludes my involvement with the water rights for the mining and the cabin. It has been my pleasure to be of service to you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

Idaho Department of Water Resources Receipt

Receipt ID N016368

Payment Amount Date Received Region Status

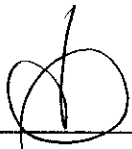
Payment Type Check Number

Payer

Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	65140	1155



Signature Line (Dept. Representative)