

LINDA MARTINY

FOR THE ESTATE OF GRACE M MARTINY

RECEIVED

JAN 09 2006

DEPARTMENT OF
WATER RESOURCES

2 January 2006

STATE of IDAHO - DEPARTMENT of WATER RIGHTS

322 East Front Street

P O Box 83720

Boise, ID 83720-0098

ATTN: DANI SMITH

RE: DIVISION of WATER RIGHTS per DIVISION of RANCH PROPERTY

per "AGREEMENTS OF HEIRS IN THE ESTATE OF GRACE M MARTINY

LEMHI COUNTY PROBATE CASE: CV 05 137"

73-43

73-85

73-103

73-219

73-2158

Legal Location of Property: Pahsimeroi Valley Lemhi County, Idaho

Legal Address: 159 Hooper Lane May, Idaho 83253

Current Occupant: Jim Martiny 83 Hooper Lane May, Idaho 83253

Dear Ms Smith, Dani;

Enclosed please find the recorded land division legal descriptions (and all recorded accompanying documents) needed to change ownership of and reapportion water rights for this property. Also included, are the legal names and addresses of heirs. Heirs are to be responsible for fees and filing documents to change their water right(s).

I received the faxed forms you sent, and have made copies for everyone.

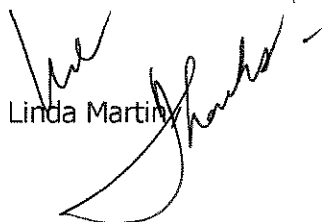
As an heir attempting to complete the forms, **"Help, I need advice and assistance."**

Ordinarily, I would get the information from the water master. However, that hasn't worked. Could you or Roxanne Brown (familiar by name only, I don't know exactly what she does) give me some assistance?

There were no difficulties with the property division. I am not aware of any other problems regarding the distribution of this estate. The slowdown in information sharing seems to be a reluctance to tackle and complete paperwork.

I finally decided to just send the paperwork you need and see if you could help. If you don't call, I will call you in about a week. If you can't help, do you have any suggestions?

Sincerely,



Linda Martiny

L I N D A M A R T I N Y

Legal names and addresses of heirs

Linda R Martiny

7878 Wilde Rd
Concrete, WA 98237
360 826 4273

Peggy L Martiny

667 N Birch Creek Rd
Corvallis, MT 59828
406 961 1471

Jim (James O) Martiny

83 Hooper Lane
May, ID 83253
208 876 4227

Ginny (Virginia K) Martiny

159 Hooper Lane
May, Idaho 83253
208 876 4235

After Recording
Return to:
Linda Martiny
7878 Wilde Road
Concrete, WA 98237

232655
Custer County Req. of
Virginia Martiny
Time 3:13 P.M. Date 10-27-2005
Ethel M. Peck, Clerk
Betsy Doughty \$12.00
Deputy

State of Idaho) SS No. 264936
County of Lemhi)
This instrument was filed for record at the request
of Virginia Martiny
at 4:00 o'clock P.m. on 10-25 / 2005
and duly filmed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Terri J. Morton Deputy
Fee 27.00

AGREEMENTS OF HEIRS
IN THE ESTATE OF GRACE M. MARTINY
LEMHI COUNTY PROBATE CASE: CV 05 137

Copy

The undersigned Linda R. Martiny and Bill Allen are the qualified Co-Personal Representatives of the Estate of Grace M. Martiny in Lemhi County Probate Case No. CV 05 137. The undersigned Linda R. Martiny, Peggy L. Martiny, James O. Martiny and Virginia K. Martiny are all the heirs and devisees of Grace M. Martiny, deceased. Said four heirs being all the children of Grace M. Martiny and all being of legal age.

The will of Grace M. Martiny provides for her Estate to divided equally between her four above named children. However, said will does not provide the precise format for said division of property. Therefore the above named heirs in agreement with the above named Co-Personal Representatives hereby agree to divide the Real Estate assets of Grace M. Martiny as set forth herein. This division is intended to be an equal division of value but not of acreage. This division of Real Estate is not intended to affect the division of other Estate assets nor used in any manner as an offset for other Estate assets.

The undersigned Linda R. Martiny and Bill Allen as Co-Personal Representatives of the Estate of Grace M. Martiny and the undersigned Linda R. Martiny, Peggy L. Martiny, James O. Martiny and Virginia K. Martiny, in consideration of love and affection between siblings hereby grant, convey, quitclaim and confirm without warranties the properties described on Exhibit "A" to Linda R. Martiny; the properties described on Exhibit "B" to Peggy L. Martiny; the properties described on Exhibit "C" to James O. Martiny; and the properties described on Exhibit "D" to Virginia K. Martiny.

All conveyances described herein are TOGETHER WITH all appurtenant easements, if any, water rights, if any, and range rights, if any. All conveyances described herein are SUBJECT TO all private road easements, utility easements, irrigation canals, public road easements, and all covenants, conditions and restrictions, if any, appearing of record.

Dated this 17 day of OCTOBER, 2005.

Co-Personal Representatives:

Linda R. Martiny
Heirs:
Linda R. Martiny
Virginia K. Martiny

Bill Allen
James O. Martiny
Peggy L. Martiny

Exhibit "A"**Real Estate granted, conveyed and quitclaimed to Linda R. Martiny:**

The Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 1, Township 14 North, Range 21 East of the Boise Meridian.

Government Lot 7 and the West $\frac{3}{4}$ ths of the Southeast $\frac{1}{4}$ of the Southwest of Section 6, Township 14 North, Range 22 East of the Boise Meridian, TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, across and under the South 20 feet of the East $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the South 20 feet of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ all in said Section 6, EXCEPT the right-of-way for Hooper Lane, if any, along the East line thereof.

Being situate in the County of Lemhi, State of Idaho.

Exhibit "B"**Real Estate granted, conveyed and quitclaimed to Peggy L. Martiny:**

Government Lot 1 and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ all in Section 7, Township 14 North, Range 22 East of the Boise Meridian, EXCEPT the right-of-way for Hooper Lane, if any, along the East line thereof.

Being situate in the County of Lemhi, State of Idaho.

EXHIBIT "C"**Real Estate granted, conveyed and quitclaimed to James O. Martiny:**

The East $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and that portion of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying Southwesterly of the centerline of the Missouri Canal all in Section 6, Township 14 North, Range 22 East of the Boise Meridian EXCEPT the right-of-way for Hooper Lane, if any, along the East line thereof and ALSO EXCEPT the right-of-way for the Missouri Canal, if any, along the Northeasterly line thereof.

SUBJECT TO a non-exclusive easement for ingress, egress and utilities over and across the South 20 feet thereof for the benefit of the properties described in Exhibit "A" herein.

Being situate in the County of Lemhi, State of Idaho.

The North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 7, Township 14 North, Range 22 East of the Boise Meridian EXCEPT the right-of-way for Hooper Lane, if any, along the East line thereof

Being situate in the County of Lemhi, State of Idaho.

Government Lot 3 and that portion of Government Lot 4 lying Northeasterly of the Pahsimaroi River all in Section 1, Township 14 North, Range 21 East of the Boise Meridian.

Being situate in the County of Lemhi, State of Idaho.

That portion of Government Lot 4 lying Southwesterly of the Pahsimaroi River in Section 1, Township 14 North, Range 21 East of the Boise Meridian.

Being situate in the County of Custer, State of Idaho.

(NO access is provided herein to the two parcels in Section 1, Township 14 North, Range 21 East of the Boise Meridian.)

EXHIBIT "D"**Real Estate granted, conveyed and quitclaimed to Virginia K. Martiny:**

The Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and that portion of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying Northeasterly of the centerline of the Missouri Canal all in Section 6, Township 14 North, Range 22 East of the Boise Meridian EXCEPT the right-of-way for Hooper Lane, if any, along the East line thereof; ALSO EXCEPT the right-of-way for the Missouri Canal, if any, along the Southwesterly line thereof; and FURTHER EXCEPT that portion thereof previously conveyed to Virginia K. Martiny.

SUBJECT TO a non-exclusive easement for ingress, egress and utilities over, across and under that portion, if any, of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying within the South 20 feet of said subdivision, said easement benefiting the properties described on Exhibit "A" herein.

Being situate in the County of Lemhi, State of Idaho.

Beginning four hundred fifty feet (450) South of the Northeast corner of the Southeast quarter of the Northeast quarter of Section Twenty-five 25, Township Fifteen (15) North, Range Twenty-one (21) East of the Boise Meridian; thence West one hundred twenty-five feet; thence North fifty feet; thence West twenty-five feet; thence South one hundred fifty feet; thence East one hundred fifty feet to middle of street; thence North one hundred feet to place of beginning.

Being situate in County of Lemhi, State of Idaho.

232655

264936

STATE OF WASHINGTON,

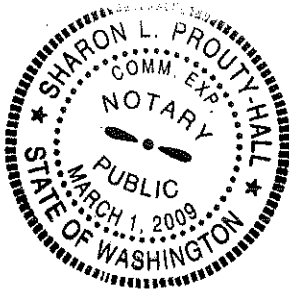
} ss.

ACKNOWLEDGMENT - Individual

County of Skagit

On this day personally appeared before me Linda R. Martiny

to me known

to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that shesigned the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.GIVEN under my hand and official seal this 17 day of OCTOBER, 2005

Sharon L. Prouty-Hall
 Notary Public in and for the State of Washington,
 residing at

My appointment expires

3-1-09
SHARON L. PROUTY-HALL

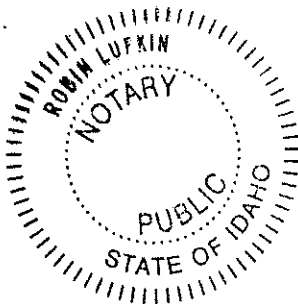
STATE OF IDAHO

} ss.

ACKNOWLEDGMENT - Individual

County of LewiaOn this day personally appeared before me Peggy L. Martiny

to me known

to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that shesigned the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.GIVEN under my hand and official seal this 25th day of October, 2005

Robin Lufkin
 Notary Public in and for the State of IDAHO
 residing at

My appointment expires

9-27-09

232655
264936

STATE OF IDAHO
County of Lemhi

} ss.

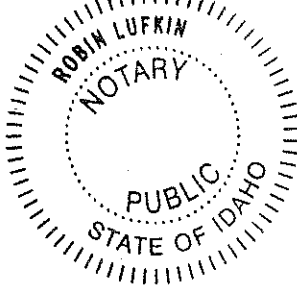
ACKNOWLEDGMENT - Individual

On this day personally appeared before me James O. Martiny

to me known

to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that he
signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 25th day of October, 2005.



[Signature]
Notary Public in and for the State of IDAHO
residing at

My appointment expires

8-27-09

STATE OF IDAHO
County of Lemhi

} ss.

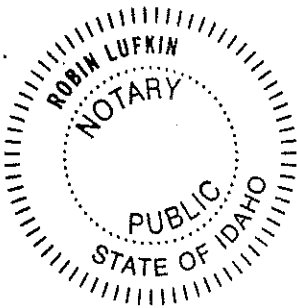
ACKNOWLEDGMENT - Individual

On this day personally appeared before me Virginia K. Martiny

to me known

to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that she
signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 25th day of October, 2005.

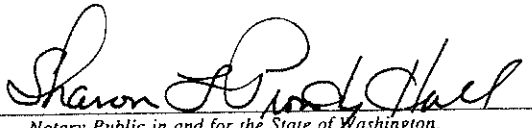


[Signature]
Notary Public in and for the State of IDAHO
residing at

My appointment expires

8-27-09

264936

STATE OF WASHINGTON, } County of <u>Skagit</u>	SS. ACKNOWLEDGMENT - Representative Capacity
I certify that I know or have satisfactory evidence that <u>Linda R. Martiny</u>	
is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she	
was authorized to execute the instrument and acknowledged it as the <u>co-personal representative</u>	
_____ of	
<u>Estate of Grace M. Martiny, Deceased</u>	
to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.	
GIVEN under my hand and official seal the day and year last above written.	
	 Notary Public in and for the State of Washington, residing at _____ My appointment expires <u>3-1-09</u> <u>SHARON L. PROUTY-HALL</u>

This jurat is page 5 of 8 and is attached to AGREEMENT OF HEIRS dated 10-17-05

STATE OF IDAHO

County of Blaine

} ss.

ACKNOWLEDGMENT - Representative Capacity

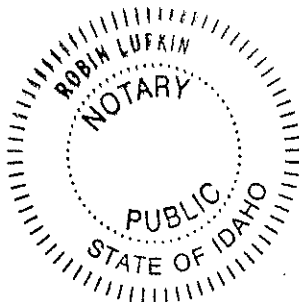
I certify that I know or have satisfactory evidence that Bill Allen
is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she
was authorized to execute the instrument and acknowledged it as the co-personal representative

of

the Estate of Grace M. Martiny, Deceased

to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

GIVEN under my hand and official seal the day and year last above written.



A handwritten signature in cursive script, appearing to read "Robin Lufkin", written over a horizontal line.

Notary Public in and for the State of IDAHO
residing at

My appointment expires

8-27-09