

2/24/09

ATTENTION: KENNETH KNOBLUCK

I HAVE RESEARCHED THE PROPERTY ACQUIRED BY ROBERT SHORT AND HIS WIFE JACQUELINE SHORT, THE DEED OF WHICH IS ATTACHED.

ACCORDING TO THE DEED, THE PROPERTY WAS ACQUIRED IN 1964 AND FILED FOR RECORD IN 1968.

IT IS MY UNDERSTANDING THAT ROBERT SHORT OPERATED A CATTLE RANCH AND LOGGING OPERATION UPON THE ACQUISITION OF THE PROPERTY AND SUBSEQUENT DEVELOPMENT OF EARTHEN CATCH BASINS SHORTLY THEREAFTER & PRIOR TO 1971.

THIS INFORMATION WAS GIVEN TO ME VERBALLY BY ROBERT SHORT, WHEN I ACQUIRED MY PARCEL. THEREFORE, I AM REQUESTED TWO SURFACE WATER RIGHTS, WHICH HAVE BEEN PREVIOUSLY SUBMITTED & CONSEQUENTLY RETURNED WITH A REQUEST TO VERIFY THE DATE OF PRIORITY, WHICH IS REQUESTED IN YOUR LETTER DATED FEBRUARY 13, 2009.

THE ABOVE INFORMATION AND ATTACHED DEED SHOULD PUT THIS MATTER TO REST. CONSEQUENTLY, I AM RESUBMITTED CLAIM #2 AND CLAIM #3, WITH THE APPROPRIATE DATE OF 1968, WHICH WOULD ALLOW ANY TIME FOR ROBERT SHORT TO COMPLETE THE EARTHEN CATCH BASINS FOR HIS LIVESTOCK, ALTHOUGH IN ALL PROBABILITY, THE CATCH BASINS WERE COMPLETED PRIOR TO THAT DATE, SINCE LIVESTOCK WOULD HAVE REQUIRED A SOURCE OF WATER.

YOUR PATIENCE AND KIND CONSIDERATION HAS BEEN MOST APPRECIATED IN THIS MATTER.

Respectfully,
MARY BARTON

975 WATERTOWER ROAD

ST. MARIE, IDAHO 83861

208.245.3606

THIS INDENTURE, Made the 25 day of August in the year of our Lord one thousand nine hundred and sixty-four between CLINTON E. SPALDING a/k/a C. E. SPALDING, a widower, of Benewah County, State of Idaho, party of the first part, and ROBERT SHORT and JACQUELINE SHORT, his wife of Benewah County, State of Idaho, parties of the second part.

WITNESSETH, That said party of the first part, for and in consideration of the sum of Ten (\$10.00) and other valuable considerations Dollars in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged and the said parties of the second part forever released and discharged therefrom has granted, bargained, sold, remised, released, alienated, and confirmed and by these presents does grant, bargain, sell, release, alienate and confirm unto the said parties of the second part, and to their heirs and assigns, forever all the following described lot, piece, or parcel of land situated in the county of Benewah and State of Idaho, and known and described as follows, to-wit:

The Northeast quarter (NE $\frac{1}{4}$) and the East Half of the Northwest quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$), Section 32; the West half of the Northwest quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$); and that part of the North half of the Southwest quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) that lies west of Hiway 95A and north of the County road in Section 33, all in Township 44 north, range two (2) West Boise Meridian, Benewah County, Idaho

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof and all the estate, right, title, interest, claim, or demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances, to have and to hold the said premises above bargained and described, with the appurtenances unto the said parties of the second part their heirs and assigns forever.

And that the said party of the first part, for his heirs, executors and administrators do as covenant, grant, bargain and agree to and with the said parties of the second part their heirs and assigns, that at the time of enrolling delivery of these presents he is well seized of the premises above conveyed as of good, sure, perfect, absolute and indefeasible estate of inheritance in law and fee simple and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid; and that the same are free and clear of all former or other grants, bargains, sales, liens, taxes, assessments and incumbrances of what kind or nature soever:

and the above bargained premises in the quiet and peaceable possession of said parties of second part their heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will warrant and defend.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of

Clinton E. Spalding (SEAL)
(SEAL)
(SEAL)
(SEAL)



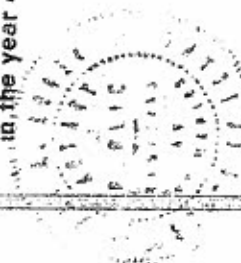
STATE OF IDAHO, } ss.
County of Benewah, }

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that
CLINTON E. SPALDING a/k/a C. E. SPALDING, a widower, is subscribed to the foregoing Deed, appeared before me in person, and acknowledged that he executed and delivered the said Deed as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial seal this 25 day of August
in the year of our Lord, one thousand nine hundred and sixty-four.

Ray A. Benson

NOTARY PUBLIC
My Comm. Expires Feb. 24, 1969



114525
DEED, WARRANTY

TO

✓✓

Dated _____, 19____

STATE OF IDAHO, }
County of Benewah, } ss.

Filed for record at the request of

Robert Short

on the 22 day of Nov.

1968, at 3:25 o'clock, P.M.

and recorded in book 100

of Deeds on page 77

Oliver Hargrave

County Recorder

By _____ Deputy

Fees, \$2.00

RETURN TO