

RECEIVED

FEB 12 2010

Form 42-248/42-1409(6) 10/07

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

FEB 09 2010

IDWR / NORTH

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

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
95-7032					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **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)

George E. Thayer OSie C. Thayer
P.O. Box 190 Et 1 Box 6
Rainbow, ID 83858 Rainbow

4. New Owner/Claimant(s)

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

New Mailing Address P.O. Box 190

City, State and ZIP Code Arho, ID 83801

New Telephone Number (208) 667-7621 Email: _____

5. Date you acquired the property

March 5, 2009

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Atty / Authorized Agent

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

Filed for Record at Request of:

GERHARDT, LOONEY & SHERRICK
770 PAULSEN BUILDING
SPOKANE, WA 99201

912400

STATE OF IDAHO
COUNTY OF KOOTENAI, SS

AT THE REQUEST OF

Gerhardt, Looney, et al
At 05 minutes past 10 o'clock A.M.

AUG 9 1982

CAROL DEITZ

By *Randy Taylor*
Deputy Clerk

Fee \$ 4.00

Return to

319 PAGE 164

DEED AND PURCHASER'S ASSIGNMENT OF REAL ESTATE CONTRACT

FOR VALUE RECEIVED, the Grantors, ROY T. PEARSON and RUTH H. PEARSON, husband and wife, do hereby convey, release, remise and forever quitclaim unto TRIDENT DEVELOPMENT, a limited partnership, the Grantee, whose address is: 1170 SeaFirst Financial Center Spokane, Washington 99201, the following described real estate, situated in the County of Kootenai, State of Idaho including any interest therein which the Grantor may hereafter acquire:

PARCEL 1: The Northeast quarter of Section 11, Township 51 North, Range 5 W.B.M., Kootenai County, State of Idaho.

PARCEL 2: Those portions of the Southwest Quarter and the West Half of the Southeast quarter of Section 2, Township 51 North, Range 5 W.B.M., Kootenai County, Idaho, which lie southeasterly of a line measured at right angles 1,000.00 feet distance southeasterly from and parallel to the center line of the right of way of the Northern Pacific Railway Company.

PARCEL 3: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of Plat 1 of Greenacres Irrigation District, according to the plat thereof as recorded in Book "B" of Plats on page 47, being situated in the East half of the East half of Section 2, Township 51 North, Range 5 W.B.M.

EXCEPTING THEREFROM all that portion conveyed to Great Northern Railway by deed recorded October 25, 1968, as Instrument No. 538225.

and do hereby assign, transfer and set over to the Grantee all of Grantors' interest in and to that certain Sale Agreement dated June 8, 1978 between George E. Thayer and Audrey L. Thayer, his wife, as Vendors and W. W. Nixon and Judy Nixon, his wife, Ronald E. Springer and Jaine Springer, his wife, Roy T. Pearson and Ruth Pearson, his wife, and J. Paul Robertson, his wife, as Purchasers, for the sale and purchase of the above described real estate.

DATED this 15 day of June, 1982.

Roy T. Pearson by James I. Pearson
ROY T. PEARSON, by James I. Pearson, his attorney-in-fact

Ruth H. Pearson by James I. Pearson
RUTH H. PEARSON, by James I. Pearson, her attorney-in-fact

STATE OF WASHINGTON)

ss.

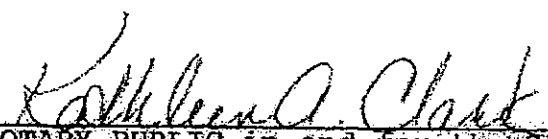
County of Spokane)

On this 15 day of June, 1982, before me, the undersigned, a Notary Public in and for the State of Washington,

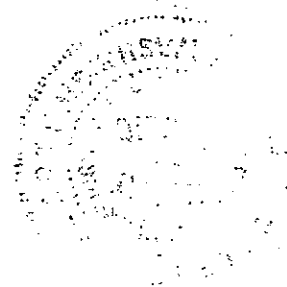
PAGE TWO
DEED & PURCHASERS ASSIGNMENT
OF CONTRACT

duly commissioned and sworn personally appeared JAMES I. PEARSON to me known to be the individual who executed the foregoing instrument as attorney in fact of ROY T. PEARSON and RUTH H. PEARSON therein described, and acknowledged to me that he signed and sealed the said instrument as such attorney in fact for said principal, freely and voluntarily, for the uses and purposes therein mentioned, and on oath stated that the power of attorney authorizing the execution of this instrument has not been revoked and that the said ROY T. PEARSON and RUTH H. PEARSON are now living.

WITNESS my hand and official seal hereto affixed the day and year in this certificate first above written.



NOTARY PUBLIC in and for the State
of Washington, residing at Spokane





Pioneer National Title Insurance Company

Filed for Record at Request of

TO Mrs. & Mr. Roy Pearson
Nixon Inc.
P.O. Box 1500
Coeur d'Alene, ID
83814-1500

1224828

NOTICE OF RECORDING
COUNTY: KOOTENAI, ID
AT THE OFFICE OF
John Nixon
JUL 15 4 32 PM '91
S. White
DEPUTY
FEES 3

REVENUE STAMPS

FORM L-64 R

Deed and Seller's Assignment of Real Estate Contract

THE GRANTORS, GEORGE E. THAYER and AUDREY L. THAYER, husband and wife,
for value received convey and assign to ROY T. PEARSON and
RUTH H. PEARSON, husband & wife; and NIXON, INC., an Idaho corporation, the grantees,
the following described real estate, situated in the County of Kootenai

State of Idaho including any interest therein which grantor may hereafter acquire:

PARCEL 1: The Northeast quarter of Section 11, Township 51 North, Range 5 N., S. H.,
Kootenai County, State of Idaho.
PARCEL 2: Those portions of the Southwest Quarter and the West half of the Southeast quarter
of Section 2, Township 51 North, Range 5 N.H., Kootenai County, Idaho which lie south-
easterly of a line measured at right angles 1,000.0 feet distance southeasterly from and
parallel to the center line of the right of way of the Northern Pacific Railway Company.
PARCEL 3: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of Plat 1 of Greenacres
Tract, according to the plat thereof as recorded in Book "9" of Maps on
page 47, being situated in the East half of the East half of Section 2, Township 51 North,
Range 5 N.H.
EXHIBIT: Includes all that parcel conveyed to Great Northern Railway by deed recorded
October 23, 1908 as Instrument No. 236225.
The above property is subject to general taxes for the year 1991, assessments of record,
rights of the public and the County of Kootenai, Idaho in and to any portion lying within
any public highway, notice of location for the pipeline recorded March 27, 1962, in Book
108, Page 421 affecting a strip of land 100 feet over and across the northeast quarter of
Section 11, Township 51 North, Range 5 N.H., Kootenai County, Idaho, and, subject of
rights of Chicago, Milwaukee, St. Paul and Pacific Railroad in and to the subsurface of the
land described above recorded May 19, 1946.

and do hereby assign, transfer and set over to the grantee that certain real estate contract dated the 8th day of
June, 1978, between GEORGE E. THAYER and AUDREY L. THAYER, husband and wife,
as sellers, and W. W. NIXON and JUDY NIXON, husband & wife; RONALD E. SPRINGER and
JANIE SPRINGER, husband & wife; ROY T. PEARSON and RUTH PEARSON, husband and wife;
and J. PAUL ROBERTSON, a single man,
as purchasers for the sale and purchase of the above described real estate. The grantees hereby assume and
agree to fulfill the conditions of said real estate contract and the grantors hereby covenant that there is
now unpaid on the principal of said contract the sum of THREE HUNDRED FIFTY-TWO THOUSAND SEVEN
HUNDRED TWENTY-SEVEN and 77/100 DOLLARS (\$352,727.77).
Dated this _____ day of July, 1991.

STATE OF IDAHO,
County of Kootenai

On this day personally appeared before me George E. Thayer & Audrey L. Thayer
to me known to be the individual described in and who executed the within and foregoing instrument, and
acknowledged that they signed the same as free and voluntary act and deed, for the
uses and purposes therein mentioned.

GIVEN under my hand and official seal this 12th day of July, 1991

Valerie Williams
Notary Public in and for the State of Idaho,
residing at _____

or value received convey and assign

to ROY T. PEARSON

TH H. PEARSON, husband & wife; and NIXON, INC., an Idaho corporation
the following described real estate, situated in the County of Kootenai

State of Idaho including any interest therein which grantor may hereafter acquire:

PARCEL 1: The Northeast quarter of Section 11, Township 51 North, Range 5 W. B. M., Kootenai County, State of Idaho.

PARCEL 2: Those portions of the Southwest Quarter and the West half of the Southeast quarter of Section 2, Township 51 North, Range 5 W.B.M., Kootenai County, Idaho which lie southeasterly of a line measured at right angles 1,000.0 feet distance southeasterly from and parallel to the center line of the right of way of the Northern Pacific Railway Company.

PARCEL 3: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of Plat 1 of Greenacres Tract, according to the plat thereof as recorded in Book "D" of Plats on page 47, being situated in the East half of the East half of Section 2, Township 51 North, Range 5 W.B.M.

EXCEPTING THEREFROM all that portion conveyed to Great Northern Railway by deed recorded October 25, 1968 as Instrument No. 538225.

The above property is subject to general taxes for the year 1991, easements of record, rights of the public and the County of Kootenai, Idaho in and to any portion lying within any public roadway, notice of location for gas pipeline recorded March 27, 1962, in Book 160, Page 427 affecting a strip of land 100 feet over and across the northeast quarter of Section 11, Township 51 North, Range 5 W.B.M., Kootenai County, Idaho, and, subject of rights of Chicago, Milwaukee, St. Paul and Pacific Railroad in and to the subsurface of the land described deed recorded May 19, 1976.

and do hereby assign, transfer and set over to the grantee that certain real estate contract dated the

June, 1978, between GEORGE E. THAYER and AUDREY L. THAYER, husband and wife, as sellers, and W. W. NIXON and JUDY NIXON, husband & wife; RONALD E. SPAIN, husband & wife; ROY T. PEARSON and RUTH PEARSON, husband and wife; J. PAUL ROBERTSON, a single man, as purchasers for the sale and purchase of the above described real estate. The grantee hereby agree to fulfill the conditions of said real estate contract and the grantors hereby covenant

now unpaid on the principal of said contract the sum of THREE HUNDRED FIFTY-TWO THOUSAND HUNDRED TWENTY-SEVEN and 77/100 DOLLARS (\$352,727.77).

Dated this

day of July, 1991.

NOTARY
STATE OF IDAHO
County of Kootenai

ss.

On this day personally appeared before me George E. Thayer & Audrey L. Thayer to me known to be the individual described in and who executed the within and foregoing in acknowledged that they signed the same as free and voluntary act and uses and purposes therein mentioned.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
1866 North Lakewood Drive
Coeur d'Alene, ID 83814

DANIEL J. ENGLISH 4P I 2199573000
KOOTENAI CO. RECORDER Page 1 of 4
AAA Date 03/05/2009 Time 15:25:22
REC-REQ OF FIRST AMERICAN TITLE CO
RECORDING FEE: 12.00
2199573000 00 5

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 279917-C (js)

Date: March 02, 2009

For Value Received, **Parcel 1: Nixon Inc., an Idaho corporation and Ruth Pearson also know as Ruth H. Pearson and Ruth H.S. Pearson, as her sole and separate property; and**

Parcel 2: Ruth H.S. Pearson, as her sole and separate property as to an undivided 80% interest and W.W. Nixon and Judith A. Nixon, husband and wife as to an undivided 20% interest, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto JHM Investments, LLC, an Idaho limited liability company, hereinafter called the Grantee, whose current address is

P.O. Box 190 Athol ID 83801
the following described premises, situated in Kootenai County, Idaho, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

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

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 03/02/2009

Warranty Deed
- continued

File No.: 279917-C (Js)

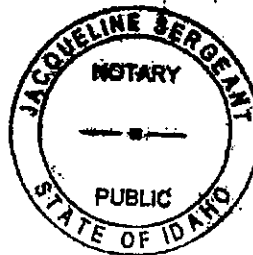
Nixon Inc., an Idaho corporation

Ruth H.S. Pearson
Ruth H.S. Pearson

William W. Nixon
By: William W. Nixon, President

Judith A. Nixon
Judith A. Nixon

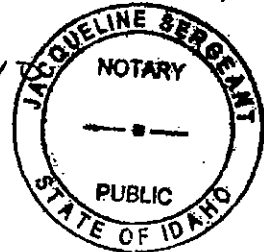
W. W. Nixon
W. W. Nixon



STATE OF Idaho)
SS.
COUNTY OF Kootenai)

On this 03/02/2009, before me, a Notary Public in and for said State, personally appeared **William W. Nixon**, known or identified to me, to be the **President** of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

Notary Public of Idaho
Residing at: House To
Commission Expires: 2-28-10



STATE OF Idaho)
SS.
COUNTY OF Kootenai)

On this second day of March, 2009, before me, a Notary Public in and for said State, personally appeared **W.W. Nixon and Judith A. Nixon**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public of Idaho
Residing at: House To
Commission Expires: 2-28-10

STATE OF IDAHO

COUNTY OF KOOTENAI

ls 3rd
On this 4th day of March, 2009 before me a Notary Public in and for the State personally appeared Ruth H.S. Pearson, known or identified to me 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.

Notary Public
Residing At: Hauser, Id.
Commission Expires: 2-24-10

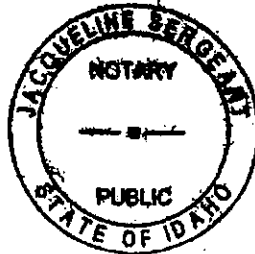


EXHIBIT "A"

Parcel 1:

Lot 2, Block 1, ENERGY ADDITION TO RATHDRUM, Kootenai County, State of Idaho, according to the Plat recorded in Book "I" of Plats, Page 199 and 199A.

and

Parcel 2:

That portion of the following legal description that is located in the Northwest Quarter of Section 11, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho and described as follows:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 11; THENCE

WESTERLY ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER AND THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 10 TO THE POINT OF INTERSECTION WITH THE SOUTHEASTERLY LINE OF BURLINGTON ROAD; THENCE

NORTHEASTERLY ALONG SAID SOUTHEASTERLY LINE TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF SECTION 11; THENCE

EASTERLY ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 11; THENCE

SOUTHERLY ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING.

Excepting therefrom any portion lying within the bounds of Idaho Road.

Also Excepting therefrom any portion lying within the bounds of Burlington Road.

Also Excepting therefrom any portion lying within the bounds of Lancaster Road.

Also Excepting therefrom any portion lying within the bounds of ENERGY ADDITION TO RATHDRUM, Kootenai County, State of Idaho, according to the Plat recorded in Book "I" of Plats, Page 199 and 199A.

