

FAX NO. :

Feb. 07 2000 09:43PM F2

Addendum #1

In reference to the Purchase and Sale Agreement covering the premises commonly known as 13371 Marie Creek Rd., Coeur d'Alene, Idaho, dated January 2, 2003, between Loyal and Jean Hall, Seller, and Mick Hall and/or assigns, Purchaser, the undersigned parties hereby agree to the following and incorporate the language in the Purchase and Sale Agreement.

Additional Conditions of Purchase

1/4/03

The property at: 13371 Marie Creek Rd. has not been surveyed, nor have the property lines been properly established or maintained over the past 40 years. Therefore, property line disputes presently exist with at least three adjoining properties. *mjh*

Within the following two years, the buyer will have the property surveyed. Due to the present disputes over the property lines, any unforeseen expenses or property losses need to be compensated for by a reduction in the payoff balance that is due in two years from the closing date. The present raw land value of this property has a value in excess of \$2,000 per acre. Therefore, any land shrinkage due to property line disputes need to be compensated for at the rate of \$2,000 per acre. *9 CH Circled portion to be deleted. JH*

Any rights assigned to Loyal and Jean Hall pertaining to the property that is now assigned with the address of 13371 Marie Creek Rd. (formerly Route 3, Box 515), as well as any rights applied for, and especially the Water License No. 31313/2149 applied for on August 1, 1963 and granted November 4, 1969; shall be transferred to Mick Hall, their son and new owner of this property.

All property taxes must be paid current at the time of closing.

Should either seller, Jean L. Hall or Loyal L. Hall pass away within this two year period of time, while monies are still owing, the sums due and owing from the sale of the deceased person's one-half interest in real estate which has been sold to their son, namely Mickey A. Hall, which sale shall be secured by a mortgage, and represented by a note for the remaining balance, shall be distributed equally to their children, one-sixth (1/6) each. At such time as final payment is made upon the indebtedness, a balloon payment which is due two years from closing, the balloon payment to the deceased person may be reduced by one-sixth (1/6) as a credit to Mick Hall, the remaining five sixths (5/6) to be distributed amongst the remaining five children, or their heirs in the event a child is deceased. This stipulation will also be mandated in their Last Will and Testaments.

Loyal Hall
Loyal Hall

Dated: *1/18/03*

Jean L. Hall
Jean L. Hall

Dated: *1/06/03*

Mick Hall
Mick Hall

Dated: *1/23/03*

**NOTICE OF PROOF OF
COMPLETION OF WORKS
AND APPLICATION OF
WATER TO BENEFICIAL USE**

Notice is hereby given that on September 13, 1968 at Coeur d'Alene, County of Kootenai, State of Idaho, before notary public Cecil Kelly Jr., 724 Sherman, Coeur d'Alene, Idaho, proof will be submitted of the completion of works for the diversion of 2.0 c.f.s. of the waters of Marie Creek & springs, and the application to beneficial use of said water in accordance with the terms and conditions of permit 81313, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Lovell L. Hall,

Route 3, Box 515, Coeur d'Alene, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.0 cubic feet per second.

3. The use to which said water has been applied is private fish pond purposes, and the amount applied to beneficial use is 2.0 c.f.s.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 50 N., R. 2 W., B.M. Kootenai County.

5. The place where said water is used is NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 50 N., R. 2 W., B.M.

6. The date of priority which said user is prepared to establish is August 1, 1963.

R. KEITH HIGGINSON

State Reclamation Engineer
Protests of the above proof may also be submitted to the Dept. of Reclamation, Statehouse Annex No. 2, Boise, Idaho.
Aug. 14, 21, 28, Sept. 4, 1968.

WATER LICENSE

Water License No. 31313/95-2149 Priority September 16, 1963 Amount 2.0 c.f.s.
(late proof)

THIS IS TO CERTIFY, that

LOVAL L. HALL

of Coeur d'Alene, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 1, 1963; that Permit 31313/95-2149 was issued pursuant to said application; that the proposed works were completed on or about 1965,

with a storage/or carrying capacity of 2.0 c.f.s. said works consisting of earth and rock diversion works through earth ditches to fish / pond; and that on September 17, 1968,

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of N.A.

acre feet per season, with a maximum rate of diversion of 2.0 cubic feet per second of the waters of Marie Creek & Springs, tributary of Wolf Lodge Creek,

for the purpose of private fish pond from January 1 to December 31;

and for _____ from _____ to _____; and for

_____ from _____ to _____; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is

located in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 50 N, R. 2 W, B.M., and

other additional points _____, in the County of

Kootenai; and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially

used for said purposes and shall not exceed N.A. acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
50 N	2 W	21									X								

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of November, 19 69.

P. L. H. H.
State Reclamation Engineer