

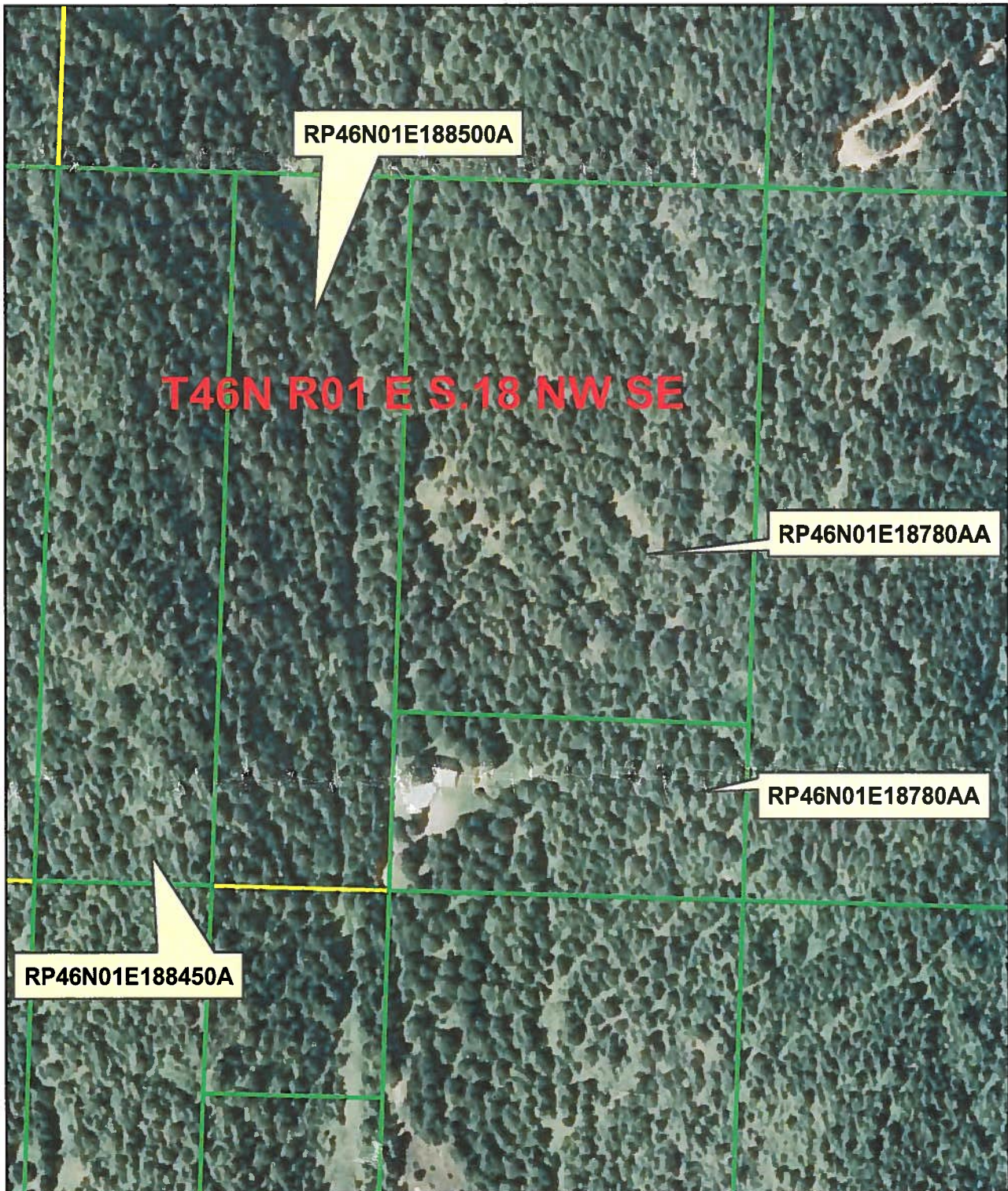
EMERSON PIN

RP46N01E18780AA

RECEIVED

JUN - 2 2011

IDWR/NORTHERN



TWP 46N

Range 1 E

B.M., Benewah Count, ID.

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IDWR/NORTHERN

underground water
line/approximate
center line of
water line easement.

JERRY

EMERSON

SERVIENT
PROPERTY

JULIE
LEMPKE

DOMINANT
PROPERTY

"This plat is made solely for the
purpose of assisting in locating
said land, and the Company
assumes no liability for variations,
if any, in dimensions and location
ascertained by actual survey"

4

UN NAMED STREAM

-7808

LISA

EMERSON

-780A

-7200

Tua #542

DAVID

DAVID

FOXWORTH

FOXWORTH

-8000

-9000

EXHIBIT

A

FARRILL

-9400

18 17

State of Idaho
Department of Water Resources

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JUN - 2 2011
IDWR/NORTHERN

WATER RIGHT LICENSE

WATER RIGHT NO. 91-07077

Priority: June 22, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:

0.03 CFS
3.0 AF

This is to certify, that JERRY L EMERSON
RT 3 BOX 76A

ST MARIES ID 83861 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 8, 1983; and
has submitted Proof of Beneficial Use on August 8, 1988. An examination indicates
that the works have a diversion capacity of .340 cfs of water from:

UNNAMED STREAM tributary to SAINT JOE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.03 CFS	3.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 18, Township 46N, Range 01E
BENEAH County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN RGE SEC</u>					
46N 01E 18	NWSE 1				1

Total number of acres irrigated: 1

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for the lands above.

MICROFILMED

MAY 22 1992

PAGE 2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 91-07077

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 17th
day of April, 1992.

Acting for R. Keith Higginson, Director

RECORDED
MAY 22 1992

259946

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

Lisa K. Emerson
354 Ahrs Loop
St. Maries, ID 83861

RECEIVED 16⁰⁰

2011 MAY 10 AM 10 53

J. Michele Reynolds
BENEWAH COUNTY
J. MICHELE REYNOLDS, CLERK
TO FATIO

QUITCLAIM DEED AND GRANT OF WATER LINE EASEMENT

For the consideration of ten dollars (\$10.00) and other good and valuable consideration the receipt of which is hereby acknowledged to have been received, Gerald L. Emerson, (a.k.a. "Jerry L. Emerson"), a single man, hereinafter "Grantor," does hereby grant, convey and forever quitclaim unto Lisa K. Emerson, a single woman, hereinafter "Grantee," whose address is 354 Ahrs Loop, St. Maries, ID 83861, and her heirs and assigns forever, all right, title, and interest which Grantor now has or may hereafter acquire in the following described real property situated in Benewah County, State of Idaho, to-wit:

A tract in Section 18, Township 46 North, Range 1 East, Boise Meridian, Benewah County, Idaho, described as follows:

The South 330 feet of the North half of the East half of the West Half of the Southeast Quarter of Section 18, Township 46 North, Range 1 East of the Boise Meridian, Benewah County, Idaho. TOGETHER with an easement for ingress and egress over and across the existing roadway on the west side of the South half of the East half of the West half of the Southeast quarter of said Section 18, and an easement for utility purposes over and across the South Half of the East Half of the West Half of the Southeast Quarter, Section 18.

INCLUDING the water right described within an Idaho Department of Water Resources Well Driller's Report as Permit Number 91-77-N-2 for a groundwater well completed February 1, 1977, and for the water right described within an Idaho Department of Water Resources Water Right Number 91-07077.

ALSO INCLUDING AN EASEMENT over and upon the hereinafter described property of Grantor, for the purpose of inspecting, maintaining, installing, and repairing a water line, which line shall not exceed six inches (6") in diameter, from an un-named stream which is a tributary of the St. Joe River to the hereinafter described property of Grantees. The point of diversion from said stream is situated upon, and the easement granted herein shall be over and upon the following described servient real property, belonging to Grantor:

The North Half of the East Half of the West Half of the Southeast Quarter of Section 18, Township 46 North, Range 1 East of the Boise Meridian, Benewah County, Idaho.

EXCEPTING THEREFROM: The South 330 feet thereof.

The water line easement granted herein shall be twenty feet (20') in width and shall lie ten feet (10') on either side of the water line. Said waterline is presently located as approximately situated in Exhibit "A", attached hereto and incorporated herein. The dominant property, which holds the above described Water Right Number 91-07077, and the Grantee's property to be served by the water line easement granted herein, is as first above described.

The water line shall remain buried at all times except when being inspected, maintained and/or repaired. Should it become necessary to uncover the pipeline or portions thereof for purposes of maintenance, inspection and/or repair, it shall be buried again within 30 days after it has been uncovered and the real property shall be restored as near as possible to its original condition.

TO HAVE AND TO HOLD, all and singular the said real property, together with all appurtenances, tenements, hereditaments, reversions, remainders, rents, issues, profits, rights-of-way, and water rights in anywise appertaining to the real property herein described, as well in law as in equity, unto Grantee, and to her heirs and assigns forever.

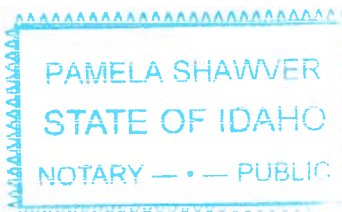
WITNESS the hands of said Grantor this 6th day of May, 2011.

Gerald L. Emerson
Gerald L. Emerson

STATE OF IDAHO)
) ss.
County of Kootenai Beneath

On this 6th day of May, 2011, before me, a Notary Public, in and for the State of Idaho personally appeared Gerald L. Emerson, Grantor, known to me (or proved to me on the oath of _____), 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 official seal.



Pamela Shawver
Notary Public for Idaho
residing at St. Maries
My commission expires: 1-20-2016

259948

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Lisa K. Emerson
354 Ahrs Loop
St. Maries, ID 83861

RECEIVED

2011 MAY 10 AM 10 54

J. MICHELE REYNOLDS, CLERK

John L. Reynolds
To PATEO

WATER RIGHT QUITCLAIM DEED

For consideration often dollars (\$10.00) and other good and valuable consideration the receipt of which is hereby acknowledged to have been received, Gerald L. Emerson, a single man, hereinafter "Grantor," does hereby release and forever quitclaim unto Lisa K. Emerson, a single woman, hereinafter "Grantee," whose address is 354 Ahrs Loop, St. Maries, ID 83861, and her heirs and assigns forever, all right, title, and interest which Grantor now has in two certain water rights as follows:

The domestic groundwater right to a well existing on the tract described hereinbelow; and that certain surface water irrigation water right described within an Idaho Department of Water Resources Water Right Number 91-07077, including diversion facilities, pipelines and easements appurtenant thereto showing a point of diversion upon Grantor's real property as described in said Water Right Number 91-07077 with the place of use being the below-described tract as conveyed to Grantee in a Quitclaim Deed filed as instrument number 259947 in the records of Benewah County, Idaho as follows:

A tract in Section 18, Township 46 North, Range 1 East, Boise Meridian, Benewah County, Idaho, described as follows:

The South 330 feet of the North half of the East half of the West Half of the Southeast Quarter of Section 18, Township 46 North, Range 1 East of the Boise Meridian, Benewah County, Idaho. TOGETHER with an easement for ingress and egress over and across the existing roadway on the west side of the South half of the East half of the West half of the Southeast quarter of said Section 18, and an easement for utility purposes over and across the South Half of the East Half of the West Half of the Southeast Quarter, Section 18.

TO HAVE AND TO HOLD, all and singular and every interest now existing or hereafter acquired in the above-described appurtenant water rights, together with related tenements, hereditaments, reversions, remainders, rents, issues, profits, rights-of-way, easements, and water distribution facilities in anywise appertaining to the appurtenant water rights on or under the real property herein described, in law and in equity, unto Grantee, and to her heirs and assigns forever.

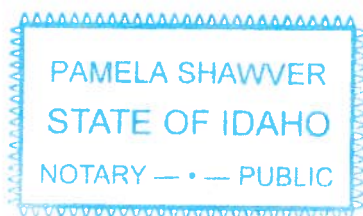
WITNESS the hands of said Grantor this 10 day of May, 2011.

Gerald L. Emerson
Gerald L. Emerson

STATE OF IDAHO)
) ss.
County of ~~Kootenai~~ ^{PS} Beneva

On this 6th day of May, 2011, before me, a Notary Public,
in and for the State of Idaho personally appeared Gerald L. Emerson, Grantor, known to me (or
proved to me on the oath of _____), 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 official seal.



Pamela Shawver
Notary Public for Idaho
residing at St. Maries
My commission expires: 1-20-2016