

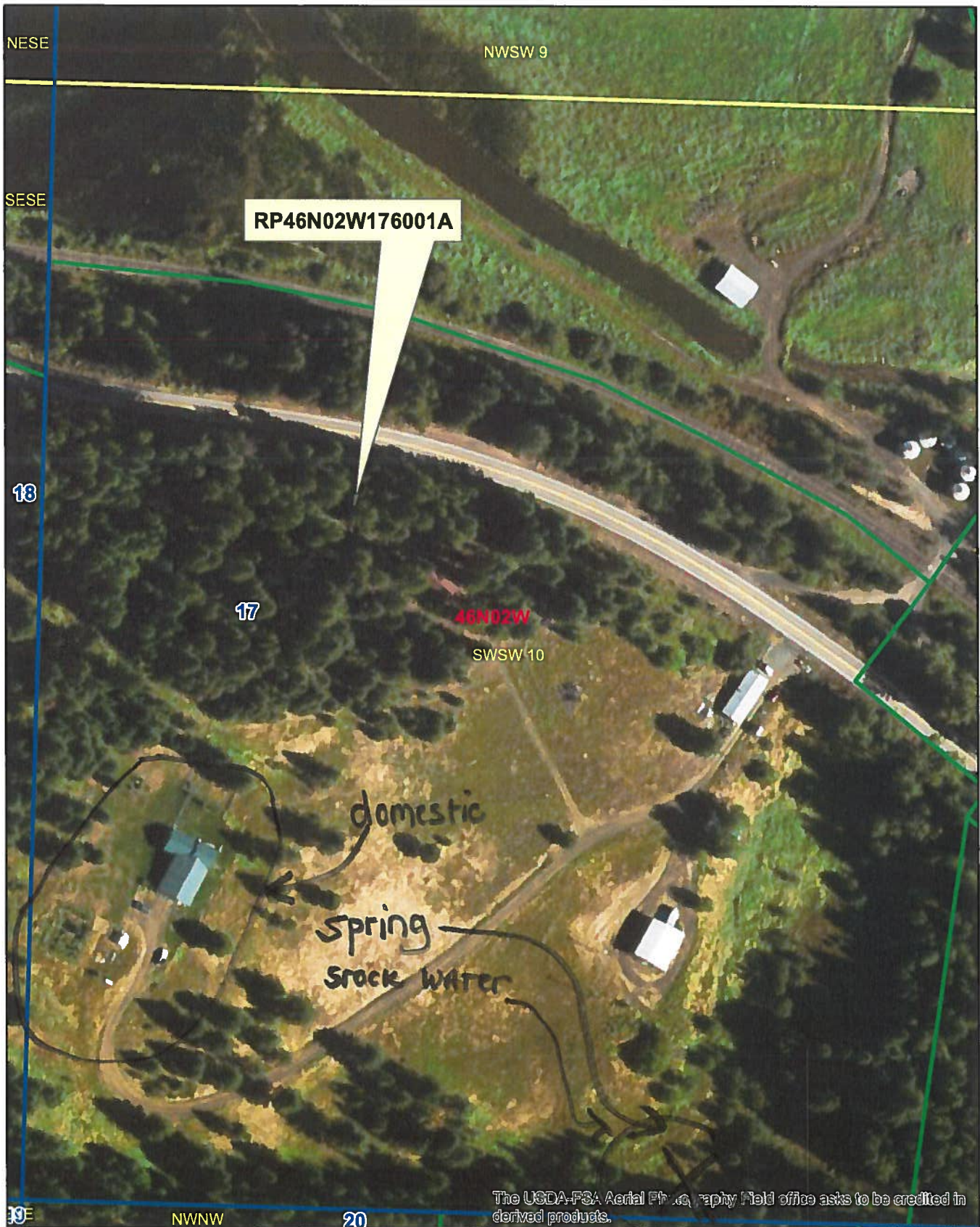
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92-4024 BEST BENEWAH PARCEL RP46N02W176001A



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DEPARTMENT OF
WATER RESOURCES

October 19, 2007

Idaho Department of Water Resources
Attention: Michelle Edl or Craig Thaxton
P.O. Box 83720
Boise, Id 83720-0098

Re: Water Rights Adjudication, Claim 92-4024

Dear Ms. Edl or Mr. Thaxton:

Enclosed you will find copies of three documents which describe the history of the water rights/use associated with Claim No. 92-4024 for your files. The "shallow well" described in the claim was wood framed. We have owned the two parcels in Government Lot 10 of Section 17, Township 46 N., R 2 W.B.M. since 1995. In 2005 the decayed wooden structure was replaced with concrete well rings. We use this site for drinking water for four head of stock. We plan to pump water from the well rings to a 2,500 gallon holding tank to irrigate our garden and yard and for fire protection.

If you have any questions, please feel free to contact us at:
15391 Highway 5
St. Maries, ID 83861
e-mail: dbestway@smgazette.com
hone: 208-245-3960

Sincerely,

Denise & David Best

Denise and David Best

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Annette E. Erickson
706 Rachel Street, Troy ID 83871-9668
208-835-3652

September 28, 2007

Denise & David Best
15391 Hwy 5
St. Maries ID 83861

SUBJECT: Water Rights Adjudication on Property Formerly Owned by Elie D. & Anna C. Jacot

At your request I am providing information about my parents previous ownership of property approximately three miles west of St. Maries on State Highway 5.

I am enclosing a copy of a portion of an old Metsker map showing "E. D. Jacot" on portions of property in Sections 17, 18, 19, & 20, Twp. 46 N, R 2 WBM. I believe the property on which your home is located is within the Section 19 parcel previously owned by my parents.

17 db

My parents were married March 21, 1929. I have a portion of a copy of a deed from my paternal grandparents, Jules Alfred & Marie Lina Jacot to my parents, Elie Daniel & Anna Clara Jacot dated January 2, 1931 for a portion of the property shown on the map. My parents first built a home along the river (in Section 17) before the dikes were built along the St. Joe River. After surviving several floods, they decided to build a home on their hillside property on the south side of Highway 5. To the best recollection of my oldest brother, J. Alfred Jacot, the home was built in 1939. Sometime later they sold the riverfront property to Fulton Cook, but kept the riverfront property known as Sweeny's Landing that they later sold to the Potlatch Corporation for a log landing.

My parents had a well drilled for domestic consumption on the east side of the tiny creek that ran through the field below their home. On this small farm they also grew a few head of cattle and at one point a few hogs, chickens, and a couple of horses, so the water was used for the livestock also. Usually during the summer our well water would run low and we had to haul water from the St. Joe for the livestock and get drinking water from St. Maries for use in our home.

I believe the property you now own was sold by my parents to George & Betty Duvall in May of 1966. This area of the farm was used for grazing the cattle and horses and hay was harvested for the animal's winter-feeding. At no point was there ever irrigation of the land.

After my father's death my mother continued to live on the property for several years, then due to health problems moved into St. Maries. She sold the remainder of the property in October 1986.

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Denise & David Best
September 28, 2007
Page 2

If you need the family history, the names and dates are as follows:

Elie Daniel Jacot	7/1902 - (deceased) 12/1974
Anna Clara Jacot	4/1911 - (deceased) 8/1992
Married	3/1929
John Alfred Jacot	10/1930
Stanley Everett Jacot	5/1932
Kenneth Ernest Jacot	2/1935 (deceased)
Alex Elie Jacot	1/1938 - (deceased) 1/1959
Nancy Ann Jacot	8/1939 (deceased)
Owen Dale Jacot	5/1941
Annette Elaine Jacot Erickson	5/1946

I hope this provides all the detail you need for your water rights application. Please contact me if there is further information you require.

Sincerely,



Annette E. Erickson

Enclosure

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SCALE 2 IN. = 1 MILE

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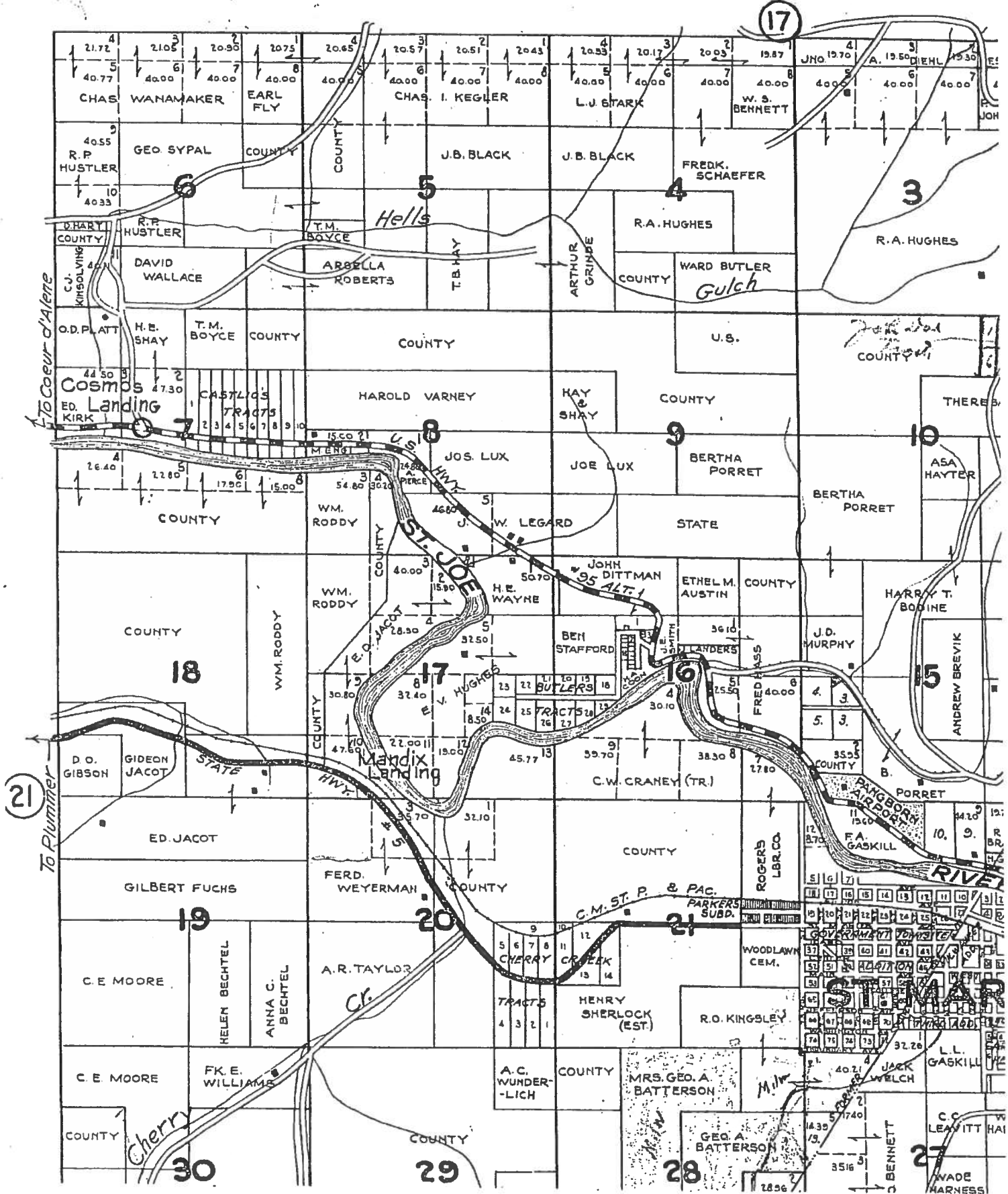
FOR SALE BY

CHAS. F. METSKER

514 S. W. OAK STREET, PORTLAND, OREGON
111 SOUTH 10TH ST., TACOMA, WASHINGTON
1020 THIRD AVE., SEATTLE, WASHINGTON

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TOWNSHIP 46 N., BENEFAH COUN



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March 30, 1995

David M. Best
1213 Powell Road
St. Maries, Idaho 83861

Dear Dave,

I am enclosing a copy of the letter I sent to Louise Mann at the escrow company. She said she would begin working on the title insurance today.

At the risk of sounding overly cautious, we want to make sure it is understood that we are selling the property "as is". For example, we can't make any guarantees as to the quality or amount of water. When the well was drilled, it tested at least 15 gallons per minute. We don't if it is more or less now since we have never used the system ourselves. The spring the Jacots used was inadequate in late summer. We don't know if it was inadequate due to poor construction or simply lack of water. In any case, that's why we drilled the well. The stream that flows through the draw should be considered seasonal.

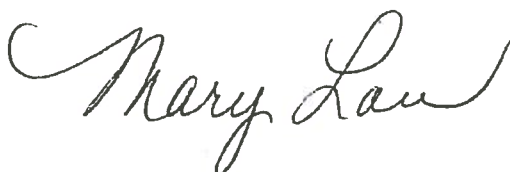
We think the trailer was placed on the property around 1964. We did some work on the skirting, septic system, electrical, and plumbing in 1986 but we are not sure of the condition now. The barn is old, in poor repair, with sub-standard wiring.

The renter will be notified of the ownership change which will be effective May 1. We do not have a written rental agreement with him, but it is on a month-to-month basis at \$200 per month. Enclosed is our letter to him.

As far as the \$5000 earnest money/down payment, you can send the check and we will mail or fax a receipt or you can prepare the standard form you have.

Call us if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading "Mary Lau". The signature is written in dark ink and is positioned below the typed name "Mary Lau".

WARRANTY DEED

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For Value Received

JEFFREY P. BAKER and MARY LOU BAKER, husband and wife

the grantor(s), do hereby grant, bargain, sell and convey unto

DAVID M. BEST

the grantee(s) whose current address is

1213 Powell Road, St. Maries, ID 83861

the following described premises, in Benewah County, Idaho:

Two Parcels in Government Lot 10, Section 17, Township 46 North, Range 2 West, Boise Meridian. The boundaries of said parcels are described on Exhibit A, attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenance unto the said Grantee(s) their heirs or assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that they are the owners in fee simple of said premises; that they are free from all encumbrances

EXCEPT reservations and easements of record or in view

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: May 1, 1995

Jeffrey P. Baker

Mary Lou Baker

STATE OF IDAHO)

SS

COUNTY OF BENEWAH)

On this 27th day of April in the year 1995, before me, a Notary Public, personally appeared

JEFFREY P. BAKER and MARY LOU BAKER, husband and wife

known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Ada Louise Mann
Notary public

Residing at Plummer

My Commission Expires 4-14-98

0201569

35 AUG 9 P4:40

Deanna Wilson, dep.
CLERK 6.00
Benewah Co. Abstract

OCT 17 2014

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EXHIBIT A

0201569

Two parcels in Government Lot 10 of Section 17, Township 46 North, Range 2 West, Boise Meridian, Benewah County, Idaho. The boundaries of said parcels are described as:

PARCEL 1

Beginning at the corner common to Sections 17, 18, 19 and 20. Running thence N 00°13'45" E, along Section line 17 and 18, a distance of 933.95 feet to a point on the southerly right-of-way boundary of State Highway Number 5, said highway right-of-way boundary runs parallel to and 40 feet offset southerly from the centerline of said highway; thence southeasterly along said highway right-of-way boundary on a 756.30 foot radius curve left, concave to the northeast, through a central angle of 10°07'40", an arc distance of 133.69 feet, the chord of this curve segment bears S 78°32'30" E - 133.51 feet; thence S 83°36'15" E, along said highway right-of-way boundary, a distance of 228.54 feet; thence southeasterly along said right-of-way boundary on a 1,233.30 foot radius curve right, concave to the southwest, through a central angle of 28°16'00", an arc distance of 608.44 feet, the chord of this curve segment bears S 69°28'15" E - 602.29 feet; thence S 55°24'15" E. along said right-of-way boundary, a distance of 259.01 feet to a point opposite station 844+65.0 of said highway survey, said point also being the northwest corner of Assessor's Tax Number 310 as described in Book M-2 of Deeds, page 336, Benewah County Records, thence S 06°57'30" W, along the westerly boundary of said Tax Number 310, a distance of 525.64 feet to a point on the south line of said Section 17; thence S 89°54'00" W, along said south section line, a distance of 1,075.30 feet to the point of beginning.

PARCEL 2

A small parcel lying between the right-of-way boundaries of State Highway No.5 and the St. Maries River Railroad. The boundary of this parcel is described as:

Beginning at the intersection point of the northerly right-of-way boundary of said highway with Section line 17 and 18, said point being N 00°13'45" E - 1,017.72 feet from the southwest corner of Section 17. Running thence N 00°13'45" E a distance of 31.01 feet to a point on the southerly right-of-way boundary of said railroad; thence S 84°37'00" E, along said railroad right-of-way boundary, on a tangent and spiral curve segments, a distance of 287.62 feet; thence S 05°23'00" W a distance of 50.99 feet to another point on said northerly highway right-of-way boundary; thence N 83°36'15" W along said highway right-of-way, a distance of 143.16 feet; thence northwesterly along said highway right-of-way on a 676.30 foot radius curve right, concave to the northeast, through a central angle of 12°07'10", an arc distance of 143.05 feet, the chord of this curve segment bears N 77°32'45" W - 142.74 feet to the point of beginning.