

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 30 2013

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
65-7855	Yes ☐		Yes ☐		Yes ☐
65-22927	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Dorothy F. Beal
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Roger F. Beal
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 56 Ola ID 83657
Mailing address City State ZIP
208-584-3563
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: April 1, 2013
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
7. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

SUPPORT DATA

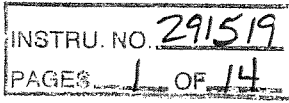
45-7855

8. Signature: Roger F. Beal owner FILE # 45-7855 Date May 29, 2013
Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by dp Date 5-30-13 Receipt No. 1097247 Receipt Amt. 50.00
Approved by _____ Processed by gph Date 8-9-4-13



Instrument # 291519

EMMETT, GEM, IDAHO

4-10-2013

04:08:47 No. of Pages: 14

Recorded for : SENIOR EDGE LEGAL

SHELLY TILTON

Fee: 49.00

Ex-Officio Recorder Deputy

Index to: DEED

Lissy Stewart

TRUSTEE'S DEED

Constance L. Baker, as Trustee of The Dorothy F. Beal Trust dated April 25, 1995, and any amendments thereto, hereinafter referred to as the "Grantor", does hereby grant and convey to Roger F. Beal, a single person, hereinafter referred to as the "Grantee", whose mailing address is Box 56, Ola, Idaho 83657, for no monetary consideration, the following described real property, situated in GEM County, State of Idaho:

See Exhibit "A" which is attached hereto and incorporated by reference herein as if fully set forth.

together with their appurtenances.

The Grantor executes this instrument solely in her fiduciary capacity and covenants only that she is authorized to make this conveyance in such fiduciary capacity. The Grantor hereby disclaims any and all warranties and covenants, whether express or implied. Any further recourse hereunder is to be only against the aforementioned trust.

Dorothy F. Beal, the original Trustee and Grantor of The Dorothy F. Beal Trust dated April 25, 1995, died on September 23, 2011. A true and correct copy of her certified death certificate is attached to this Deed along with certain pages of the Trust that include the first page, the section showing Constance L. Baker is the Successor Trustee, The Trustees Powers and the Signature page(s). This Trust was registered with a Registration of Trust, Case No. SP 95-92, filed in the Gem County Courthouse of the Third Judicial District of Idaho on or about April 27, 1995.

NOTE: THIS DEED PREPARED WITHOUT BENEFIT OF TITLE SEARCH.

Dated April 1 2013.

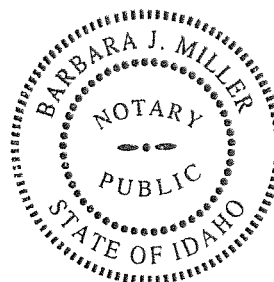
The Dorothy F. Beal Trust dated April 25, 1995.

By: *Constance L Baker Trust*
Constance L. Baker, Trustee

STATE OF IDAHO)
: ss.
County of Ada)

On April 1, 2013, before me, the undersigned, a Notary Public, personally appeared Constance L. Baker, the Successor Trustee of The Dorothy F. Beal Trust dated April 25, 1995, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same for and on behalf of said Trust.

Barbara J. Miller
Notary Public in and for Idaho
Residing in Boise, Idaho
My Commission expires: 4-01-15



Attachments:

Copy of Dorothy F. Beal's Certified Death Certificate
Conformed Copy of Registration of The Dorothy F. Beal Trust dated April 25, 1995

Pages 7, 14-20 and 27 of The Dorothy F. Beal Trust dated April 25, 1995, which include the first page of the Trust, the Successor Trustee designation, Powers of the Trustee and the signature page.

EXHIBIT "A"

Part of Section 16, Township 7 North, Range 1 East, B.M., Gem County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, T. 7 N., R. 1 E., B.M.; thence South 420 feet; thence East 340 feet; thence North 16°50' West, 200 feet; thence North 18°50' West, 75 feet; thence North 54°32' West, 270.3 feet; thence West 40 feet to the True Point of Beginning.

EXCEPT that part lying within the County Road right-of-way.

TRACT II:

Part of Section 16, Township 7 North, Range 1 East, B.M., Gem County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, T. 7 N., R. 1 E., B.M., Gem County, Idaho; run South 420 feet to the true point of beginning; thence East 340 feet; thence South 16°50' East, 126.99 feet; thence West 376.77 feet; thence North along the East boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, T. 7 N., R. 1 E., B.M., 121.55 feet to the True Point of Beginning.

EXCEPT that part lying within the County Road right-of-way.

An irregular tract of land containing 5.08 acres, more or less, lying in the Northeast Quarter of the Southeast Quarter of Section Sixteen in Township 7 North Range 1 East of the Boise Meridian more particularly described as follows:

Starting at the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section Sixteen in Township Seven North Range One East of the Boise Meridian thence

S 0 degrees 20 minutes 12 seconds West 713.55 feet thence

S 89 degrees 39 minutes 48 seconds East 431.42 feet

to the true point of beginning thence

S 89 degrees 39 minutes 48 seconds East 632.26 feet

to the boundary of the State Highway right of way thence in a Westerly direction along the South boundary of that right of way

N 38 degrees 48 minutes 0 seconds West 683.77 feet

to the Eastern Boundary of property belonging to Ronald S. Holbrook and Shirley Jean Holbrook thence along that Eastern boundary

S 51 degrees 35 minutes 4 seconds West 374.57 feet

to the property belonging to Dorothy Beal thence

S 16 degrees 50 minutes 0 seconds East 309.7 feet

to the true point of beginning

SUSAN M. GRAHAM LAW OFFICES
Susan M. Graham
Attorney at Law
104 S. Capitol Blvd.
Boise, Idaho 83702

Client Number: 95-04-12

FILED

AM PM

APR 27 1995

~~Thomas S. Kozlowski~~, CLERK
~~Jan Stoltz~~ DEPUTY

IN THE DISTRICT COURT OF THE **THIRD** JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF **GEM**

In the matter of the	)	
	)	Case No. <u>SP95-92</u>
DOROTHY F. BEAL	)	
TRUST	)	REGISTRATION OF TRUST
	)	Under Idaho Code Sections
	)	15-7-101 and 102

It is the desire of the undersigned to register this Trust in the
GEM County Courthouse, State of Idaho.

1. Name. The name of the Trust to be registered is the THE
DOROTHY F. BEAL TRUST.
2. Trustees. The name and current address of each original Trustee
and successor Trustee is as follows:

DOROTHY F. BEAL, Box 56, Ola, Idaho 83657, Original
Trustee
CONSTANCE L. BAKER, 9140 Edgeview Lane, Eagle, Idaho
83616, Successor Trustee
ROGER F. BEAL, 422 W. 1st, Emmett, Idaho 83617, Successor
Trustee
3. Registration. The Trust has not been registered nor filed
elsewhere.
4. Intervivos. This Trust is an intervivos, Revocable Trust.
5. Grantor. The name of the Grantor, or Settlor of the Trust is
DOROTHY F. BEAL of Box 56, Ola, Idaho 83657.

6. Date. The date of the execution of THE DOROTHY F. BEAL TRUST instrument is the 25th day of April, 1995.

7. Powers of Trustee. To carry out the purposes of the Trust created under this Trust Agreement, and subject to any limitations stated elsewhere herein, the Trustee is vested with all of the powers and authority as set forth in the Uniform Trustees' Powers Act, being Chapter 1 of Title 68, Idaho Code, as now in effect and as it may hereafter from time to time be amended.

8. Original Trustees. The original Trustee under this Registration of Trust shall be DOROTHY F. BEAL, to serve with all of the obligations, powers, and authority contained within the Trust Agreement.

9. Selection of Successor Trustee. Upon the death, resignation or disability of the Grantor, CONSTANCE L. BAKER, whose current address is 9140 Edgeview Lane, Eagle, Idaho 83616 is appointed to be the sole Trustee. If CONSTANCE L. BAKER is not available to serve as successor Trustee, then ROGER F. BEAL, whose current address is 422 W. 1st, Emmett, Idaho 83617, shall be appointed as successor Trustee.

DOROTHY F. BEAL, Trustee

STATE OF IDAHO)
 : ss.
County of Ada)

On this 25th day of April, 1995 before me personally appeared DOROTHY F. BEAL, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal
the day and year in this certificate above written.

Notary Public in and for Idaho
Residing at Boise, Idaho.
My commission expires 8-26-2000

**THE DOROTHY F. BEAL TRUST
(A REVOCABLE LIVING TRUST)**

This Trust Agreement is made this 25th day of April, 1995, between **DOROTHY F. BEAL**, a single person, with the address of Box 56, Ola, Idaho 83657 herein referred to as the "Grantor", and **DOROTHY F. BEAL**, with the address of Box 56, Ola, Idaho 83657 herein referred to as "Trustee."

DOROTHY F. BEAL is the original and sole Beneficiary of this Trust during her lifetime.

In consideration of the mutual covenants and promises set forth herein, Grantor and Trustee agree:

**ARTICLE ONE
TRUST NAME**

1.1 Name of Trust. This Trust shall be known as "**THE DOROTHY F. BEAL TRUST.**" This Trust is revocable by the Grantor during the life of the Grantor.

**ARTICLE TWO
TRUST PROPERTY**

be determined by the Trustee.

c. Death of Great-Grandchild Beneficiary.

If a Great-Grandchild Beneficiary should fail to survive the term of this Trust then that Beneficiary's share shall be distributed according to Article 4.4(e).

ARTICLE FIVE
INCOME AND PRINCIPAL

5.1. Income and Principal Allocations.

Unless otherwise specifically provided, the Trustee shall determine whether all or any part of any payment or property received or charged, expenses or taxes incurred, shall be credited to or charged against income or principal, or both, in the manner provided by the Principal and Income Act in effect at such times in any state in which this Trust is administered. The determination of the Trustee as to what constitutes principal and income shall, unless otherwise provided herein, be conclusive and binding on all persons in any manner interested in trusts created by this Trust Agreement.

ARTICLE SIX
TRUSTEE POWERS

6.1 Powers of Trustee.

To carry out the purposes of the Trust created under this Trust Agreement, and subject to any limitations stated elsewhere herein, the Trustee is vested with all of the powers and authority as set forth in the Uniform Trustees' Powers Act, being Chapter 1 of Title 68, Idaho Code, as now in effect and as it may hereafter from time to time be amended.

6.2 Loan, Borrowing and Encumbrance Powers.

The Trustee may loan money to any person, including a Beneficiary, with or without interest, on any term or on demand with or without collateral, as the Trustee deems in the best interests of the trust Beneficiaries.

The Trustee may borrow money upon such terms and conditions as the Trustee shall deem advisable, including, in the case of a corporate fiduciary, the power to borrow from its own banking or commercial department.

The Trustee shall have the power to obligate the trust property for the repayment of any sums borrowed where the best interests of the Beneficiaries have been taken into consideration.

The Trustee shall have the power to encumber the trust property, in whole or in part, by a mortgage or mortgages, deeds of trust, or by pledge, hypothecation or otherwise, even though such encumbrance may continue to be effective after the term of any trust or trusts created in this agreement.

6.3 Margin and Brokerage Account Powers.

The Trustee is specifically vested with the power and authority to open, operate, and maintain a securities brokerage account wherein any security may be bought or sold on margin.

6.4 Gifting.

Any gifts made by the Trustee to third persons are considered to be transfers that are first made to the Grantor and then to the person receiving the gift. The Trustee is specifically vested with the power to gift out of assets of any trust that is revocable or that can be amended, to both charitable organizations and individuals, when there exists on behalf of the Grantor, a personal history of making or joining in the making of lifetime gifts.

6.5 Added Powers.

The Trustee is authorized to use Trust funds to test, clean up

and protect trust property in matters that relate to the potential or existence of hazardous substances.

ARTICLE SEVEN
COMPENSATION AND ACCOUNTING

7.1 Compensation for Trustee and Accounting.

The Trustee and all persons employed by the Trustee shall be entitled to reasonable compensation in accordance with the provisions of applicable state law. The Trustee shall reasonably account as to the Trust and its administration as provided by state law.

ARTICLE EIGHT
SUCCESSOR TRUSTEE

8.1 Death, Incapacity, or Resignation of Original Trustee.

Upon the death, resignation or disability of the Grantor, **CONSTANCE L. BAKER**, whose current address is 9140 Edgeview Lane, Eagle, Idaho 83616 is appointed to be the sole Trustee. If **CONSTANCE L. BAKER** is not available to serve as Successor Trustee, then **ROGER F. BEAL**, whose current address is 422 W. 1st, Emmett, Idaho 83617, shall be appointed as Successor Trustee.

8.2 Resignation of Trustee.

Any Trustee may resign at any time by giving written notice of such resignation to the Grantor, or if the Grantor is deceased, then to any Successor Trustee and the income Beneficiaries.

8.3 Discharge of Trustee

The Grantor shall have the right to discharge the Trustee of any Trust hereunder, including any Successor Trustee, and to appoint a Trustee in its place. Discharge of a Trustee shall be by delivery to such Trustee of thirty (30) days' written notice of discharge, accompanied by the name of the intended Successor Trustee. A shorter notice may be provided if appropriate.

8.4 Duties and Responsibilities of Successor Trustees

No Successor Trustee shall have any responsibility for any acts or omissions of any prior Trustee and no duty to audit or investigate the accounts or administration of any such Trustee; nor, unless in writing requested to do so by a person having a present or future beneficial interest under a Trust hereunder, any duty to take action to obtain redress for breach of trust. The Grantor indemnifies and holds harmless the Successor Trustee for any and all acts or omissions to act of the prior Trustees. It is the intent of the Grantor

that the successor Trustee shall not be required to obtain Court approval, discharge, or pursue any other Court proceedings at the request of income Beneficiaries without first attempting to obtain releases from the majority of the adult income Beneficiaries with such release and discharge being completely adequate as to all responsibilities incumbent upon the Trustee. However, under any circumstances, any claim or action against any previous Trustee must in any event be asserted or filed by any Beneficiary within one (1) year after the appointment of a successor Trustee.

8.5 Qualification of Successor Trustee.

Any successor Trustee who is properly appointed shall qualify as successor Trustee upon delivering a written and acknowledged acceptance of the Trust to an acting Trustee, if there is a Trustee acting, or if not, to the Grantor, if living, or if not, to the then Beneficiaries of the Trust. Upon acceptance of the terms of this Trust, the successor Trustee shall have the same duties and powers as are imposed and conferred by this Trust Agreement on the original Trustee.

8.6 Vacancy not Filled Pursuant to Procedures Established

In the event any vacancy in the office of Trustee is not filled by the above-described procedures, then a successor Trustee may be

appointed by a Court of competent jurisdiction upon the petition of any interested party.

8.7 Definition of "Trustee".

As used in this Trust, the term "Trustee" shall be deemed to refer to both or all Successor Trustees and is intended to include both the singular and plural term, unless otherwise indicated by the context.

ARTICLE NINE
CHARACTER OF DISTRIBUTIONS

9.1 Character of Distributions.

Unless otherwise specifically stated, all distributions, whether of trust income or principal, shall be the separate property of each individual distributee. All income, rents, issues, profits, gains and appreciation of property distributed to each individual distributee as separate property shall also be the separate property of each such distributee.

ARTICLE TEN
REVOCATION AND AMENDMENT

Instrument # 376613

VALLEY COUNTY, CASCADE, IDAHO

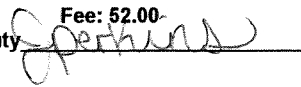
4-4-2013 01:09:59 No. of Pages: 15

Recorded for : SENIOR EDGE LEGAL

ARCHIE N. BANBURY Fee: 52.00-

Ex-Officio Recorder Deputy

Index to: DEEDS



TRUSTEE'S DEED

Constance L. Baker, as Trustee of The Dorothy F. Beal Trust dated April 25, 1995, and any amendments thereto, hereinafter referred to as the "Grantor", does hereby grant and convey to Roger F. Beal, a single person, hereinafter referred to as the "Grantee", whose mailing address is Box 56, Ola, Idaho 83657, for no monetary consideration, the following described real property, situated in VALLEY County, State of Idaho:

See Exhibit "A" which is attached hereto and incorporated by reference herein as if fully set forth.

together with their appurtenances.

The Grantor executes this instrument solely in her fiduciary capacity and covenants only that she is authorized to make this conveyance in such fiduciary capacity. The Grantor hereby disclaims any and all warranties and covenants, whether express or implied. Any further recourse hereunder is to be only against the aforementioned trust.

Dorothy F. Beal, the original Trustee and Grantor of The Dorothy F. Beal Trust dated April 25, 1995, died on September 23, 2011. A true and correct copy of her certified death certificate is attached to this Deed along with certain pages of the Trust that include the first page, the section showing Constance L. Baker is the Successor Trustee, The Trustees Powers and the Signature page(s). This Trust was registered with a Registration of Trust, Case No. SP 95-92, filed in the Valley County Courthouse of the Third Judicial District of Idaho on or about April 27, 1995.

NOTE: THIS DEED PREPARED WITHOUT BENEFIT OF TITLE SEARCH.

Dated April 1, 2013.

The Dorothy F. Beal Trust dated April 25, 1995.

By: 
Constance L. Baker, Trustee

STATE OF IDAHO)

: SS.

County of Ada)

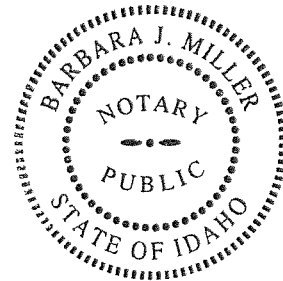
On April 1, 2013, before me, the undersigned, a Notary Public, personally appeared Constance L. Baker, the Successor Trustee of The Dorothy F. Beal Trust dated April 25, 1995, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same for and on behalf of said Trust.

Barbara J. Meier
Notary Public in and for Idaho

Notary Public in and for Idaho

Residing in Boise, Idaho

My Commission expires: 2-01-15



Attachments:

Copy of Dorothy F. Beal's Certified Death Certificate

Conformed Copy of Registration of The Dorothy F. Beal Trust dated April 25,
1995

Pages 7, 14-20 and 27 of The Dorothy F. Beal Trust dated April 25, 1995, which include the first page of the Trust, the Successor Trustee designation, Powers of the Trustee and the signature page.



T-O ENGINEERS

CONSULTING ENGINEERS, SURVEYORS AND PLANNERS
9777 CHINDEN BOULEVARD
BOISE, IDAHO 83714-2008
208-323-2288 • FAX 208-323-2399

Project: 110084
Date: September 24, 2012
Page 1 of 2

LAND DESCRIPTION For Roger F. Beal

A parcel of land being a portion of the NE $\frac{1}{4}$ of Section 12, Township 10 North, Range 2 East, Boise Meridian, Valley County, High Valley, Idaho, shown as Parcel "B" on Record of Survey Instrument No. 371969, at Book 12, Page 14, Records of Valley County, Idaho, more particularly described as follows:

PARCEL "B"

BEGINNING at the Northeast Corner of said Section 12; thence, along the exterior boundary line of said NE $\frac{1}{4}$ the following courses:

- 1.) S.00°23'51"W., 2626.56 feet; thence,
- 2.) N.89°57'03"W., 2636.76 feet; thence,
- 3.) N.00°32'42"E., 1880.46 feet to the north (right) bank of an existing creek as shown on said Record of Survey; thence, along said north bank the following courses:
 - 4.) N.05°46'22"E., 84.38 feet; thence,
 - 5.) N.51°20'28"E., 54.24 feet; thence,
 - 6.) N.43°05'29"E., 73.75 feet; thence,
 - 7.) N.37°15'48"E., 65.08 feet; thence,
 - 8.) N.74°02'13"E., 34.83 feet; thence, leaving said north bank,
 - 9.) N.29°53'02"E., 178.18 feet; thence,
 - 10.) N.03°32'45"W., 16.12 feet; thence,
 - 11.) N.86°04'19"E., 87.22 feet; thence,
 - 12.) N.00°49'36"W., 130.35 feet; thence,
 - 13.) N.12°25'32"E., 28.51 feet; thence,
 - 14.) N.39°57'06"E., 205.95 feet; thence,
 - 15.) N.00°23'59"E., 33.18 feet to the north line of said NE $\frac{1}{4}$; thence, along said north line,
 - 16.) S.89°36'01"E., 2151.49 feet to the **POINT OF BEGINNING**.

The above-described parcel **CONTAINS** 154.94 Acres.

Project: 110084
Date: September 24, 2012
Page 2 of 2

TOGETHER WITH:

A parcel of land being the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, Township 10 North, Range 2 East, Boise Meridian, Valley County, High Valley, Idaho, as shown on said Record of Survey, more particularly described as follows:

COMMENCING at the West one-quarter corner of said Section 12; thence, along the center-section line of said Section 12,

- A.) S.89°57'03"E., 1318.49 feet to the **POINT OF BEGINNING** and the Center-West 1/16 Corner of said Section; thence, continuing along said line,
- 17.) S.89°57'03"E., 1318.49 feet; thence, along the exterior boundary line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$,
- 18.) S.00°32'42"W., 1318.06 feet; thence,
- 19.) S.89°56'46"W., 1320.15 feet; thence,
- 20.) N.00°36'58"E., 1320.46 feet to the **POINT OF BEGINNING**.

The above-described parcel **CONTAINS** 39.95 Acres.

SUBJECT TO: Record Documents.

TOGETHER WITH:

A parcel of land being the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12 and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, Township 10 North, Range 2 East, Boise Meridian, Valley County, High Valley, Idaho, as shown on said Record of Survey, more particularly described as follows:

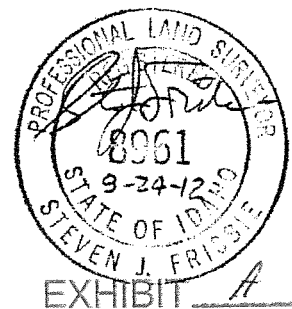
BEGINNING at the Corner common to Sections 11, 12, 13, and 14, Township 10 North, Range 2 East, Boise Meridian, Valley County, High Valley, Idaho as shown on said Record of Survey; thence, along the exterior boundary line of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ the following courses:

- 21.) N.00°41'13"E., 1322.85 feet; thence,
- 22.) N.89°56'46"E., 1320.15 feet; thence,
- 23.) S.00° 36'58"W., 1320.46 feet to the West 1/16 Corner common to said Sections 12 and 13; thence, along the exterior boundary line of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ the following courses:
- 24.) S.00°07'38"E., 1324.06 feet; thence,
- 25.) S.89°53'33"W., 1322.33 feet; thence,
- 26.) N.00°06'18"W., 1322.91 feet to the **POINT OF BEGINNING**.

The above-described parcel **CONTAINS** 80.24 Acres.

SUBJECT TO: Record Documents.

TOTAL ACREAGE for above 3 Parcels: 275.13 Acres.



SUSAN M. GRAHAM LAW OFFICES
Susan M. Graham
Attorney at Law
104 S. Capitol Blvd.
Boise, Idaho 83702

Client Number: 95-04-12

FILED

AM PM

APR 27 1995

Thomas S. Kalodziej, CLERK
Jan Stoltz, DEPUTY

IN THE DISTRICT COURT OF THE **THIRD** JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF **GEM**

In the matter of the	)	
	)	Case No. <u>SP95-92</u>
DOROTHY F. BEAL	)	
TRUST	)	REGISTRATION OF TRUST
	)	Under Idaho Code Sections
	)	15-7-101 and 102

It is the desire of the undersigned to register this Trust in the
GEM County Courthouse, State of Idaho.

1. Name. The name of the Trust to be registered is the THE DOROTHY F. BEAL TRUST.
2. Trustees. The name and current address of each original Trustee and successor Trustee is as follows:

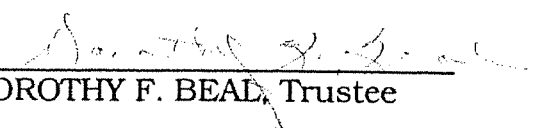
DOROTHY F. BEAL, Box 56, Ola, Idaho 83657, Original Trustee
CONSTANCE L. BAKER, 9140 Edgeview Lane, Eagle, Idaho 83616, Successor Trustee
ROGER F. BEAL, 422 W. 1st, Emmett, Idaho 83617, Successor Trustee
3. Registration. The Trust has not been registered nor filed elsewhere.
4. Intervivos. This Trust is an intervivos, Revocable Trust.
5. Grantor. The name of the Grantor, or Settlor of the Trust is DOROTHY F. BEAL of Box 56, Ola, Idaho 83657.

6. Date. The date of the execution of THE DOROTHY F. BEAL TRUST instrument is the 25th day of April, 1995.

7. Powers of Trustee. To carry out the purposes of the Trust created under this Trust Agreement, and subject to any limitations stated elsewhere herein, the Trustee is vested with all of the powers and authority as set forth in the Uniform Trustees' Powers Act, being Chapter 1 of Title 68, Idaho Code, as now in effect and as it may hereafter from time to time be amended.

8. Original Trustees. The original Trustee under this Registration of Trust shall be DOROTHY F. BEAL, to serve with all of the obligations, powers, and authority contained within the Trust Agreement.

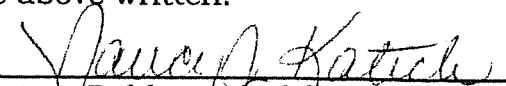
9. Selection of Successor Trustee. Upon the death, resignation or disability of the Grantor, CONSTANCE L. BAKER, whose current address is 9140 Edgeview Lane, Eagle, Idaho 83616 is appointed to be the sole Trustee. If CONSTANCE L. BAKER is not available to serve as successor Trustee, then ROGER F. BEAL, whose current address is 422 W. 1st, Emmett, Idaho 83617, shall be appointed as successor Trustee.


DOROTHY F. BEAL, Trustee

STATE OF IDAHO)
 : ss.
County of Ada)

On this 25th day of April, 1995 before me personally appeared DOROTHY F. BEAL, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate above written.


Notary Public in and for Idaho
Residing at Boise, Idaho.
My commission expires 8-26-2000.

**THE DOROTHY F. BEAL TRUST
(A REVOCABLE LIVING TRUST)**

This Trust Agreement is made this 25th day of April, 1995, between **DOROTHY F. BEAL**, a single person, with the address of Box 56, Ola, Idaho 83657 herein referred to as the "Grantor", and **DOROTHY F. BEAL**, with the address of Box 56, Ola, Idaho 83657 herein referred to as "Trustee."

DOROTHY F. BEAL is the original and sole Beneficiary of this Trust during her lifetime.

In consideration of the mutual covenants and promises set forth herein, Grantor and Trustee agree:

ARTICLE ONE

TRUST NAME

1.1 Name of Trust. This Trust shall be known as "**THE DOROTHY F. BEAL TRUST**." This Trust is revocable by the Grantor during the life of the Grantor.

ARTICLE TWO

TRUST PROPERTY

be determined by the Trustee.

c. Death of Great-Grandchild Beneficiary.

If a Great-Grandchild Beneficiary should fail to survive the term of this Trust then that Beneficiary's share shall be distributed according to Article 4.4(e).

ARTICLE FIVE
INCOME AND PRINCIPAL

5.1. Income and Principal Allocations.

Unless otherwise specifically provided, the Trustee shall determine whether all or any part of any payment or property received or charged, expenses or taxes incurred, shall be credited to or charged against income or principal, or both, in the manner provided by the Principal and Income Act in effect at such times in any state in which this Trust is administered. The determination of the Trustee as to what constitutes principal and income shall, unless otherwise provided herein, be conclusive and binding on all persons in any manner interested in trusts created by this Trust Agreement.

ARTICLE SIX
TRUSTEE POWERS

6.1 Powers of Trustee.

To carry out the purposes of the Trust created under this Trust Agreement, and subject to any limitations stated elsewhere herein, the Trustee is vested with all of the powers and authority as set forth in the Uniform Trustees' Powers Act, being Chapter 1 of Title 68, Idaho Code, as now in effect and as it may hereafter from time to time be amended.

6.2 Loan, Borrowing and Encumbrance Powers.

The Trustee may loan money to any person, including a Beneficiary, with or without interest, on any term or on demand with or without collateral, as the Trustee deems in the best interests of the trust Beneficiaries.

The Trustee may borrow money upon such terms and conditions as the Trustee shall deem advisable, including, in the case of a corporate fiduciary, the power to borrow from its own banking or commercial department.

The Trustee shall have the power to obligate the trust property for the repayment of any sums borrowed where the best interests of the Beneficiaries have been taken into consideration.

The Trustee shall have the power to encumber the trust property, in whole or in part, by a mortgage or mortgages, deeds of trust, or by pledge, hypothecation or otherwise, even though such encumbrance may continue to be effective after the term of any trust or trusts created in this agreement.

6.3 Margin and Brokerage Account Powers.

The Trustee is specifically vested with the power and authority to open, operate, and maintain a securities brokerage account wherein any security may be bought or sold on margin.

6.4 Gifting.

Any gifts made by the Trustee to third persons are considered to be transfers that are first made to the Grantor and then to the person receiving the gift. The Trustee is specifically vested with the power to gift out of assets of any trust that is revocable or that can be amended, to both charitable organizations and individuals, when there exists on behalf of the Grantor, a personal history of making or joining in the making of lifetime gifts.

6.5 Added Powers.

The Trustee is authorized to use Trust funds to test, clean up

and protect trust property in matters that relate to the potential or existence of hazardous substances.

ARTICLE SEVEN COMPENSATION AND ACCOUNTING

7.1 Compensation for Trustee and Accounting.

The Trustee and all persons employed by the Trustee shall be entitled to reasonable compensation in accordance with the provisions of applicable state law. The Trustee shall reasonably account as to the Trust and its administration as provided by state law.

ARTICLE EIGHT SUCCESSOR TRUSTEE

8.1 Death, Incapacity, or Resignation of Original Trustee.

Upon the death, resignation or disability of the Grantor, **CONSTANCE L. BAKER**, whose current address is 9140 Edgeview Lane, Eagle, Idaho 83616 is appointed to be the sole Trustee. If **CONSTANCE L. BAKER** is not available to serve as Successor Trustee, then **ROGER F. BEAL**, whose current address is 422 W. 1st, Emmett, Idaho 83617, shall be appointed as Successor Trustee.

8.2 Resignation of Trustee.

Any Trustee may resign at any time by giving written notice of such resignation to the Grantor, or if the Grantor is deceased, then to any Successor Trustee and the income Beneficiaries.

8.3 Discharge of Trustee

The Grantor shall have the right to discharge the Trustee of any Trust hereunder, including any Successor Trustee, and to appoint a Trustee in its place. Discharge of a Trustee shall be by delivery to such Trustee of thirty (30) days' written notice of discharge, accompanied by the name of the intended Successor Trustee. A shorter notice may be provided if appropriate.

8.4 Duties and Responsibilities of Successor Trustees

No Successor Trustee shall have any responsibility for any acts or omissions of any prior Trustee and no duty to audit or investigate the accounts or administration of any such Trustee; nor, unless in writing requested to do so by a person having a present or future beneficial interest under a Trust hereunder, any duty to take action to obtain redress for breach of trust. The Grantor indemnifies and holds harmless the Successor Trustee for any and all acts or omissions to act of the prior Trustees. It is the intent of the Grantor

that the successor Trustee shall not be required to obtain Court approval, discharge, or pursue any other Court proceedings at the request of income Beneficiaries without first attempting to obtain releases from the majority of the adult income Beneficiaries with such release and discharge being completely adequate as to all responsibilities incumbent upon the Trustee. However, under any circumstances, any claim or action against any previous Trustee must in any event be asserted or filed by any Beneficiary within one (1) year after the appointment of a successor Trustee.

8.5 Qualification of Successor Trustee.

Any successor Trustee who is properly appointed shall qualify as successor Trustee upon delivering a written and acknowledged acceptance of the Trust to an acting Trustee, if there is a Trustee acting, or if not, to the Grantor, if living, or if not, to the then Beneficiaries of the Trust. Upon acceptance of the terms of this Trust, the successor Trustee shall have the same duties and powers as are imposed and conferred by this Trust Agreement on the original Trustee.

8.6 Vacancy not Filled Pursuant to Procedures Established

In the event any vacancy in the office of Trustee is not filled by the above-described procedures, then a successor Trustee may be

appointed by a Court of competent jurisdiction upon the petition of any interested party.

8.7 Definition of "Trustee".

As used in this Trust, the term "Trustee" shall be deemed to refer to both or all Successor Trustees and is intended to include both the singular and plural term, unless otherwise indicated by the context.

ARTICLE NINE
CHARACTER OF DISTRIBUTIONS

9.1 Character of Distributions.

Unless otherwise specifically stated, all distributions, whether of trust income or principal, shall be the separate property of each individual distributee. All income, rents, issues, profits, gains and appreciation of property distributed to each individual distributee as separate property shall also be the separate property of each such distributee.

ARTICLE TEN
REVOCATION AND AMENDMENT

Dorothy F. Beal
DOROTHY F. BEAL
Grantor and Trustee

STATE OF IDAHO)
 : ss.
County of Ada)

On this 25th day of April, 1995 before me personally appeared **DOROTHY F. BEAL**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate above written.

Nancy K. Kitch
Notary Public in and for Idaho
Residing at Boise, Idaho.
My commission expires 8-28-2000

STATE OF IDAHO

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS

CERTIFICATE OF DEATH

Date Filed OCTOBER 07, 2011

State File No. 2011-08877

DECEDENT - LEGAL NAME DOROTHY F. BEAL			
SEX FEMALE	SOCIAL SECURITY NUMBER [REDACTED]	AGE 94 YEARS	DATE OF BIRTH FEBRUARY 16, 1917
BIRTHPLACE OLA, IDAHO		PLACE OF RESIDENCE SMITHS FERRY, IDAHO	
MARITAL STATUS AT TIME OF DEATH WIDOWED		NAME OF SURVIVING SPOUSE (if wife, maiden name)	WAS DECEDENT EVER IN U.S. ARMED FORCES? NO
FATHER - NAME JAMES EMMETT FLAKE			BIRTHPLACE ILLINOIS
MOTHER - MAIDEN NAME JULIA MAY HUGHES			BIRTHPLACE IDAHO
METHOD OF DISPOSITION BURIAL		FUNERAL SERVICE LICENSEE KIP L. BUCK	
NAME AND ADDRESS OF FUNERAL FACILITY POTTER FUNERAL CHAPEL, EMMETT, IDAHO			
DATE OF DEATH SEPT. 23, 2011	TIME OF DEATH 9:03 P.M.	CITY, TOWN OR LOCATION OF DEATH SMITHS FERRY, IDAHO	COUNTY OF DEATH VALLEY
CAUSE OF DEATH (underlying cause last) a. DEEP VEIN THROMBOSIS WITH PULMONARY EMBOLI			Approximate Interval Between Onset and Death HOURS
DUE TO (or as a consequence of): b. RECENT PELVIC FRACTURE AND OSTEOPOROSIS			
DUE TO (or as a consequence of): c. FALL			2 MONTHS
DUE TO (or as a consequence of): d.			
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above INSULIN DEPENDENT DIABETES & CHRONIC KIDNEY DZ; FTT & AGING			WAS AN AUTOPSY PERFORMED? NO
MANNER OF DEATH ACCIDENT		NAME OF CERTIFIER NATHAN HESS	TITLE CORONER
CORONER SUBSEQUENT CERTIFICATION IF NECESSARY			
EXTERNAL CAUSATION ONLY			
DATE OF INJURY JULY 08, 2011	TIME OF INJURY 9:00 A.M.	PLACE OF INJURY RESIDENCE	INJURY AT WORK? NO
LOCATION WHERE INJURY OCCURRED 38 HIGH VALLEY ROAD, SMITHS FERRY, IDAHO			
DESCRIPTION OF HOW INJURY OCCURRED FELL WITH WALKER ON HARD SURFACE			

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

DATE ISSUED: DECEMBER 06, 2011

This copy not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

James B. Aydelotte
JAMES B. AYDELOTTE
STATE REGISTRAR

PRNCO (Rev) 9/7/10



4.3 Administration for Beneficiaries.

After the death of the Grantor, the Trustee shall hold, manage and control the property comprising the Trust estate for the benefit of **CONSTANCE L. BAKER, ROGER F. BEAL and the Grantor's great-grandchildren**, sometimes hereinafter collectively referred to as the "beneficiaries" and each singly as a "Beneficiary."

4.4 Distribution to Beneficiaries.

It is the intention of the Grantor to distribute her Trust Estate as follows:

- a. Five thousand dollars (\$5,000.00) is to be distributed to each of the Grantor's great-grandchildren who survive her, to be used as indicated in Article 4.6 below.
- b. All farm equipment, cattle, pick-up trucks and farm machinery owned by the Grantor at the time of her death are to be distributed to her son, ROGER F. BEAL.
- c. The Grantor's car and the recreational cabin and three (3) acres of real property surrounding the cabin, located in Valley County, Idaho is to be distributed to her daughter, CONSTANCE L. BAKER.

d. The Gem County, Idaho real property is to be distributed to ROGER F. BEAL.

e. The remainder of the Grantor's estate is to be distributed in equal shares between her children, **CONSTANCE L. BAKER and ROGER F. BEAL**. As soon as practicable, the Trustee shall distribute the Trust Estate, including the accumulated income and principal, to CONSTANCE L. BAKER and ROGER F. BEAL.

4.5 Death of Beneficiary.

If CONSTANCE L. BAKER should die prior to or during the existence of the Trust or fail to survive the Grantor for five (5) days, leaving issue surviving said deceased Beneficiary, then her share of the Trust estate shall be distributed to the then living issue of Constance L. Baker, by right of representation.

If ROGER F. BEAL should die prior to or during the existence of the Trust, or fail to survive the Grantor for five (5) days, then said deceased Beneficiary's share of or interest in the Trust estate shall be distributed to his estate.

4.6 Trust Continuation.

a. Continuation.

