

DE ✓

**EBERLE, BERLIN, KADING, TURNBOW & MCKLVEEN,
CHARTERED**

ATTORNEYS AND COUNSELORS AT LAW
BOISE PLAZA
1111 WEST JEFFERSON STREET, SUITE 530
POST OFFICE BOX 1368
BOISE, IDAHO 83701

TELEPHONE
(208) 344-8535

FACSIMILE
(208) 344-8942

ERIC R. GLOVER
E-MAIL: eglover@eberle.com

September 10, 2009

SENT VIA FAX TO (208) 334-2348

State of Idaho
Department of Water Resources
Attn: Vickie

Re: Water Right No. 65-21799

PD 12-24-98

Dear Vickie:

This firm represents Lee Anne Wolfer who was married to Stuart Adam Wolfer, deceased. Please find enclosed a copy of a Certificate of Death for Mr. Wolfer and a Decree Vesting Estate in Surviving Spouse. Pursuant to the court order, please transfer title to the above referenced water right to Lee Anne Wolfer and provide written confirmation of the transfer to our office.

Thank you for your assistance and if you have any questions or comments, please feel free to contact me.

Very truly yours,


Eric R. Glover

ERG

Enclosures

cc: Client (via email)
00184287.000

CERTIFICATE OF DEATH (OVERSEAS) Acte de décès (D'Outre-Mer)								
NAME OF DECEASED (Last, First, Middle) Nom du défunt (Nom et prénoms) Wolfer, Stuart, Adam			GRADE Grade 004		BRANCH OF SERVICE Armée Army Res		SOCIAL SECURITY NUMBER Numéro de l'Assurance Social [REDACTED]	
ORGANIZATION Organisation 11th Battalion (CAS3), 8th Brigade, Boise, ID			NATION (e.g. United States) Pays United States		DATE OF BIRTH Date de naissance 23 April 1971		SEX Sexe ☒ MALE ☐ FEMALE	
RACE Race ☒ CAUCASOID Caucasique			MARITAL STATUS État civil ☐ SINGLE Célibataire ☒ MARRIED Marié ☐ WIDOWED Veuf			RELIGION Culte ☐ PROTESTANT Protestant ☐ CATHOLIC Catholique ☒ JEWISH Juif		
NAME OF NEXT OF KIN Nom du plus proche parent Mrs. Lee A. Wolfer			RELATIONSHIP TO DECEASED Parenté du défunt avec la sus Wife					
STREET ADDRESS Domicile à (Rue) 6505 West Southslope Road			CITY OR TOWN OR STATE (Include ZIP Code) Ville (Code postal compris) Emmett, ID 83617-8836					
MEDICAL STATEMENT Déclaration médicale								
CAUSE OF DEATH (Enter only one cause per line) Cause du décès (Indiquer qu'une cause par ligne)						INTERVAL BETWEEN ONSET AND DEATH Intervalle entre l'apparition et le décès		
DISEASE OR CONDITION DIRECTLY LEADING TO DEATH Maladie ou condition directement responsable de la mort.						Blast injuries		
ANTECEDENT CAUSES Symptômes précurseurs de la mort.		MORBID CONDITION, IF ANY, LEADING TO PRIMARY CAUSE Condition morbide, s'il y a lieu, menant à la cause primaire						
		UNDERLYING CAUSE, IF ANY, GIVING RISE TO PRIMARY CAUSE Condition morbide, s'il y a lieu, menant à la cause primaire						
OTHER SIGNIFICANT CONDITIONS Autres conditions significatives								
MODE OF DEATH Condition de décès		AUTOPSY PERFORMED Autopsie effectuée ☒ YES Oui ☐ NO Non				CIRCUMSTANCES SURROUNDING DEATH DUE TO EXTERNAL CAUSES Circonstances de la mort attribuées par des causes extérieures		
☐ NATURAL Mort naturelle		NAME OF PATHOLOGIST Nom du pathologiste Edward L. Mazuchowski Maj, USAF, MC						
☐ ACCIDENT Mort accidentelle								
☐ SUICIDE Suicide		SIGNATURE Signature <i>Edward L. Mazuchowski</i>				DATE Date 10 April 2008		
☒ HOMICIDE Homicide						AVIATION ACCIDENT Accident d'Avion ☐ YES Oui ☒ NO Non		
DATE OF DEATH Date de décès (day, month, year) 6 April 2008 1555			PLACE OF DEATH Lieu de décès Baghdad Iraq					
I HAVE VIEWED THE REMAINS OF THE DECEASED AND DEATH OCCURRED AT THE TIME INDICATED AND FROM THE CAUSES AS STATED ABOVE. J'ai examiné les restes mortels du défunt et conclus que le décès est survenu à l'heure indiquée et à la suite des causes énumérées ci-dessus.								
NAME OF MEDICAL OFFICER Nom du médecin militaire ou du médecin sanitaire Edward Mazuchowski			TITLE OR DEGREE Titre ou diplôme Medical Examiner					
GRADE Grade MAJ			INSTALLATION OR ADDRESS Installation ou adresse Dover AFB, Dover DE					
DATE Date 4/21/2008			SIGNATURE Signature <i>Edward L. Mazuchowski</i>					
1. State disease, injury or complication which caused death, or, not made by dying such as heart failure, etc. 2. State conditions contributing to the death, but not related to the disease or condition causing death. 3. Precise the nature of the disease, or the disease or condition which contributed to the death, but not the primary cause of death, such as heart failure, etc. 4. Precise the condition or conditions which caused death, but not the primary cause of death, such as heart failure, etc.								

DD FORM 1 APR 77 2064

REPLACES DA FORM 3555, 1 JAN 72 AND DA FORM 3555-R (P&S), 25 SEP 75, WHICH ARE OBSOLETE.

PAGES 1 OF 5

Eric R. Glover
 EBERLE, BERLIN, KADING, TURNBOW &
 McKLVEEN, CHARTERED
 Boise Plaza, 1111 West Jefferson Street, Suite 530
 Post Office Box 1368, Boise, Idaho 83701
 Telephone: (208) 344-8535
 Facsimile: (208) 344-8542
 ISB No. 7111

Attorneys for Lee Anne Wolfer, Petitioner

FILED 11:02 AM

SEP 03 2009

SHELLY GANNON, CLERK

~~STACY BROPHY~~

Instrument # 273818

EMMETT, GEM, IDAHO

9-3-2009 11:06:03 No. of Pages: 5

Recorded for: EBERLE BERLIN KADING TURNBOW

SHELLY GANNON

Ex-Officio Recorder Deputy

Index to: PROBATE RECORD

Fee: 15.00

Judy Evans

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 ESTATE OF

STUART ADAM WOLFER,

Deceased.

Case No. CV 2009-567

DECREE VESTING ESTATE IN
SURVIVING SPOUSE

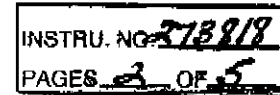
(Idaho Code § 15-3-1205)

Upon consideration of the Petition for Summary Administration of Estate where Surviving Spouse is Sole Beneficiary filed by Lee Anne Wolfer on August 6, 2009, the Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, Stuart Adam Wolfer died on April 6, 2008, domiciled in Gem County.
4. Venue is proper.
5. The decedent and Lee Anne Wolfer were duly married at Los Angeles County, California on February 5, 2000, and remained married until the date of decedent's death.
6. The surviving spouse, Lee Anne Wolfer, is the sole heir or devisee of the decedent.
7. The decedent died testate, leaving a will dated December 31, 2007. The will was validly executed and is the last will of the decedent.

DECREE VESTING ESTATE IN SURVIVING SPOUSE - 1

00182422.000



8. The schedule of property attached to this Decree as Exhibit "A" is a full and complete inventory of the property owned by the decedent and properly characterizes the property as community or separate property.

THEREFORE, it is ordered, adjudged and decreed as follows:

1. Lee Anne Wolfer is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.

2. The property of the decedent described on the schedule attached to this Decree as Exhibit "A" is hereby vested in and distributed to Lee Anne Wolfer free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.

3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.

4. There shall be no administration of the estate of the decedent.

DATED this 3 day of Sept, 2009.

Tyler D. Smith

JUDGE

EXHIBIT A

SCHEDULE OF PROPERTY

(All real and personal property owned by the decedent at his death was community property.)

All real and personal property owned by the decedent at his death, including, but not limited to, the following:

1. That certain real property located at 6505 West South Slope Road, Gem County, Idaho and more specifically described as follows:

The W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, Township 6 North, Range 2 West, B.M. Gem County, Idaho.

2. That certain real property located at 6505 West South Slope Road, Gem County, Idaho and more specifically described as follows:

TRACT 1:

Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho.

Section 20: The Northwest quarter of the Northwest quarter

Except ditch, canals and road rights of way

Section 17: The West half of the Southwest quarter of the Southwest quarter

EXCEPT the following described tract of land:

A tract of land in the West half of the Southwest quarter of the Southwest quarter, Section 27, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho, more particularly described as follows:

Starting North 38°00' East 605.2 feet from the Southwest corner of Section 17; run thence
North 200 feet; thence
East 314.8 feet to the East line of said West half of the Southwest quarter of the Southwest quarter; thence
South along said East line 200 feet; thence
West 314.8 feet to the point of beginning.

Also except ditch, canals and road rights of way.

TRACT II:

A tract of land in the West half of the Southwest quarter of the Southwest quarter, Section 27, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho, more particularly described as follows:

Starting North 38°00' East 605.2 feet from the Southwest corner of Section 17; run thence
North 200 feet; thence
East 314.8 feet to the East line of said West half of the Southwest quarter of the Southwest quarter; thence
South along said East line 200 feet; thence
West 314.8 feet to the point of beginning.

Also except ditch, canals and road rights of way.

TRACT III:

An ingress, egress and utility easement under, over and across a portion of the Northwest quarter of the Southwest quarter of Section 17, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho, described as follows:

Beginning at the Southwest corner of the Northwest quarter of the Southwest quarter of Section 17, Township 6 North, Range 2 West, Boise Meridian; thence
South 89°12'04" East, 40.08 feet along the South line of said Northwest quarter of the Southwest quarter to a point on an existing fence line; thence
Northerly, along said existing fence line, the following courses and distances:
North 12°46'51" East, 10.32 feet;
North 06°15'37" East, 65.79 feet;
North 03°59'07" East, 74.68 feet;
North 03°40'14" West, 20.75 feet;
North 23°57'16" West, 60.09 feet; thence leaving said fence line
South 89°56'47" West, 29.21 feet to a point on the West line of said Northwest quarter of the Southwest quarter; thence
South 00°03'13" East, 225.00 feet along said West line to the POINT OF BEGINNING.

3. Water Right No. 65-21799 with the Idaho Department of Water Resources.
4. Irrigation Assessment No. 147, being ten (10) acres of water entitlement with the Emmett Irrigation District.

INSTRU. NO.	273819
PAGES	5 OF 5

5. Irrigation Assessment No. 153, being thirty (30) acres of water entitlement with the Emmett Irrigation District.
6. Pfizer Inc. Holder Account No. C0004540557.
7. Fidelity Investments Account No. X29-307661.
8. IDeal Account No. 587722271-01.
9. IDeal Account No. 587722271-02.
10. 1971 Trailer Vin No. 0WS1459B.
11. Personal and household property and effects.

STATE OF IDAHO } ss.
County of Gem

I certify that the foregoing is a true and
correct copy of the original on file in
this office.

9/23/09
Clerk
Deputy