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JUN 23 1993

Department of Water Resources

COOKE, LAMANNA, SMITH & COGSWELL

CHARTERED

ATTORNEYS AND COUNSELORS AT LAW

FIRST AND SUPERIOR

P. O. BOX C

SANDPOINT, IDAHO 83864

(208) 263-3115

FAX NUMBER (208) 263-8932

November 9, 1992

THOMAS E. COOKE
NICK M. LAMANNA
STEPHEN F. SMITH
DAR COGSWELL
CINDY ELLIOTT

PRIEST RIVER OFFICE
PRIEST RIVER PROFESSIONAL CENTER
PRIEST RIVER, ID 83856
(208) 448-1221
FAX NUMBER (208) 448-1314

ESTHER L. COX
ADMINISTRATIVE ASSISTANT

Allen Beardsley
Idaho Department of Water Resources
1910 Northwest Boulevard
Coeur d'Alene, Idaho 83814

Re: The Oberdorfer Family Trust/McGhee Assignment of Water
Right Licenses

Water Right Licenses Nos. 97-7031 and 97-7032

Dear Mr. Beardsley:

It was a pleasure talking with you by telephone on October 7, 1992.

It was my understanding from our conversation that, in this transaction, there are not requirements which must be met with your department for the parties to this transaction to assign the above-described water right licenses.

However, it was my understanding that it would be helpful to your department to be made aware of this assignment. For that purpose, enclosed please find copies of the Assignment of Water Right Licenses and Warranty Deed. Please revise your department's files accordingly, to evidence this assignment.

Thank you.

Very truly yours,

COOKE, LAMANNA, SMITH, COGSWELL & ELLIOTT

Steve Smith

Steve Smith
Attorney at Law
SS:ps
enclosure

p: Mr. and Mrs. Peter G. Oberdorfer (without enclosure)
Gary A. Finney, Esq. (without enclosure)

ASSIGNMENT OF WATER RIGHT LICENSES

ASSIGNOR: FLOYD N. MCGHEE, a married man, as his separate property, of P.O. Box 1925, Sandpoint, Idaho 83864.

ASSIGNEE: PETER G. OBERDORFER and BEATRIXE ELIZABETH ANNA OBERDORFER, not individually, but as Co-Trustees of The Oberdorfer Family Trust, created by Peter G. Oberdorfer and Beatrice Elizabeth Anna Oberdorfer as Settlers, and with Peter G. Oberdorfer and Beatrice Elizabeth Anna Oberdorfer as Co-Trustees, dated August 14, 1992, the address of which is Brunnenhof/Possing 9+10, A-4800, St. Georgen, Austria.

WATER RIGHT (1) State of Idaho, Department
LICENSES: of Water Resources, Water Right License, License of Water Right No. 97-7031, priority May 8, 1973, amount 1.5 c.f.s., dated March 27, 1980, a copy of which is marked Addendum A and incorporated by reference; and,

(2) State of Idaho, Department of Water Resources, Water Right License, License of Water Right No. 97-7032, priority May 8, 1973, amount 2.0 c.f.s., dated March 27, 1980, a copy of which is marked Addendum B and incorporated by reference.

ASSIGNMENT OF WATER RIGHT LICENSES
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RECITALS

1. Assignor is the holder of the two (2) water right licenses described above.
2. By Warranty Deed, a copy of which is attached as Addendum C and incorporated by reference, Assignor has conveyed to Assignee the real property to which the above-described water right licenses are appurtenant.
3. As a part of such conveyance, it is the intention of Assignor to assign to Assignee all of the Assignor's interest in the above-described water right licenses.
4. These parties intend to advise the Idaho Department of Water Resources of this assignment, and to document their assignment as set forth below.

ASSIGNMENT

For value received, and in consideration of their mutual covenants, Assignor does hereby assign, transfer, grant, bargain, sell and convey unto Assignee all of Assignor's right, title, claim and interest in and to the above-described water right licenses, and Assignor warrants that Assignor is the sole holder of the same, and that he is a holder in good standing with the Idaho Department of Water Resources as to all requirements of such Department.

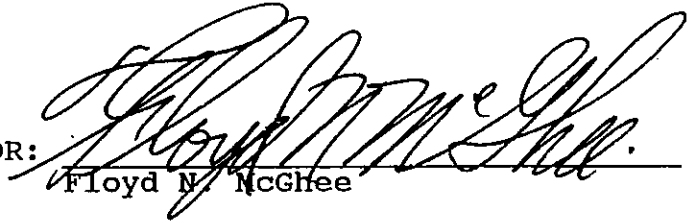
This assignment shall bind and inure to the benefit of the heirs, legal representatives, administrators, successors and

ASSIGNMENT OF WATER RIGHT LICENSES
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assigns of these parties.

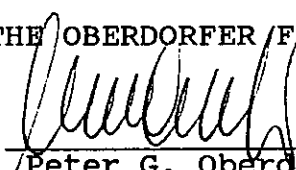
TO EVIDENCE THEIR ASSIGNMENT, these parties have
subscribed this document to be effective on this 16 day of
October, A.D. 1992.

ASSIGNOR:


Floyd N. McGhee

ASSIGNEE: THE OBERDORFER FAMILY TRUST

BY:


Peter G. Oberdorfer, Trustee

BY:


Beatrice Elizabeth Anna
Oberdorfer, Trustee

STATE OF IDAHO)
 ss
County of Bonner)

On this 16 day of October, 1992, before me the
undersigned, a Notary Public in and for said State, personally
appeared FLOYD N. MCGHEE, known to me 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 seal
the day and year first above written.

ASSIGNMENT OF WATER RIGHT LICENSES
Page 3

Peggy L. Self
Notary Public - State of Idaho
Residing at Sandpoint therein.
My commission expires: 12-30-93.

REPUBLIC OF AUSTRIA)
CITY OF SALZBURG)
 SS
CONSULATE GENERAL OF THE)
UNITED STATES OF AMERICA)

On this 28th day of October, 1992, before me the undersigned, personally appeared PETER G. OBERDORFER ~~and~~
~~BEATRICE ANN OBERDORFER~~ known to me to be the persons whose names ^{is} ~~are~~ subscribed to the within instrument as trustees and acknowledged to me that ^{he} ~~they~~ executed the same as such trustees.

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


Maryanne H. Martinez
Consul General of the United States
of America

Consul General of the United States
of America
Residing at Salzburg, Austria.

STATE OF IDAHO)
 SS
County of Bonner)

On this 15th day of October, 1992, before me the undersigned, a Notary Public in and for said State, personally appeared BEATRIXE ELIZABETH ANNA OBERDORFER, 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 first above written.

Stephen F. Smith
Notary Public - State of Idaho
Residing at Sandpoint therein.
My commission expires: 12/3/94.

ADDENDUM B
State of Idaho
Department of Water Resources

RECEIVED

MAR 21 1980

WATER RIGHT LICENSE

License of Water Right No. 97-7032 Priority May 8, 1973 Department of Water Resources
Northern District Office
Amount 2.0 cfs

THIS IS TO CERTIFY, that F.N. McGHEE
of Sandpoint, Idaho, has complied with the terms and conditions of Permit
No. 97-7032 issued pursuant to Application for Permit dated May 8, 1973
and has submitted proof to the Department of Water Resources on May 15, 1978
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.79 cfs of water from Priest River
tributary to Pend Oreille Lake, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>May 15</u> to <u>October 1</u>	at <u>2.0</u> cfs and	<u>103</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
103 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, wp. 57N,
Rge. 4W, B.M. in the County of Bonner

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 $\frac{1}{4}$	
57N	4W	18														33	33		66
		19	22	15															37

Total number of acres irrigated 103

CONDITION: The maximum rate of diversion under this license when combined
with License No. 97-7031 shall not exceed 2.79 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
March, 19 80.

Director

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 97-7031 Priority May 8, 1973 Amount 1.5 cfs

THIS IS TO CERTIFY, that F. N. McGHEE
of Sandpoint, Idaho, has complied with the terms and conditions of Permit
No. 97-7031 issued pursuant to Application for Permit dated May 8, 1973,
and has submitted proof to the Department of Water Resources on May 15, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.79 cfs of water from Priest River,
tributary to Pend Oreille Lake, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>May 15</u> to <u>October 1</u>	at <u>1.5</u> cfs and	<u>225</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.5 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
225 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, Twp. 57N,
Rge. 4W, B.M. in the County of Bonner

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 $\frac{1}{4}$	
57N	4W	19			15		24			36									75

Total number of acres irrigated 75

CONDITION: The maximum volume of water diverted under this license when
combined with License No. 97-7032 shall not exceed 2.79 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of
March, 19 80.


Director

COOKE, LAMANNA, SMITH & COGSWELL

CHARTERED

ATTORNEYS AND COUNSELORS AT LAW

FIRST AND SUPERIOR

P. O. BOX C

SANDPOINT, IDAHO 83864

Allen Beardsley
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