

RECEIVED

NOV 24 2006

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT 20 2006

IDWR/North

DEPARTMENT OF
WATER RESOURCESPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
WR 95-2162					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former
Owner/Claimant(s)

Thomas A. BrickertRt 1 Box 222, Coeur d'Alene, ID 83814

4. New Owner/Claimant(s)

Big Sky Estates Home Owners AssociationName Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 2184

City, State and ZIP Code

Post Falls, ID 83877-2184

New Telephone Number

(208) 661-7699

5. Date you acquired the property

5 January 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) *Loree E. Long*
(include title if applicable) *President, Big Sky Estates Home Owners Association*

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u><i>[Signature]</i></u>	Date <u><i>10/20/06</i></u>	Fee <u><i>\$25.00</i></u>	
Receipted by <u><i>[Signature]</i></u>	Date <u><i>10/20/06</i></u>	Receipt No. <u><i>N011951</i></u>	
Processed by _____	AJ Date _____	WR _____	Date _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-2162

WATER RIGHT NUMBER: 95-2162

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THOMAS A BRICKERT RT 1 BOX 222 COEUR D ALENE, ID 83814

Priority Date: 09/25/1964

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.950 CFS	545.00 AF
	<u>Total Diversion:</u>	1.950 CFS	545.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 29, Twp 51N, Rge 04W, B.M.
KOOTENAI County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
51N	04W	29													39.0	39.0			39.0	39.0	156.0

Total Acres: 156

Conditions of Approval:

1. AC. IRR.=155.7.

Remarks:Comments:Dates and Other Information:

C42406 *my*

WARRANTY DEED

1661839

For Value Received **Prairie Falls Development Limited Liability Company, an Idaho Limited Liability Company**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

John A. Beutler and Ann J. Beutler, Trustees of the John A. Beutler and Ann J. Beutler Living Trust dtd 6/8/99

whose address is: **1836 Northwest Blvd, Ste #100, Coeur d'Alene, ID 83814**

Hereinafter called the Grantee, the following described premises situated in Kootenai County, Idaho, to-wit:

The North half of the Southwest quarter and the North half of the Southeast quarter of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho,

Less and except that portion lying within road rights of way,

and excepting from the Northeast quarter of the Southeast quarter of said Section 29, that certain strip of land conveyed to the Coeur d'Alene and Pend Oreille Railway Company by deed recorded in Book 37 of Deeds, page 308, records of Kootenai County, State of Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 3, 2001

Prairie Falls Development Limited Liability Company

BY: *[Signature]*

William Radobenko, Member

BY: *[Signature]*

Tim Mueller, Member

STATE OF IDAHO }
COUNTY OF KOOTENAI } SS
AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY.

JAN 8 4 15 PM '01

DANIEL J. ENGLISH

DEPUTY

STATE OF Idaho

ss.

COUNTY OF KOOTENAI

On this 8 day of January, 2001, before me Mark Johnson, personally appeared William Radobenko and Tim Mueller, known or identified to me to be the managers or a members of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

[Signature]
Notary Public of Idaho
Residing at Coeur d'Alene, Idaho
Commission Expires: 11/22/05



WARRANTY DEED

For Value Received

Brickert Land Company, an Idaho Partnership

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

1627045

Prairie Falls Development Limited Liability Company,
an Idaho limited liability company

whose address is: 1400 Northwood Center Ct., Coeur d'Alene, ID 83814-2657

Hereinafter called the Grantee, the following described premises situated in Kootenai County,, to-wit

The North half of the Southwest quarter and the North half of the Southeast quarter of Section 29,
Township 51 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho,

Less and except that portion lying within road rights of way,

and excepting from the Northeast quarter of the Southeast quarter of said Section 29, that certain strip of land
conveyed to the Coeur d'Alene and Pend Oreille Railway Company by deed recorded in Book 37 of Deeds,
page 308, records of Kootenai County, State of Idaho.SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning
ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments
as agreed to by parties above.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs
and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the
owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes,
levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible
upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: March 13, 2000

Brickert Land Company, an Idaho Partnership

BY:

Thomas L.D. Brickert
Thomas L.D. Brickert, Partner

BY:

Mary Ann Anderson
Mary Ann Anderson, PartnerSTATE OF IDAHO } SS
COUNTY OF KOOTENAI }
AT THE COUNTY CLERK'S OFFICE
FIRST AMERICAN TITLE COMPANY

MAR 14 12 11 PM '00

DANIEL J. ENGLISH

DEPUTY

FEE \$

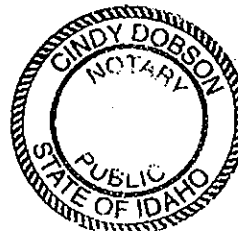
STATE OF Idaho

COUNTY OF Kootenai

On this 13th day of March, 2000, before me, a Notary Public in and for said State, personally appeared Thomas L.D.
Brickert and Mary Ann Anderson, known or identified to me to be partners in the partnership of Brickert Land Company,
and the partner or one of the partners who subscribed said partnership name to the foregoing Instrument, and
acknowledged to me that they executed the same in said partnership name.Cindy Dobson
Notary Public of Idaho

Residing at: Hayden

Commission Expires: 8/30/05



COMMITMENT FOR TITLE INSURANCE

SCHEDULE A

PIONEER TITLE COMPANY OF KOOTENAI COUNTY

100 Wallace Avenue

Coeur d'Alene ID 83814

(208) 664-8254/Fax (208) 664-9479

Title Officer/Michelle Johnson

Closing/Twila Willcut

PAGE 1

FILE NUMBER: 78840

*Brickert Purchase
160 Acres -*

1. Effective Date: **February 18, 2000** at 8:00AM

2. Policy or Policies to be issued:

A. ☒ ALTA Owner's Policy; (10-17-92) ☒ Standard Coverage ☐ Extended Coverage Amount **\$600,000.00**
Premium **\$1,830.00**

Proposed Insured: **JOHN A. BEUTLER and ANN J. BEUTLER, Trustees of the JOHN A. BEUTLER and ANN J. BEUTLER LIVING TRUST, dated June 8, 1999**

B. ☐ ALTA Loan Policy, (10-17-92) ☐ Standard Coverage ☐ Extended Coverage Amount \$
Premium **\$0.00**

Proposed Insured:

C.

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

Fee Simple

4. Title to the estate or interest in said land is at the effective date hereof vested in:

BRICKERT LAND COMPANY, an Idaho partnership

5. The land referred to in this Commitment is described as follows:

The North half of the Southwest quarter and the North half of the Southeast quarter of Section 29, Township 51 North, Range 4 W.B.M., Kootenai County, State of Idaho.

EXCEPTING FROM the Northeast quarter of the Southeast quarter of said Section 29, that certain strip of land conveyed to the Coeur d'Alene and Pend Oreille Railway Company in deed recorded in Book 37 of Deeds, page 408, records of Kootenai County, Idaho.



SCHEDULE B - SECTION I

PAGE 2

FILE NUMBER: 78840

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

- A. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records, or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
- B. General Exceptions:
- (1) Rights or claims of parties in possession not shown by the public records.*
 - (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.*
 - (3) Easements, or claims of easements, not shown by the public records.*
 - (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.*
 - (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.*
 - (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property, or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.*

*Paragraphs 1, 2, 3, 4, 5 and 6 will not appear as printed exceptions on extended coverage policies, except as to such parts thereof which may be typed as a Special Exception in Schedule B-Section 2.

C. **Special Exceptions:**

(See Schedule B-Section 2 beginning on next page.)

SCHEDULE B - SECTION II

FILE NUMBER: 78840

PAGE 3

Special Exceptions:

1. General taxes for the year 2000, which are liens not yet due and payable.
2. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein.
 For: Right of way for pipeline for conducting water
 In Favor of : Post Falls Land and Water Company, Limited
 Recorded: March 6, 1911
 Instrument No.: Book 42 of Deeds, page 260
 Affects: Property herein described

 Further providing: "It is understood that this ground is for right of way purposes only, and that said party of the second part shall have the right to enter therein and remove all obstructions therefrom for the purpose of enabling it to carry on its business, and to construct and repair said or any other pipe line for conducting waters..."
3. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein.
 For: The right to erect, construct, reconstruct, and maintain an electric transmission line and telephone system attached to transmission line poles or structures
 In Favor of : The Washington Water Power Company
 Recorded: August 2, 1940
 Instrument No.: Book 115 of Deeds, page 185
 Affects: Property herein described

 Further providing: "It is understood and agreed that said easement covers the right to place six poles and one anchor on said property in the locations as now surveyed and staked thereon, together with the right to inspect said line and to remove brush and trees that may interfere with the construct, maintenance and operation of the same."
4. A Mortgage to secure an indebtedness of \$150,000.00, and any other amounts as therein provided, payable under the terms, conditions, provisions and stipulations thereof.
 Dated: Not shown
 Mortgagor: Thomas A. Brickert and Emma O. Brickert, husband and wife, and Thomas L. D. Brickert and Constance A. Brickert, husband and wife
 Mortgagee: The Federal Land Bank of Spokane
 Recorded: April 28, 1977
 Instrument No.: 728740
 Affects: Property in question and other property
5. Any right, interest or claims in and to that part of the land lying within Public Roads.
6. Covenants, Conditions, Restrictions and Easements contained in Deed.
 Recorded: June 16, 1993
 Instrument No.: 1308447
 As follows: Reserving to the United States of America and its assigns, a right of way for ditches and canals constructed or to be constructed by the authority of the United States, this reservation being of the same character and scope as that created with respect to certain public lands by the Act of August 30, 1890 (26 Stat. 371), as it has been or may hereafter be amended.

CONTINUED



NOTES:

1. General taxes for the year 1999, which were a lien, in the original sum of \$1,359.26, are paid. Parcel No. 51N04W-29-5700 B/N 126840. Property tax includes an Agriculture Exemption.
2. There is no notice of record and therefore no search has been made of any unpaid charges or fees for sewer, water, garbage, irrigation and other possible utility services.
3. In the event that any or all of the sellers are foreign persons or entities, please notify Pioneer Title Company for further arrangements must be made prior to closing.
4. Examination of the records discloses no matters pending against the names of JOHN A. BEUTLER and ANN J. BEUTLER, Trustees of the JOHN A. BEUTLER and ANN J. BEUTLER LIVING TRUST, dated June 8, 1999, the proposed purchasers.
5. In the event that this transaction fails to close, a minimum fee of \$100.00 will be charged to comply with the State Insurance Code.
6. Because of the provisions of the Idaho Homestead Law (Chapter 10, Title 55, I.C.), the company will require:
 - (a) the personal execution and acknowledgment of any deed, deed of trust, mortgage or special power of attorney to convey or encumber the homestead by the vested owner and spouse, if any,or in the alternative
 - (b) an affidavit, signed by the vested owner and spouse which states (i) that the land described herein is not their principal residence; (ii) the land is not claimed as homestead property; and (iii) their principal residence is . (and if applicable, the vested owner is not married.)
7. The Company expressly disclaims any liability resulting from data field related computer processing errors, including without limitation, "Year 2000" error, of third parties upon whom the Company depends in processing information necessary to act as the settlement agent and/or insure the transaction. This Note is for information purposes only: it will not be carried over into any title policy and will not be construed in any way to modify or limit any policy which is issued pursuant to the Commitment.

END OF REPORT



SCHEDULE A

PIONEER TITLE COMPANY OF KOOTENAI COUNTY

100 Wallace Avenue
Coeur d'Alene ID 83814
(208) 664-8254/Fax (208) 664-9479
Title Officer/Michelle Johnson
Closing/Twila Willcut

PAGE 1

FILE NUMBER: 78840

1. Effective Date: **February 18, 2000 at 8:00AM**

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Premium **\$1,830.00**

Proposed Insured: **JOHN A. BEUTLER and ANN J. BEUTLER, Trustees of the JOHN A. BEUTLER and ANN J. BEUTLER LIVING TRUST, dated June 8, 1999**

B. ☐ ALTA Loan Policy, (10-17-92) ☐ Standard Coverage ☐ Extended Coverage Amount \$
Premium **\$0.00**

Proposed Insured:

C.

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

Fee Simple

4. Title to the estate or interest in said land is at the effective date hereof vested in:

BRICKERT LAND COMPANY, an Idaho partnership

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OLD REPUBLIC
National Title Insurance Company

SCHEDULE B - SECTION I

PAGE 2

FILE NUMBER: 78840

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 - (3) Easements, or claims of easements, not shown by the public records.*
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 Dated: Not shown
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CONTINUED



NOTES:

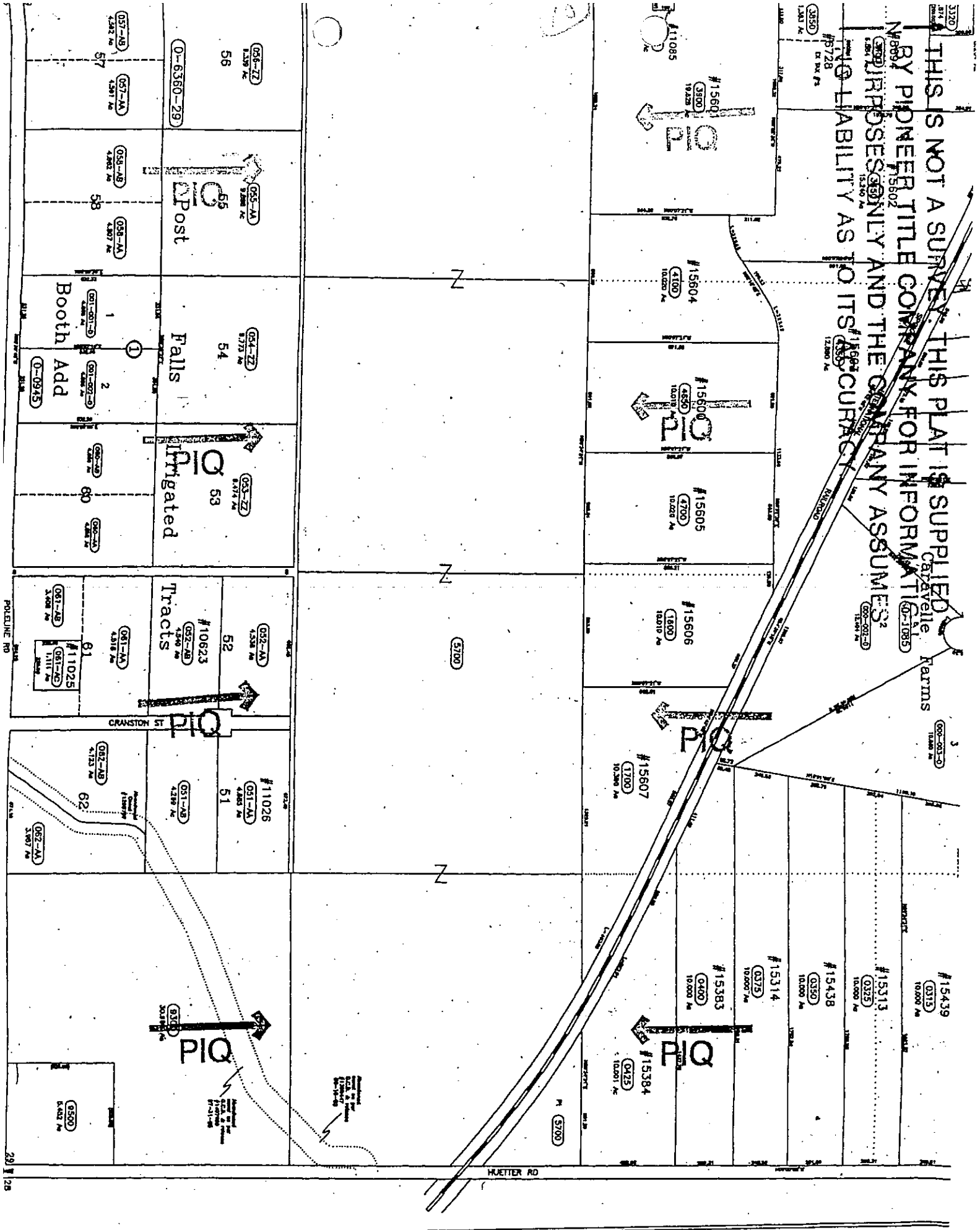
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4. Examination of the records discloses no matters pending against the names of JOHN A. BEUTLER and ANN J. BEUTLER, Trustees of the JOHN A. BEUTLER and ANN J. BEUTLER LIVING TRUST, dated June 8, 1999, the proposed purchasers.
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6. Because of the provisions of the Idaho Homestead Law (Chapter 10, Title 55, I.C.), the company will require:
 - (a) the personal execution and acknowledgment of any deed, deed of trust, mortgage or special power of attorney to convey or encumber the homestead by the vested owner and spouse, if any,
 - or in the alternative
 - (b) an affidavit, signed by the vested owner and spouse which states (i) that the land described herein is not their principal residence; (ii) the land is not claimed as homestead property; and (iii) their principal residence is (and if applicable, the vested owner is not married.)
7. The Company expressly disclaims any liability resulting from date field related computer processing errors, including without limitation, "Year 2000" error, of third parties upon whom the Company depends in processing information necessary to act as the settlement agent and/or insure the transaction. This Note is for information purposes only: it will not be carried over into any title policy and will not be construed in any way to modify or limit any policy which is issued pursuant to the Commitment.

END OF REPORT



OLD REPUBLIC
National Title Insurance Company

THIS IS NOT A SURVEY. THIS PLAT IS SUPPLIED BY PIONEER TITLE COMPANY FOR INFORMATIONAL PURPOSES ONLY AND THE COMPANY ASSUMES NO LIABILITY AS TO ITS ACCURACY.



SCHEDULE A***First Revised commitment***

Order No.: C42406

Reference No.:

1. Commitment Date: **November 22, 2000** at **08:00 AM**

2. Policy (or Policies) to be issued:

Policy Amount

Premium Amount

(a) **Owner's Policy** (Std Own. Policy (13/17/92) Form 1402-92)**\$ 610,000.00****\$ 1,445.00**

Proposed Insured:

457.50 credit applied**John Beutler and Ann Beutler, husband and wife**

Endorsements:

(b) **Loan Policy** (

Form 1056-92)

Proposed Insured:

No credits applicable

Endorsements:

(c)

Proposed Insured:

Endorsements:

3. A fee simple interest in the land described in this Commitment is owned, at the Commitment Date, by:

Prairie Falls Development Limited Liability Company, an Idaho limited liability company

4. The Land referred to in this Commitment is described as follows:

The North half of the Southwest quarter and the North half of the Southeast quarter of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho,**Less and except that portion lying within road rights of way,****and excepting from the Northeast quarter of the Southeast quarter of said Section 29, that certain strip of land conveyed to the Coeur d'Alene and Pend Oreille Railway Company by deed recorded in Book 37 of Deeds, page 308, records of Kootenai County, State of Idaho.**

According to the County Assessor's office, the above described property is commonly known as:

NNA Idaho**VALID ONLY IF SCHEDULE B AND
COVER ARE ATTACHED**ALTA Plain Language Commitment
Form No.: 1344-A (1982)
(C42406.PFD/C42406/13)

First Revised commitment**SCHEDULE B - SECTION 1
REQUIREMENTS**

The following requirements must be met:

- a. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- b. Pay us the premiums, fees and charges for the policy.
- c. Documents satisfactory to us creating the interest in the land and/or mortgage to be insured must be signed, delivered and recorded.
- d. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- e. Release(s) or Reconveyance(s) of item(s).
- f. With respect to Prairie Falls Development Limited Liability Company a L.L.C. we require:
 - a. A copy of its operating agreement and any amendments
 - b. A certificate of good standing of recent date issued by the secretary of state of the L.L.C.'s state of domicile
 - c. That the forthcoming conveyance, encumbrance or other instrument executed by the L.L.C. upon which the Company is asked to rely, be executed in accordance with its operating agreement.
 - d. Other requirements which the company may impose following its review of the material required herein and other information which the Company may require.

First Revised commitment**SCHEDULE B - SECTION 2****EXCEPTIONS**

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

Part 1:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. The first one-half is not delinquent until after December 20 of the current year; the second one-half is not delinquent until after June 20 of the following year.
Taxes which may be assessed and entered on the property roll with respect to new improvements and first occupancy, which may be included on the regular property, which are an accruing lien, not yet due and payable.

General taxes as set forth below. Any amounts not paid when due will accrue penalties and interest in addition to the amount stated herein:

Year	Original Amount	Amount Paid	Parcel Number
2000	\$1,319.28	\$-0-	51N04W-29-5700
2000	\$ 36.20	\$-0-	51N04W-29-7200

Homeowners Exemption is not in effect for 2000.

Circuit breaker is not in effect for 2000.

Agricultural Exemption is in effect for 2000.

8. Provisions in deed to Post Falls Land and Water Company, Limited recorded March 6, 1911 in Book 42 of Deeds, Page 260.
9. Easement granted to Washington Water Power Company, recorded August 2, 1940 in Book 115 of Deeds, page 185.
10. Reservation contained in Quit Claim Deed and Release, recorded June 16, 1993, as Instrument No. 1308447.
Affects: Portion of the Northeast quarter of the Southeast quarter.
11. Pendency of an Action in District Court:
File/Cause No.: CV-00-01298
As disclosed by: Lis Pendens

ALTA Plain Language Commitment
Form No.: 1344-B2 (1982)
(C42406.PFD/C42406/14)

First Revised commitment**SCHEDULE B - SECTION 2****EXCEPTIONS**

(Continued)

Order No.: C42406

Recorded February 29, 2000 as Instrument No. 1625419

12. Mortgage to secure an original indebtedness of \$600,000.00, and any other amounts and/or obligations secured thereby.
Recorded: March 14, 2000, as Instrument No. 1627046
Morgagor: Prairie Falls Development Limited Liability Company
Mortgagee: Washington Trust Bank.
13. We have searched for judgment and tax liens against John Beutler and Ann Beutler and find the following in the public records: None
14. This revised report hereby supersedes that certain report which has an effective date of November 22, 2000. We added Ann Beutler to proposed insured.

END OF EXCEPTIONS

The foregoing numbered exceptions 1-6 may be eliminated in an ALTA Extended Coverage Policy

If you have any questions regarding this report, please feel free to contact:

First American Title Company of North Idaho, Inc. **Report Ordered By:**

1044 Northwest Boulevard

Coeur d' Alene, Idaho 83814

Phone: (208)667-0567 / Fax: (208)765-2050

Title Officer: Dawn McKillip

Escrow Officer: Mark Johnson

Escrow Assistant:

Tomlinson Black North Idaho

Tim Mueller

1400 Northwood Center Court

Coeur d' Alene, ID 83814

Copies To:

Tim Mueller at Tomlinson Black North Idaho

John Magnuson

John Beutler at Century 21

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Rathdrum Prairie Project, Idaho
Post Falls Unit

Post Falls Irrigation

JUN 16 1993

Lansie Reed
RECEIVED

1308447

QUITCLAIM DEED AND RELEASE

WHEREAS, pursuant to the Post Falls Unit of the Rathdrum Prairie Project, the United States of America, acting through the Bureau of Reclamation, acquired a 1.31 acre narrow tract of land from Henrietta Hunter and C. H. Hunter, for an irrigation lateral in Kootenai County, Idaho, as recorded on December 21, 1945, in Book 130 of Deeds at page 30, Instrument No. 180363; and

WHEREAS, pursuant to the dissolution of the Post Falls Irrigation District, the United States and the Post Falls Irrigation District have determined that the irrigation facility located on these lands is no longer needed for project purposes; and

WHEREAS, Thomas A. Brickert Estate and Emma O. Brickert Trust confirm that they are the sole adjoining landowners of the property on both sides of the herein described tract of land for this portion of said irrigation facility.

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS, that the UNITED STATES OF AMERICA, acting by and through the Department of the Interior, within the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and authority redelegated thereunder, hereby abandons that portion of the Post Falls Irrigation District facility located across the following described property and does hereby remise, release and forever quitclaim unto the adjoining landowners, Thomas A. Brickert Estate and Emma O. Brickert Trust, their successors and assigns, all of its right, title and interest in and to the above referenced property acquired from Henrietta and C. H. Hunter, situated in the County of Kootenai, State of Idaho, to wit:

A tract of land containing one and 31/100 (1.31) acres, more or less, lying and being in the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section twenty-nine (29), Township fifty-one (51) North, Range four (4) West, Boise Meridian, more particularly described as follows:

All that portion of the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section twenty-nine (29) lying and being south and east of a line parallel to and 50 feet distant, measured at right angles, to the left or west of the following described center line, (said line being lengthened so as to intersect the south and east lines of the

1308447

Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section twenty-nine (29):

Beginning at survey station 119+05.91, which point is the intersection of said center line and the south line of the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section twenty-nine (29) and bears North 00°05' East 1317.70 feet and South 89°40' West 239.3 feet from the southeast corner of said Section twenty-nine (29); running thence North 45°46' East 193.80 feet; thence on a curve to the left with a radius of 95.5 feet for an arc distance of 76.58 feet; thence North 00°11' West 96.03 feet; thence on a curve to the right with a radius of 57.3 feet for an arc distance of 81.52 feet; thence North 81°20' East 24.00 feet to a point on the east line of said Section twenty-nine (29), which point is designated as survey station 123+78.84 and bears North 00°05' East 1676.77 feet from the southeast corner of said Section twenty-nine (29), excepting therefrom the right of way for existing road.

Subject to existing rights-of-way of record; and reserving to the United States of America and its assigns, a right-of-way for ditches and canals constructed or to be constructed by the authority of the United States, this reservation being of the same character and scope as that created with respect to certain public lands by the Act of August 30, 1890 (26 Stat. 371), as it has been or may hereafter be amended.

This property was duly determined to be surplus to the needs and requirements of the United States of America and authority pursuant to provisions of the Federal Property and Administrative Services Act as amended has been redelegated to the Bureau of Reclamation.

IN WITNESS WHEREOF, I have signed this document for the UNITED STATES OF AMERICA, this 9th day of June, 1993.

UNITED STATES OF AMERICA
Department of the Interior

By *Steven L. Bruckley*
Regional Supervisor of Water, Power, and Lands
Bureau of Reclamation, Pacific Northwest Region
1150 North Curtis Road, Boise ID 83705-1234

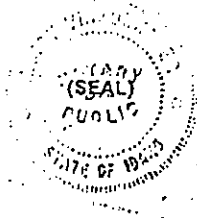
1308447

STATE OF IDAHO)
) ss
County of Ada)

On this 9th day of June, 1993, personally
appeared before me Steven L. Browning
known to me to be the official of the UNITED STATES OF AMERICA, that
executed the within and foregoing instrument and acknowledged said instrument
to be the free and voluntary act and deed of the United States, for the uses and
purposes therein mentioned, and on oath stated that he was authorized to
execute said instrument.

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

Donna Vinschler
Notary Public in and for the
State of Idaho
Residing at Boise
My commission expires: 4-1-98



1308447

ACCEPTANCE AND RELEASE:

Thomas A. Brickert Estate and Emma O. Brickert Trust (Mary Ann Anderson,)

Thomas L. D. Brickert & George H. as the fee title owners of the adjoining property
on both sides of the Post Falls Irrigation District Irrigation facility that occupies the land
quitclaimed herein, hereby accept the land herein quitclaimed and agree to assume
complete responsibility for that portion of the Irrigation facility abandoned herein and to
indemnify and hold harmless the United States and the Post Falls Irrigation District and
their agents and employees, from any loss or damage and from any liability on
account of personal injury, death, or property damage, or claims for personal injury,
death, or property damage of any nature whatsoever and by whomsoever made that
may occur or result in any way from the abandonment of the Irrigation facility.

Mary Ann Anderson

Mary Ann Anderson
Address: 8065 N. Atlas Road

Coeur d'Alene, Idaho 83814

Thomas L. D. Brickert

Thomas L. D. Brickert
Address: 105 Vista Drive

Coeur d'Alene, Idaho 83814

George H. Brickert

George H. Brickert
Address: 150 Wortham Court

Mountain View, California 94040

1308447

STATE OF Idaho)
) SS
 County of Kootenai)

On this 6th day of May, 1993, before me personally

appeared Mary Ann Anderson and Thomas L. D. Brickert to
 me known to be the individual(s) that executed the within and foregoing instrument
 and acknowledged said instrument to be their free and voluntary act and deed for the
 uses and purposes therein mentioned.

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



(SEAL)

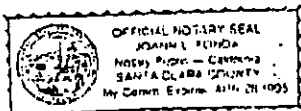
Sandra L. Stadel
 Notary Public in and for the
 State of Idaho
 Residing at Post Falls
 My commission expires: 6/26/98

STATE OF California,
 County of San Joaquin) SS

On this 15th day of May, 1993, before me personally

appeared George H. Brickert and _____ to
 me known to be the individual(s) that executed the within and foregoing instrument
 and acknowledged said instrument to be their free and voluntary act and deed for the
 uses and purposes therein mentioned.

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



(SEAL)

JoAnn L. Fink
 Notary Public in and for the
 State of
 Residing at
 My commission expires:

1308447

INDIVIDUAL ACKNOWLEDGMENT

State of California
County of Santa Clara } ss.

On this the 15 day of May, 1993, before me,

John L. Fonda
the undersigned Notary Public, personally appeared

George H. Bruckert

☒ personally known to me

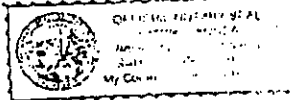
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is subscribed to the

within instrument, and acknowledged that he executed it.

WITNESS my hand and official seal.

John L. Fonda
Notary's Signature



ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to another document.

THIS CERTIFICATE
MUST BE ATTACHED
TO THE DOCUMENT
DESCRIBED AT RIGHT:

Title or Type of Document Quit Claim Deed

Number of Pages 5 Date of Document 5-6-93

Signer(s) Other Than Named Above Myself and
George H. Bruckert