

+ CALCULATED POINT, NOT FOUND OR SET

BASIS OF BEARING

THE BEARING SHOWN HEREON ARE BASED ON THE SOLID LINE
OF SECTION 33 AS RECORDED ON RECORD OF SURVEY, INSTRUMENT
NO. 219423, RECORDS OF BONNER COUNTY, IDAHO

Thence S00°05'00"E, at
a distance of 647.
Thence N89°34'55"W, to
east line of the Co
centerline of said
Thence N18°22'30"W, a
to the north line c
Thence S89°34'01"E, al
to the Point of Be

Containing 36.5 acres,

N00°12'28"W 2495.41 (2495.69) [3' ch]

1327.35

1314.44

S89°34'01"E

1314.44
1246.59 TO ROAD CENTERLINE

P.O.B.

1314.7

TRACT "A"

N1/2 GOV'T LOT 4

N1/2 GOV'T LOT 3, WEST
OF ROAD CENTERLINE

S89°34'59"E 1314.09

MARKED THIS LINE
WITH METAL "T" POSTS

S1/2 GOV'T LOT 4

S1/2 GOV'T LOT 3, WEST
OF ROAD CENTERLINE

1313.74

S89°35'57"E 2627.48 (2627.24) [40.0ch]

1313.74

BASIS OF BEARING S89°35'55"E 5254.65 (5254.48) [80.0ch]

SECTION CORNER
FOUND A 2-1/2" BC BY PLS 974
CP&F FILED WITH THIS SURVEY,
INSTRUMENT NO. 6616106

1/4 CORNER
FOUND 2 BT'S & CONCRETE V
MONUMENT. RECORD 5/8" REE
MISSING. SET A 5/8" REBAR I
RECORD ACCESSORIES PER CF
3318 FILED 9/13/1979

SURVEYOR'S CERTIFICATE

I, GILBERT C. BAILEY, IDAHO PROFESSIONAL LAND SURVEYOR NO. 10559,
HEREBY CERTIFY THAT THIS RECORD IS AN ACCURATE REPRESENTATION
OF AN ACTUAL SURVEY PERFORMED BY ME OR UNDER MY DIRECT
SUPERVISION, IN COMPLIANCE WITH APPLICABLE STATE LAW.

NOTE:

THIS DRAWING DOES NOT ATTEMPT TO SHOW ALL EASEMENTS OF
RECORD OR PHYSICAL FEATURES OF THE PROPERTY. I MAKE NO
REPRESENTATION AS TO THE LEGAL OWNERSHIP OF THE PROPERTY.



Gilbert C. Bailey
12-31-2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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AUG 29 2003

IDWR/North

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OCT - 6 2003

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right. Department of Water Resources
 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
	964156	X split into	96-9152/58		

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) is 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) Clark C. MacDonald (DECEASED)
Rt 2 Box 259 Sandpoint ID
4. New Owner/Claimant(s) Charles R. Becker
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address c/o Patricia Scutier, CPA
Conservator for Charles R. Becker
- City, State and ZIP Code PO Box 389, Ponderay ID 83852
- New Telephone Number (208) 263-8188
5. Date you acquired the property JUNE 21, 2002

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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 <u>96-4156</u>		
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 (spring diversion)	0.04	one home
Other		
Total	0.04	

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)
(include title if applicable)

Patricia Ventres CPA PA
conservator for Charles Becker

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 RL Date 8/29/03 Fee 50
 Receipted by RL Date 8/29/03 Receipt No. 0015883
 Processed by _____ AJ Date _____ WR _____ Date _____

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Elsaesser Jarzabek
Anderson Marks & Elliott
Chartered
Attorneys at Law
123 South Third Ave.
Post Office Box 1049
Sandpoint, ID 83864
Tel. No. (208) 263-8517

FILED BY
Cindy Elliott
2002 JUL 18 P 2:20
600
MARIE SCOTT
BONNER COUNTY RECORDER

ps DEPUTY

604433

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by PATRICIA SCUTIER, as personal representative of the Estate of WINIFRED BECKER, deceased, grantor, to CHARLES BECKER, grantee, whose current address is Charles Becker, c/o Patricia Scutier, CPA, Conservator for Charles Becker, PO Box 389, Ponderay, Idaho 83852.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. SP-00-00431 in Bonner County, Idaho;

THEREFORE, for valuable consideration received, grantor quitclaims, transfers and conveys to grantee the following described real property in Bonner County, Idaho:

The North Half of Government Lot 4 and the North Half of that parcel of Government Lot 3 West of the centerline of Wrenco Loop Road, Section 33, Township 57 North, Range 3 West, Boise Meridian, Bonner County, Idaho;

with all appurtenances.

EXECUTED THIS 21st DAY OF June, 2002.

604433

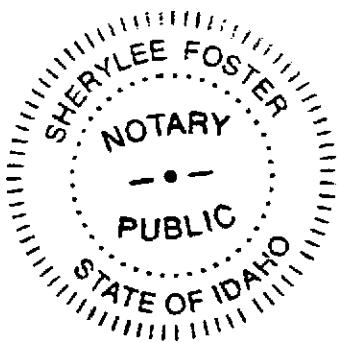
Patricia Scutier

Patricia Scutier
Personal Representative of
The Estate of Winifred Becker, Deceased

STATE OF IDAHO)
 :SS
County of Bonner)

On this 24 day of June, 2002, before me, the undersigned, a notary public in and for said state, personally appeared PATRICIA SCUTIER, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of WINIFRED BECKER, deceased, and acknowledged to me that she executed the same as such Personal Representative.

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



Sherylee Foster

Notary Public - State of Idaho.
Residing at Lacleda therein.
My commission expires: 12-24-2004.

f:becker.prd2

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APR 21 2004

William M. Berg
Attorney, PC
316 North Second Avenue, Suite B
Sandpoint ID 83864
Office (208) 263-4748
Fax (208) 263-7557
ISBN 5342

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DISTRICT

2002 DEC 10 AM 8 41

MARIE SCOTT
CLERK DISTRICT COURT
DEPUTY

Attorney for Mary Etta Williams

COPY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

IN THE MATTERS OF:	)	
	)	CASE NO. SP-00-00029
CHARLES R. BECKER,	)	CASE NO. SP-00-00115
An incapacitated person,	)	CASE NO. SP-00- 00 431
	)	
CHARLIANN K. BECKER,	)	SUPPLEMENTAL ORDER
A minor,	)	SETTLING ESTATES
	)	
ESTATE OF	)	
WINIFRED ANN BECKER,	)	
Deceased.	)	
	)	
	)	

THE PARTIES having appeared in this court on December 10, 2002, by and through their representatives, William M. Berg for Mary Etta Williams; Tevis Hull for Charliann K. Becker; Cindy Elliott for the Estate of Winifred Ann Becker; and Brent C. Featherston for Charles R. Becker; and the parties having agreed by stipulation to a supplemental order settling all of the outstanding matters in the above entitled cases; now, therefore

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DISTRICT CLERK

structure shall be demolished and the debris removed from the land. Becker and Williams shall equally divide the cost of demolition and removal. Any unresolved dispute as to demolition and removal of structures shall be resolved by the court after reviewing written submittals from the parties.

8. WATER RIGHTS. Clark C. MacDonald held water rights on the MacDonald property under Idaho Department of Water Resources Claim No. 96-4156 (attached herewith as Appendix F). The water rights shall be divided in the following manner:

- a. Becker shall have the right to water from the "unnamed spring" at a rate of 0.04 cubic feet per second for domestic use.
- b. Williams shall have the right to water from Johnson Creek at the rate of 0.02 cubic feet per second for stockwater use.
- c. Williams and Becker shall exercise their water rights from their respective properties and no license or easement for diversion is intended or implied.
- d. Williams shall complete and file the transfer of water rights after review and approval from attorney Cindy Elliott on behalf of Becker.

9. SURVEYOR. Tucker Brown and Vermeer of Sandpoint, Idaho, shall conduct the survey. The survey shall establish and mark on the ground the boundary set forth in paragraph 3.c. above. Furthermore, the survey shall mark on the ground the west to east boundary line separating the MacDonald Property from the approximately twenty (20) acres granted to Becker and described in the Global Settlement at paragraph 4 (page 4). Moreover, the scope of the work shall include

\$1,612.50 and the balance of Mr. Smith's services was paid directly by Patricia Scutier on behalf of Becker. It is further acknowledged that some of Mr. Smith's invoice is for conferences with Williams. It is further acknowledged that Charliann also expended \$330.64 in reimbursable expenses in her capacity as guardian and conservator. In consideration of expenses paid by Charliann on behalf of Becker, Becker shall pay to Charliann a total of \$ 1,330.64, such amount to be paid within three (3) days of the filing of this order, and pay off the balance due Mr. Smith of \$2.50.

16. DISMISSAL OF CASE SP-00-0115. In re Charliann K. Becker, Case Number SP-00-0115 is dismissed. However, Charliann shall maintain standing in the disposition of the Becker Estate as an interested person.
17. CLOSING OF BECKER ESTATE. Upon partition and conveyance of the MacDonald Property, attorney Cindy Elliott shall proceed to close the Becker Estate pursuant to Title 15 of the Idaho Code.
18. WAIVER OF CLAIMS. In exchange for a final settlement of the estates, Becker, Williams, and Charliann mutually waive any and all claims against one another arising from Bonner County Case Numbers SP-00-00029, SP-00-00115, SP-00-00431, and from the administration of the MacDonald Trust, except any claims related to the enforcement of this supplemental order.

IT IS ORDER on this 10 day of December, 2002.

DEBRA A. HEISE

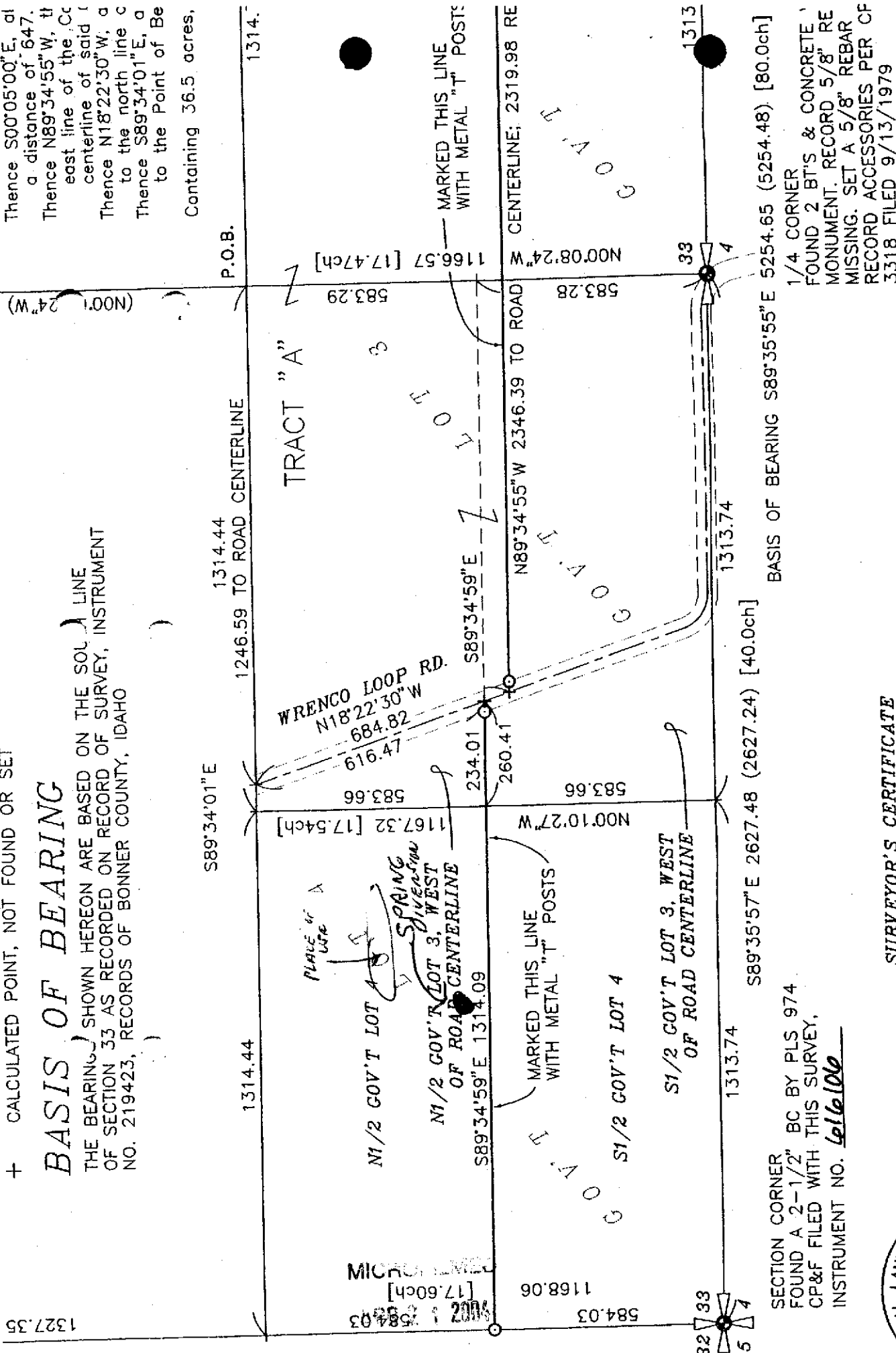
Debra A. Heise
Magistrate Judge

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APR 2 2004

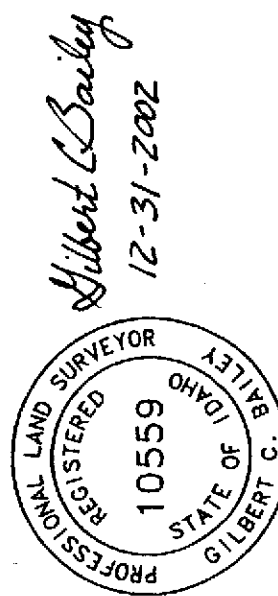
+ CALCULATED POINT, NOT FOUND OR SET

BASIS OF BEARING

THE BEARING SHOWN HEREON ARE BASED ON THE SOL LINE OF SECTION 33 AS RECORDED ON RECORD OF SURVEY, INSTRUMENT NO. 219423, RECORDS OF BONNER COUNTY, IDAHO



SURVEYOR'S CERTIFICATE
I, GILBERT C. BAILEY, IDAHO PROFESSIONAL LAND SURVEYOR NO. 10559, HEREBY CERTIFY THAT THIS RECORD IS AN ACCURATE REPRESENTATION OF AN ACTUAL SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, IN COMPLIANCE WITH APPLICABLE STATE LAW.
NOTE:
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Gilbert C. Bailey
12-31-2002

Thence S00°05'00"E, at a distance of 647. Thence N89°34'55"W, the east line of the centerline of said Thence N18°22'30"W, a to the north line c Thence S89°34'01"E, a to the Point of Be Containing 36.5 acres.

FOUND 2 BT'S & CONCRETE MONUMENT. RECORD 5/8" RE MISSING. SET A 5/8" REBAR RECORD ACCESSORIES PER CF 3318 FILED 9/13/1979

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 96-9158

WATER RIGHT NUMBER: 96-9158

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CLARK C MAC DONALD RT 2 BOX 259 SANDPOINT, ID 83864
Current Owner	CHARLES BECKER C/O PATRICIA SCUTIER, CPA CONSERVATOR FOR CHARLES R. BECKER PO BOX 389 PONDERAY, ID 83852 (208) 263-8188

Priority Date: 01/01/1926

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	JOHNSON CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

SPRING	L4 (SW1/4SW1/4)	Sec. 33, Twp 57N, Rge 03W, B.M.
BONNER County		

Place of UseDOMESTIC Within BONNER County

T57N R03W S33 Lot 4 SWSW

Conditions of Approval:

1. SOURCE IS SPRING TRIB. TO JOHNSON CK.
2. X01 DOMESTIC USE IS FOR 1 HOME.

Comments:

1. James Zokan 10/7/2003 Ownership Split
Comment: Rights 96-9157 & 96-9158 are the results of a split of Right 96-4156 by an ownership change.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 7, 2003

CHARLES BECKER
C/O PATRICIA SCUTIER CPA
CONSERVATOR FOR CHARLES R BECKER
PO BOX 389
PONDERAY ID 83852

RE: Change of Ownership for Water Right 96-9158

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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Idaho Department of Water Resources Receipt

OCT - 6 2003
Department of Water Resources

Receipt ID N015883

Payment Amount Date Received Region Status
Payment Type Check Number

Payer

Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	65140	1155



Signature Line (Dept. Representative)

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