

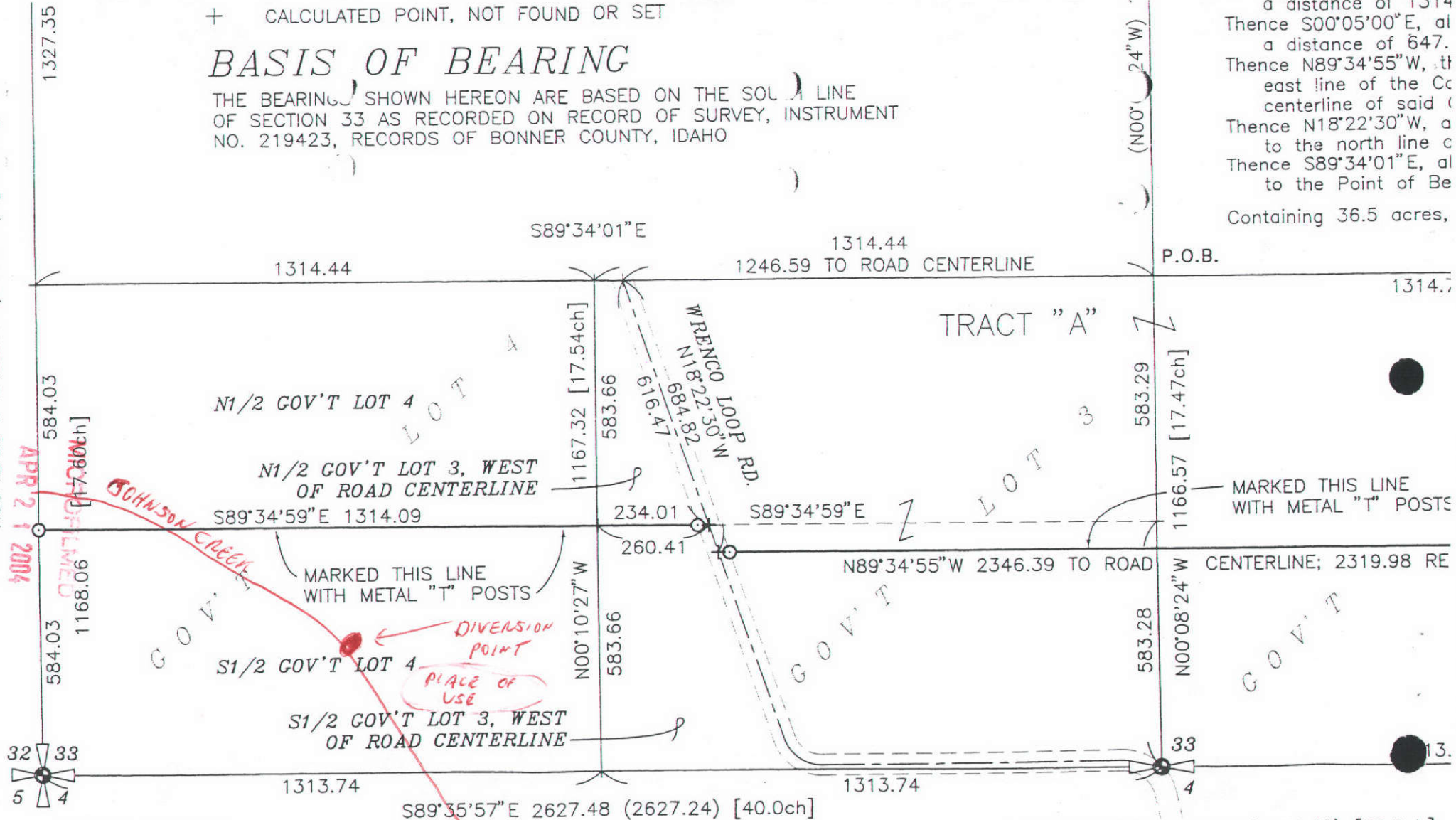
+ CALCULATED POINT, NOT FOUND OR SET

BASIS OF BEARING

THE BEARINGS 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

a distance of 1314
Thence S00°05'00"E, at
a distance of 647.
Thence N89°34'55"W, to
east line of the Co
centerline of said (C
Thence N18°22'30"W, a
to the north line c
Thence S89°34'01"E, at
to the Point of Be
Containing 36.5 acres,

N00°12'28"W 2495.41 (2495.69) [3" ch]



SECTION CORNER
FOUND A 2-1/2" BC BY PLS 974
CP&F FILED WITH THIS SURVEY,
INSTRUMENT NO. 616106

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

1/4 CORNER
FOUND 2 BT'S & CONCRETE W
MONUMENT. RECORD 5/8" REB
MISSING. SET A 5/8" REBAR F
RECORD ACCESSORIES PER CP.
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 Bailey
12-31-2002

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

RECEIVED
AUG 29 2003
IDWR/North

Please 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 (under the "split" heading), 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
	96-4156	X into	96-9157/58		

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) Robert M. Williams & Mary Etta Williams, as
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
trustees of the Williams Trust, Dated May 21, 1990
- New Mailing Address
- City, State and ZIP Code 875 Donner Way #205, Salt Lake City UT 64108
- New Telephone Number (801) 582-3030
5. Date you acquired the property April 16, 2003

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APR 21 2004

DEPARTMENT OF WATER RESOURCES

OCT - 6 2003

RECEIVED

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	<u>0.02</u>	<u>5 horses, 10 cattle</u>
<u>(Johnson Creek diversion)</u>		
Domestic		
Other		
Total	<u>0.02</u>	

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) Mary Jo Williams
(include title if applicable) Robert M. Williams

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
 Received by RL Date 8/29/03 Receipt No. NO 15882
 Processed by _____ AJ Date _____ WR _____ Date _____

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APR 21 2004

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

630069

FILED BY
2003 JUL 25 1P 3:01
MARIE SCOTT
BONNER COUNTY RECORDER
DEPUTY
3

QUITCLAIM AND PERSONAL REPRESENTATIVE'S DEED

Grantors	Patricia Scutier, as Personal Representative of the Estate of Winifred Becker, deceased, and Robert M. Williams and Mary Etta Williams, Trustees
Grantee	Robert M. Williams and Mary Etta Williams, Trustees
Grantee's Address	875 Donner Way #205, Salt Lake City UT 64108

The GRANTORS, Patricia Scutier, as Personal Representative of the ESTATE OF WINIFRED BECKER, deceased, under authority of Bonner County Case Number SP-00-00431, and ROBERT M. WILLIAMS and MARY ETTA WILLIAMS, TRUSTEES under Declaration of Trust dated May 21, 1990, for valuable consideration received, conveys, transfers, and quitclaims to the GRANTEE, ROBERT M. WILLIAMS and MARY ETTA WILLIAMS, TRUSTEES under Declaration of Trust dated May 21, 1990, whose mailing address is 875 Donner Way #205, Salt Lake City UT 64108, all of Grantors' right, title and interest in the following described real estate, situate in Bonner County, State of Idaho, and together with its appurtenances and any after acquired title:

Legal Description

Parcel 1:

The South Half of Government Lot 4 and that portion of the South Half of Government Lot 3 that lies west of the centerline of the county road known as Wrenco Loop, in Section 33, Township 57 North, Range 3 West, Boise Meridian, Bonner County, Idaho.

Subject to rights of way of record.

Parcel 2:

A tract of land located in portions of Government Lots 2 and 3, Section 33 Township 57 North, Range 3 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

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APR 21 2004

Commencing at the northwest corner of said Government Lot 2; thence South 89°33'51" East, along the north line of said Government Lot 2, a distance of 1314.75 feet to the northeast corner of said government Lot 2; thence South 00°05'00" East, along the east line of said Government Lot 2, a distance of 647.60 feet to a five-eighth (5/8) inch rebar marker by PLS 10559 and the True Point of Beginning.

Thence North 89°34'55" West a distance of 1840.70 feet to a five-eighth (5/8) inch rebar marker by PLS 10559; thence South 00°08'25" East, through a five-eighth (5/8) inch rebar marker by PLS 10559 on the north line of the county road known as Wrenco Loop, a distance of 518.71 feet to the south line of said Government Lot 3; thence South 89°35'57" East, along said south line, a distance of 526.69 feet to the south quarter corner of said Section 33; thence South 89°35'52" East, along the south line of said Government Lot 2, a distance of 1313.58 feet to the Southeast corner of said Government Lot 2, said corner is marked by a five-eighth (5/8) inch rebar marker by PLS 10559; thence North 00°05'00" West, along the east line of said Government Lot 2 a distance of 518.18 feet to the Point of Beginning.

Subject to rights of way of record.

DATED this 16th day of April, 2003.

Patricia Scutier CPAPA
Patricia Scutier
Personal Representative

Mary Etta Williams
Mary Etta Williams
Trustee
Robert M. Williams
Robert M. Williams
Trustee

ACCEPTANCE into trust of the real property interest herein conveyed:

Mary Etta Williams
Mary Etta Williams
Trustee

Robert M. Williams
Robert M. Williams
Trustee

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APR 21 2004
Page 2 of 2804

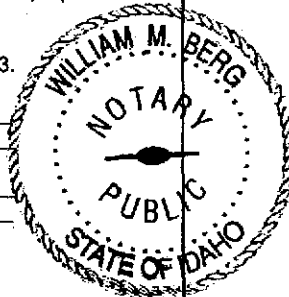
STATE OF IDAHO)
COUNTY OF Bonner) SS.

RECORDING DATA:

I certify that I know or have satisfactory evidence that Mary Etta Williams and Robert M. Williams are the persons who appeared before me, and they each acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 16 day of April, 2003.

(Sign) [Signature]
Print Name: William M. Berg
NOTARY PUBLIC for the State of Idaho
Residing at: Sagle, ID
My commission expires: 11/14/08

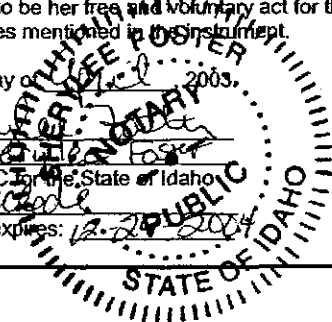


STATE OF IDAHO)
COUNTY OF Bonner) SS.

I certify that I know or have satisfactory evidence that Patricia Scutier is the person who appeared before me, and she acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 16 day of April, 2003.

(Sign) [Signature]
Print Name: Shirley E. Foster
NOTARY PUBLIC for the State of Idaho
Residing at: Blackfoot
My commission expires: 12-29-2004



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APP 2 Page 2003

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- ~~77~~ 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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SUPPLEMENTAL ORDER
SETTLING ESTATES - 1

APR 23 2004
CLERK DISTRICT COURT

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.

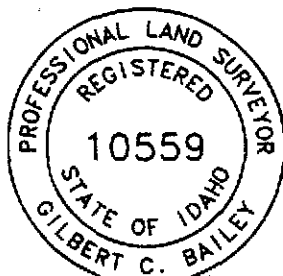
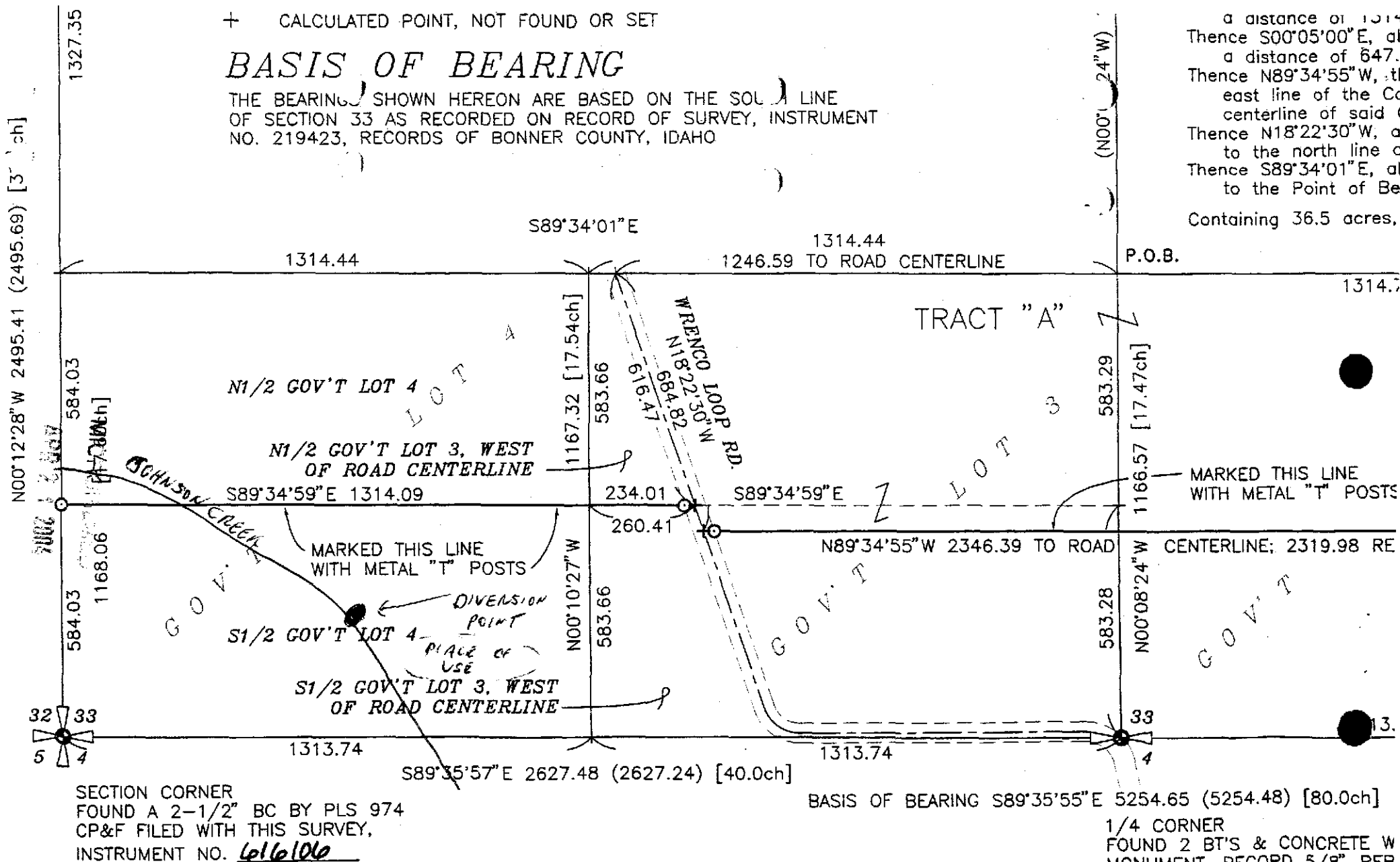
DEBRA A. HEISE

Debra A. Heise
Magistrate Judge

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APR 2 1 2004

Containing 36.5 acres,



Gilbert C Bailey
12-31-2002

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.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 96-9157

WATER RIGHT NUMBER: 96-9157

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT M WILLIAMS
Current Owner	MARY ETTA WILLIAMS 875 DONNER WAY #205 SALT LAKE CITY, UT 64108 (801) 582-3030
Original Owner	CLARK C MAC DONALD RT 2 BOX 259 SANDPOINT, ID 83864

Priority Date: 01/01/1926

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
JOHNSON CREEK	LAKE PEND OREILLE

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

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

Place of Use

STOCKWATER Within BONNER County

T57N R03W S33 Lot 4 SWSW

Conditions of Approval:

1. SOURCE IS JOHNSON CK. A TRIB. TO PEND OREILLE LAKE.
2. X02 STOCKWATER USE IS FOR 5 HORSES AND 10 RANGE CATTLE.

Comments:

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

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APR 21 2004



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

ROBERT M WILLIAMS
MARY ETTA WILLIAMS
875 DONNER WAY #205
SALT LAKE CITY UT 64108

RE: Change of Ownership for Water Right 96-9157

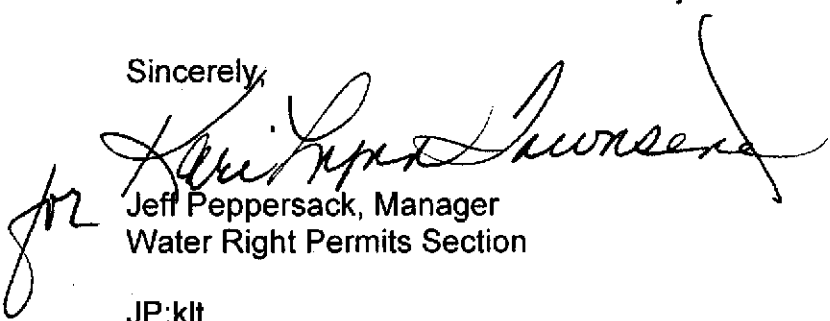
Dear Water Right Holder(s):

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,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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APR 21 2004

Idaho Department of Water Resources Receipt

Receipt ID N015882

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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APR 21 2004