

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

Ident. Number: **A25-00281**

Date Received: 11/12/1995

Receipt No: 5021792

Received By: Jo-Paul

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: **HOFF BROTHERS INC** 208-522-8567
Address: **10741 S 25 E**
IDAHO FALLS ID 83406

2. Date of Priority: **APR 1, 1878**

3. Source: **TAYLOR CREEK** Trib. to: **SAND CREEK**

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	38E	27	NW	NW	NE		BONNEVILLE

5. Description of diverting works:
HEADWORKS AND DITCH SYSTEM WITH PUMPS AND PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.400		

7. Total Quantity Appropriated is:
6.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is **2100.0 Acre Feet Per Annum.**

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	38E	22	NE	NE		IRR	27.0
			NW	NE		IRR	37.0
			SW	NE		IRR	36.0
			SE	NE		IRR	13.0
			NE	NW		IRR	37.0
			NW	NW		IRR	37.0
			SW	NW		IRR	37.0
			SE	NW		IRR	38.0

A2500281

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	38E	22	NE		SW		IRR	26.0
			NW		SW		IRR	30.0
			SW		SW		IRR	30.0
			SE		SW		IRR	20.0
			NE		SE		IRR	10.0
			NW		SE		IRR	10.0
			SW		SE		IRR	9.0
			SE		SE		IRR	11.0
							Section Acres	408.0
		23	NW		SW		IRR	14.0
			SW		SW		IRR	22.0
							Section Acres	36.0
		26	NW		NW		IRR	20.0
			SW		NW		IRR	20.0
			NW		SW		IRR	18.0
			SW		SW		IRR	3.0
							Section Acres	61.0
		27	NE		NE		IRR	35.0
			NW		NE		IRR	27.0
			SW		NE		IRR	22.0
			SE		NE		IRR	37.0
			NE		NW		IRR	18.0
			NW		NW		IRR	33.0
			SW		NW		IRR	3.0
			SE		NW		IRR	3.0
			NE		SE		IRR	17.0
							Section Acres	195.0
							Total Acres	700.0

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A25-00282, A25-00283

NOV 0 / 1990

14. Remarks:

THIS NOTICE OF CLAIM SERVES TO COMBINE WATER RIGHTS 25-00281A AND

14. Remarks: Continued

25-00281B. WATER IS DIVERTED FROM TAYLOR CREEK AND COMINGLED
WITH WATER FROM HENRY CREEK. SEE ALSO NOTICES OF CLAIM
A25-00282 AND A25-00283.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 7/29/1912

REXBURG IRRIGATION CO.

Decree Plaintiff

TETON IRRIGATION CANAL CO., E

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of _____
Title

Hoff Bros. Inc, that I have signed the foregoing
Organization

document in the space below as Pres. of _____
Title

Hoff Bros. Inc and that the statements contained in the
Organization

foregoing document are true and correct.

Ralf D. Hoff
Signature of Authorized Agent

Pres. Hoff Bros Inc
Title and Organization

12/12/95
Date

EX-100-111111

NOV 0 / 1990

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of December 19 95

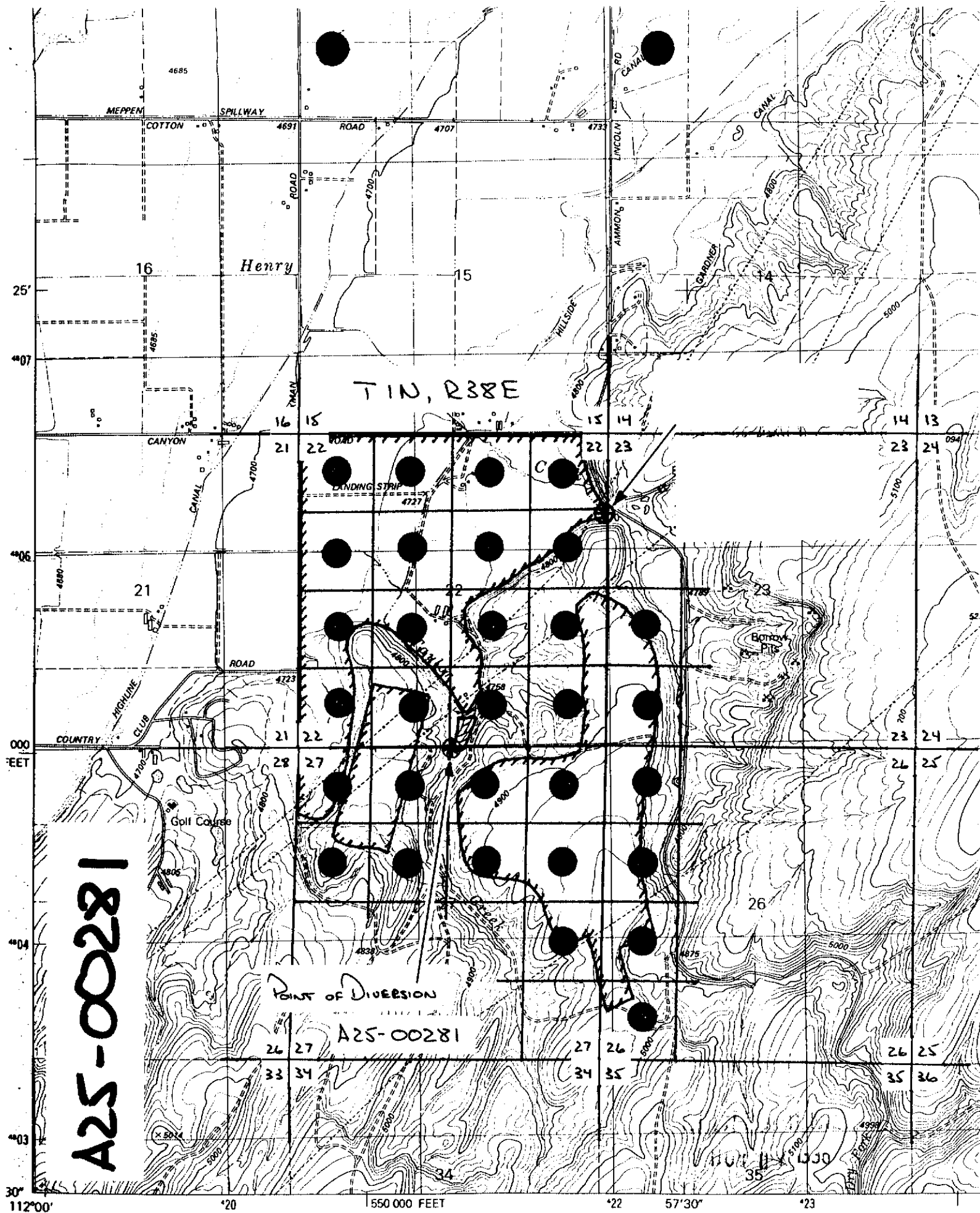
Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires 7-05-2000

NOTARY PUBLIC

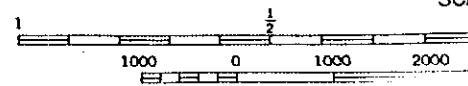
NOV 17 1995



Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial
photographs taken 1972. Field checked 1975. Map edited 1991



Log for claim 25-00281

Spatial Dynamics CAT

11/29/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n38e	22	NENE	27	30	
01n38e	22	NWNE	37	40	
01n38e	22	SWNE	36	36	
01n38e	22	SENE	13	13	
01n38e	22	NENW	37	40	
01n38e	22	NWNW	37	40	
01n38e	22	SWNW	37	40	
01n38e	22	SENW	38	40	
01n38e	22	NESW	26	26	
01n38e	22	NWSW	30	29	
01n38e	22	SWSW	30	31	
01n38e	22	SESW	20	20	
01n38e	22	NESE	10	8.9	
01n38e	22	NWSE	10	7.6	
01n38e	22	SWSE	9	3.9	
01n38e	22	SESE	11	6.7	
01n38e	23	NWSW	14	17	
01n38e	23	SWSW	22	25	
01n38e	26	NWNW	20	18	
01n38e	26	SWNW	20	19	
01n38e	26	NWSW	18	11	
01n38e	26	SWSW	3	6.7	
01n38e	27	NENE	35	35	
01n38e	27	NWNE	27	16	
01n38e	27	SWNE	22	15	
01n38e	27	SENE	37	40	
01n38e	27	NENW	18	14	
01n38e	27	NWNW	33	29	
01n38e	27	NESE	17	19	
01n38e	27	SESE	0	6.2	
Totals:			694	683	

AJ5809NP
No. A25-00281

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 53

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOFF BROTHERS INC 10741 S 25 E IDAHO FALLS ID 83406 (208) 522-8567	04/01/1878	IRRIGATION	04-01 11-01	6.400 CFS	
TOTAL DIVERSION:					6.400 CFS	
CONSUMPTIVE USE:						2100.00 AFA

Water Source: TAYLOR CREEK

Tributary to: SAND CREEK

Stage: DECREED

Point(s) of Diversion: T01N R38E S27 NWNWNE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM															
01N	38E	22	:	27		37		36		13	:	37		37		37		38	:	26		30		30		20	:	10		10		09		11	:	408.0
01N	38E	23	:								:									:			14		22	:										36.0
01N	38E	26	:								:			20		20			:			18		03	:										61.0	
01N	38E	27	:	35		27		22		37	:	18		33		03		03	:							:			17						195.0	
																				TOTAL ACRES				700.0												

POU County: BONNEVILLE

Non-Irrigation Uses: N/A

Other Rights: A25-00282, A25-00283

Other Water Rights Listing Overlapping Place(s) of Use:

A25-00282 A25-00283 A25-1338820 A25-13781

Remarks: GEN THIS NOTICE OF CLAIM SERVES TO COMBINE WATER RIGHTS 25-00281A AND 25-00281B. WATER IS DIVERTED FROM TAYLOR CREEK AND COMINGLED WITH WATER FROM HENRY CREEK. SEE ALSO NOTICES OF CLAIM A25-00282 AND A25-00283.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 10/25/1995 User-ID: SCURTIS Subject: TRANSFER NO. 182 AND 183
These transfers appear to have split Rights 25-00281/00282/00283.
In the original Rexburg Irrigation Co., et al vs. Teton
Irrigation Co., et al decree, Rasmus Hoff was listed
on page 155 with the lands he owned, but he was never listed in
the front part of the decree outlining what water rights he was
being awarded. This appears to have been an oversight. A
supplemental decree dated 07/29/1912 awarded Rasmus Hoff 320
inches of Taylor Creek and 600 inches of Henry Creek and this
seems to fill in the missing link. Based upon this supplemental
decree, data entry was made creating Rights 25-00281/00282/00283
and then Transfers 182 and 183 were used to split the rights
into parts A & b for each. Although the transfers each
identify 320 inches of Taylor Creek and Henry Creek, for lack
of a better solution the data entry reflects an equal split of
each right.

Audit: 12/12/95 PMEYER 05/31/00 FIXCIVIL

STATE OF IDAHO.

-----OFFICE OF STATE ENGINEER-----

CERTIFICATE NO.182. AUTHORIZING TRANSFER OF WATER RIGHT.

Permission is hereby granted Jennie Hoff, of Idaho Falls, County of Bonneville State of Idaho, to transfer the use of three hundred twenty (320) inches of the waters of Henry Creek and Taylor Creek, in the County of Bonneville and State of Idaho, from the lands for which it was originally decreed, i. e., the S $\frac{1}{4}$ of NW $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$, N $\frac{1}{2}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$, E $\frac{1}{2}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 22, T. 1 N., R. 38 E.B. N., to the following described lands, to-wit: SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 23; W $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 26; N $\frac{1}{2}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$, and NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 27, T. 1 N., R. 38 E.B.N., the location of the points of diversion of said waters being as follows: from Taylor creek in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 33, T. 1 N., R. 38 E.B.N., and from Henry creek in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 35, T. 1 N., R. 38 E.B.N.

The water right appurtenant to the above described lands was adjudged by decree, dated December 10, 1910, of James H. Stevens, then Judge of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the matter of Roxbury Irrigation Company, et al, plaintiffs, vs. Teton Irrigation Canal Company, et al, defendants.

WITNESS My hand and the seal of my office at Boise, Idaho, this 15th day of January A. D. 1916.

J. H. SMITH,
State Engineer.

(SEAL)

MicroFILMED

S T A T E O F I D A H O .

-----Office of State Engineer-----

CERTIFICATE NO. 183, AUTHORIZING TRANSFER OF WATER RIGHT.

Permission is hereby granted Rasmus Hoff, of Idaho Falls, County of Bonneville, State of Idaho, to transfer the use of three hundred twenty (320) inches of the waters of Henry Creek and Taylor Creek, in the County of Bonneville and State of Idaho, from the lands for which it was originally decreed, to-wit: $S\frac{1}{2}$ of $NW\frac{1}{4}$, $N\frac{1}{2}$ of $SW\frac{1}{4}$, $N\frac{1}{2}$ of $NW\frac{1}{4}$, $NW\frac{1}{4}$ of $NE\frac{1}{4}$, $E\frac{1}{2}$ of $NE\frac{1}{4}$ and $SW\frac{1}{4}$ of $NE\frac{1}{4}$, Sec. 22, T. 1 N., R. 38 E.B.M., to the following described lands, to-wit: $S\frac{1}{2}$ of $SW\frac{1}{4}$ and $SE\frac{1}{4}$, Sec. 22, $SW\frac{1}{4}$ of $NW\frac{1}{4}$ and $NW\frac{1}{4}$ of $SW\frac{1}{4}$ Sec. 23 T. 1 N., R. 38 E.B. M., the location of the points of diversion of said waters being as follows: from Taylor creek in the $SE\frac{1}{2}$ of $SE\frac{1}{4}$, Sec. 33, T. 1 N., R. 38 E.B.M. and from Henry creek in the $NE\frac{1}{4}$ of $NE\frac{1}{4}$, Sec. 35, T. 1 N., R. 38 E.B.M.

The water right appurtenant to the above described lands was adjudged by decree, dated December 16, 1910, of James M. Stevens, then Judge of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the matter of Rexburg Irrigation Company, et al, plaintiffs, vs. Teton Irrigation Canal Company, et al, defendants.

WITNESS My hand and the seal of my office at Boise, Idaho, this 15th day of January, A. D. 1916.

J. W. SMITH,
State Engineer.

MICROFILMED

SEAL)

183
Application for Transfer of Water Right

CALIFORNIA.

STATE OF ~~IDAHO~~

County of Los Angeles

ss.

RECEIVED

JAN 14

OFFICE OF STATE ENGINEER

Rasmus Hoff, being first duly sworn, deposes and says:

That his name is Rasmus Hoff; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Idaho Falls, Idaho, R. F. D. No. 3; that affiant's present address is temporarily and on account of poor health at Long Beach, California.

That ~~he~~ is the owner and using a certain water right of Six Hundred Forty inches of the waters of Henry Creek and Taylor Creek, located in the County of Bonneville, State of Idaho, decreed to Rasmus Hoff by decree of Judge James M. Stevens then judge, of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of the Rexburg Irrigation Company, a corporation et al vs. Teton Irrigation Canal Co. et al, said decree bearing date of December, 1910.

(or obtained by virtue of License No. _____, issued by the State Engineer of the State of Idaho, dated _____), for the purpose of irrigating the following described lands situate, lying and being in the County of Bonneville and State of Idaho, to-wit: 31/2NW1/4; E1/2SW1/4 of Section 22, Tp. One, NR38EBM; also NW1/2NW1/4; NW1/4NE1/4 Section 22, Tp. One NR 38EBM; also ENE1/2NE1/4 SW1/4NE1/4 Section 22, Tp. One NR 38EBM; that in October, 1913, affiant conveyed said 640 inches of water to Jennie Hoff and that in July, 1914, said Jennie Hoff conveyed to affiant 320 inches of said water; that affiant used said water on the lands hereinafter described for a long time before the conveyance of said 320 inches of water to him by the said Jennie Hoff, as afore-said and that affiant has used such water on said lands ever since said last mentioned conveyance.

That said waters are now diverted from said stream in Section 35, Township One, NR 38 E. B. M. and by means of ditch conveyed down to the lands herein-after mentioned and described and conducted to the above described lands through some time ago abandoned the use of said water on

That affiant and petitioner desires to abandon the use of said water upon the above described land, and to convey and use same upon the following tract, situate,

lying and being in the County of Bonneville and State of Idaho, to-wit: The South Half of the Southwest Quarter and the Southeast Quarter of Section 22; and the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 23, all in Township One, North of Range 38, East of the Boise Meridian.

That his reasons for desiring to make such transfer are as follows: Petitioner has no other water with which to irrigate the lands last above described and there is ample water for the irrigation of the lands for which the said water was decreed.

RECORDED

That he intends to divert and convey said 320 inches of water to the tract of land last above described in the following manner, to-wit: From said Taylor Creek: By ditch heading in Section 33, Tp. One, N R 38 E. B. M.; from said Henry Creek: By ditch heading in Section 35, Tp. One, N R 38 E. B. M.

as set forth upon the map hereto attached; and

That no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Commissioner of the Division, in accordance with the provisions of Section 11, House Bill No. 146, of the Laws of the Seventh Session of the Legislature of the State of Idaho.

Subscribed and sworn to before me this 5th day of November A. D. 1915

Rossman Huff

J. Wesley Day
Notary Public

My Commission Expires Feb. 6, 1919

STATE OF IDAHO,

County of _____

ss.

and _____

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at _____ that he is a user of water from _____, County of _____, State of Idaho; that he has read or heard read the foregoing affidavit and petition of _____, and is familiar with its allegations, and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

Subscribed and sworn to before me this _____ day of _____ A. D. _____

MICROFILMED

STATE OF IDAHO,

County of

} ss.

I,, Watermaster of
County of, State of Idaho, whose postoffice address is.....
....., have read or heard read the foregoing affidavit and petition of
....., and, of my own knowledge, believe the same to be
true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;
and I hereby endorse my approval of said petition, and request that the State Engineer issue the certificate of
transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the
following reasons:.....
.....
.....

Watermaster.

Notice having been duly published for thirty days of the intention of the above named.....
Rasmus Hoff to apply to the State Engineer of the State of Idaho for a certificate
authorizing the transfer of water as set forth in this affidavit and petition herein, and an opportunity having
been given to any and all persons opposing said transfer to present their objections in a public hearing before
me at Idaho Falls, on December 28, 1915, according to
the terms of said notice;

And it not appearing at said hearing that anyone would be materially injured by such transfer:

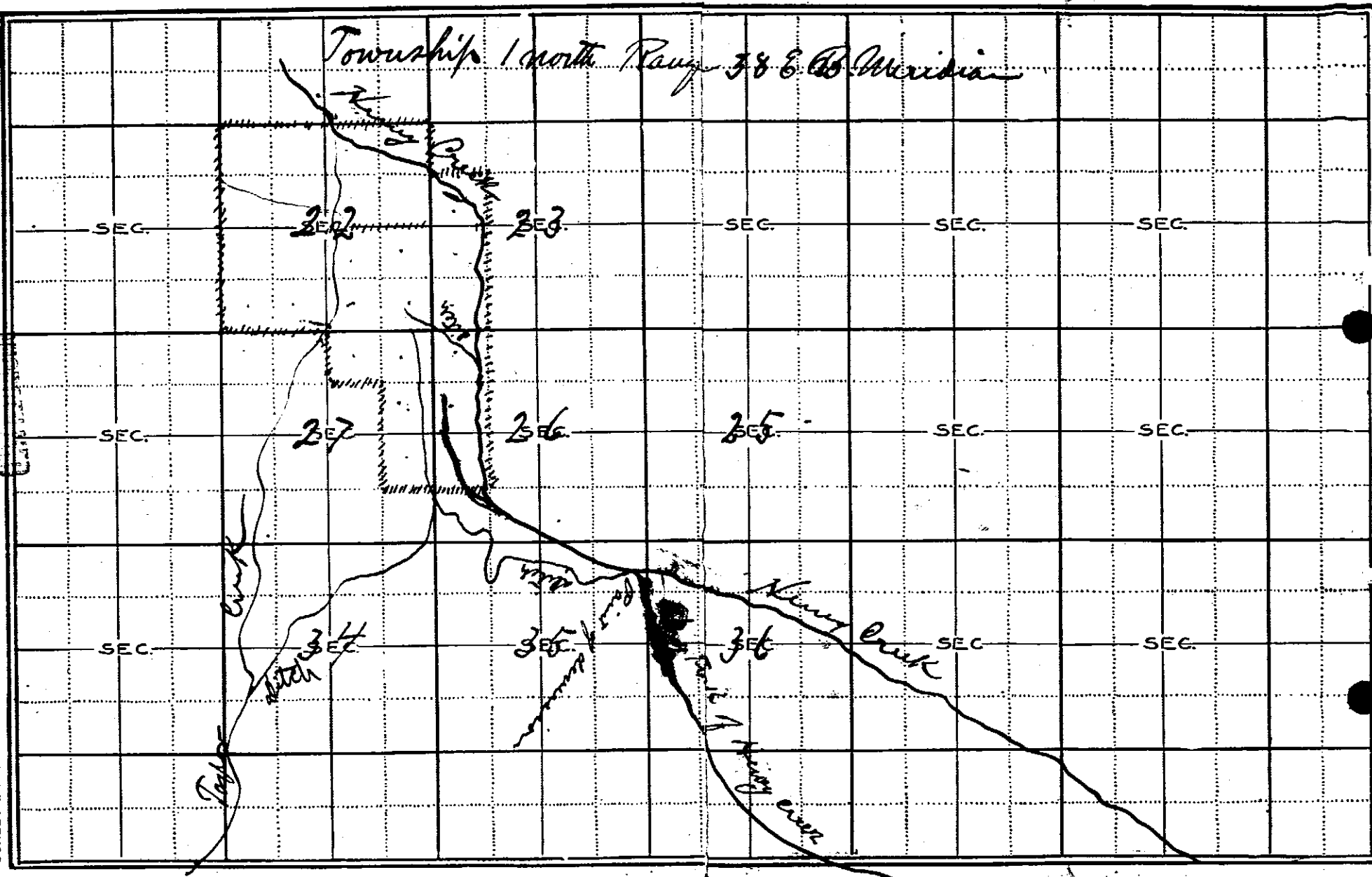
I hereby recommend that the said State Engineer of the State of Idaho issue his certificate to said appli-
cant, authorizing the transfer as prayed for in his petition; ~~or (and it appearing at said hearing that the fol-
lowing injuries would be sustained by others if such transfer is permitted~~

~~I hereby recommend that the State Engineer do not issue the certificate authorizing the transfer sought~~
hereinafter.

Lud A. Wilkie
State Engineer
Commissioner of Water Division No.

By.....

RECORDED



Continuation of Abstract of Title

No. 51- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

J.H. Smith,
State Engineer

Grantor.

TO

Rasmus Hoff

Grantee.

Certificate No. 183, Authorizing
Character of Instrument Transfer of Water Right
Date January 15th, 1916.
Recorded Sept. 20th, 1916 at 9:06 a.m.
Book #1 of Miscellaneous Page 497-
Records of Bonneville County, Idaho.
Transcribed from Book ... Page ...
Records of Bingham County, Idaho.
Consideration

Acknowledgement.

Date
Before
In and for County, State of
Is Official Seal Affixed?
Is Acknowledgement regular?
Does Acknowledgement show separate examination of wife?

Granting Words.
Covenants.
Does wife join throughout instrument?
Are there any irregularities or defects?
Are there any conditions, limitations or recitals?

RECORDED

OCT 26 1915

Permission is hereby granted Rasmus Hoff, of Idaho Falls, County of Bonneville, State of Idaho, to transfer the use of 320 inches of the Waters of Henry Creek and Taylor Creek, in the County of Bonneville, State of Idaho, from the lands for which was originally decreed, to-wit: S¹ of NW¹ N¹ of SW¹, N¹ of NW¹, NW¹ of NE¹, E¹ of NE¹ and SW¹ of NE¹ Sec. 22, T. 1 N. R. 38 E. B. M. to the following described lands, to-wit: S¹ of SW¹, and S¹ of Sec. 22, S¹ of NW¹ and NW¹ of S¹ of Sec. 23, T. 1 N. R. 38 E. B. M. the location of the points of division of said waters being as follows: From Taylor Creek in the SE¹ of SE¹ sec. 33, T. 1 N. R. 38 E. B. M. and from Henry Creek in the NE¹ of NE¹ Sec. 35, T. 1 N. R. 38 E. B. M.

The water right appurtenant to the above described lands was adjudged by decree, dated December 16, 1910, of James M. Steven, then Judge of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the matter of the Rexburg Irrigation Company et al, plaintiff, vs. Teton Irrigation Canal Company et al, defendants.

Witness my hand and seal of my office at Boise, Idaho, this 15th day of January, 1916.

Duly Verified. Book 1 Transfers. J. H. Smith, State Engineer.
Sept. 6, 1915. Page 163.

Continuation of Abstract of Title

No. 45- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT.

Rexburg Irrigation Company, et al,
Plaintiffs,

DECREE

-vs-

Teton Irrigation Canal Company, et al,
Defendants.

This cause coming on to be heard this 16th day of December, 1910, upon the report of F.J.Cowen, referee heretofore appointed for the purpose of taking the testimony and making recommendations as to Findings of Fact, Conclusions of Law and Decree, to be entered therein, and the said F.J.Cowen, having filed his report, of the testimony taken, and his recommendations as to Findings of Fact and Conclusions of Law, which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the Court being fully informed and advised in the premises, and having ordered that Judgment be entered in accordance with the report and recommendation of the said referee. Wherefore, by reason of the law and the report and Findings of Fact and Conclusions of Law aforesaid,

It is ordered, adjudged and decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively for a right to use, for irrigation and other purposes the following number of inches of water, each fifty inches thereof to be equivalent to a flow of one cubic foot per second, as prescribed by the law of Idaho, from the waters of the Snake River and its tributaries, situated in the Counties of Fremont and Bingham State of Idaho, their priorities to date from the times hereinafter named, to-wit:

Hoff Rasmus, $\frac{3}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 22, T.1 N.R.38 E.B.M. containing 160 acres, also N $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T.1 N. R.38 E.B.M. containing 120 acres, Also E $\frac{1}{2}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T.1 N.R.38 E.B.M. containing 120 acres. Also N $\frac{1}{2}$ of Sec.1, S $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec.2, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 13, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 14, and NW $\frac{1}{4}$ of Sec.1, T.1 N.R.37 E.B.M.
Dated December 16, 1910. J.M.Stevens, Judge.

State of Idaho)
County of Fremont) ss

I, Sam A.Trude, Clerk of the District of the Ninth Judicial District of the State of Idaho, in and for the County of Fremont, hereby certify the foregoing to be a true and correct copy of that part of the Snake River water decree, in so far as it pertains to the Rasmus Hoff claim.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 1st day of December, 1915. Sam A.Trude, Clerk of District Court.

SEAL IRS 10¢ cld.

Continuation of Abstract of Title

No. 37- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT
OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

Rasmus Hoff,	)	
	)	
Plaintiff.	)	
	)	
VS.	)	FINDINGS OF FACT
	)	CONCLUSIONS OF LAW AND
William F. Owen, Jr.	)	DECREE.
William F. Owen, Sr.	)	
	)	(As to Rasmus Hoff)
Defendants.	)	
	)	
C.W. Kingston,	)	
Intervener.	)	

FINDINGS

That the Plaintiff, Rasmus Hoff, is the owner in the possession and entitled to the possession of the following described real property located in the County of Bonneville, State of Idaho: The N $\frac{1}{2}$ of Sec. 22, also the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said sec. 22, in Twp. 1 North of Range 38 E.B.M. That said lands are arid in character and require the artificial application of water for the successful production of crops thereon.

DECREE

It is ordered, adjudged and decreed that the plaintiff Rasmus Hoff may take and use of the waters of the Natural flow of Henry Creek 6.4 Cubic Feet per second of time for the irrigation of his land described in the complaint and in the Findings of Fact.

Dated Feb. 4th, 1914.
Filed Feb. 5th, 1914,
Recorded in Book #1 of
Judgments at page 309.

OCT 26 1925

Continuation of Abstract of Title

No. 45- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT.

Rexburg Irrigation Company, et al.
Plaintiffs,

DECREE

-vs-

Teton Irrigation Canal Company, et al.
Defendants.

This cause coming on to be heard this 16th day of December, 1910, upon the report of F.J. Cowen, referee heretofore appointed for the purpose of taking the testimony and making recommendations as to Findings of Fact, Conclusions of Law and Decree, to be entered therein, and the said F.J. Cowen, having filed his report, of the testimony taken, and his recommendations as to Findings of Fact and Conclusions of Law, which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the Court being fully informed and advised in the premises, and having ordered that Judgment be entered in accordance with the report and recommendation of the said referee, Wherefore, by reason of the law and the report and Findings of Fact and Conclusions of Law aforesaid,

It is ordered, adjudged and decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively for a right to use, for irrigation and other purposes the following number of inches of water, each fifty inches thereof to be equivalent to a flow of one cubic foot per second, as prescribed by the law of Idaho, from the waters of the Snake River and its tributaries, situated in the Counties of Fremont and Bingham State of Idaho, their priorities to date from the times hereinafter named, to-wit:

Hoff Rasmus, $\frac{3}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 22, T.1 N.R.38 E.B.M. containing 160 acres, also N $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T.1 N. R.38 E.B.M. containing 120 acres, Also E $\frac{1}{2}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T.1 N.R.38 E.B.M. containing 120 acres. Also N $\frac{1}{2}$ of Sec. 1, S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 2, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 13, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 14, and NW $\frac{1}{4}$ of Sec. 1, T.1 N.R.37 E.B.M.
Dated December 16, 1910.

J.M. Stevens, Judge.

State of Idaho)
County of Fremont) ss

I, Sam A. Trude, Clerk of the District of the Ninth Judicial District of the State of Idaho, in and for the County of Fremont, hereby certify the foregoing to be a true and correct copy of that part of the Snake River water decree, in so far as it pertains to the Rasmus Hoff claim.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 1st day of December, 1915.

SEAL IRS 10¢ old.

Sam A. Trude, Clerk of District Court.

OCT 26 1915

Continuation of Abstract of Title

No. 45-a The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

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Recorded August 30, 1916 at 2:28 P.M.
Book #1 of Miscellaneous at page 489.

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO IN AND FOR THE COUNTY OF FREMONT.

Rexburg Irrigation Company, et al,
Plaintiffs,

-vs-

DECREE

Teton Irrigation Company, et al,
Defendants.

This cause coming on to be heard this 16th day of December, 1910, upon the report of F.J. Cowen, Referee heretofore appointed for the purpose of taking testimony and making recommendations as to the Findings of Fact and Conclusions of Law which have heretofore been adopted and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel and the Court being fully informed and advised in the premises and having ordered that judgment be entered in accordance with the report and recommendations of the said referee, Wherefore by reason of the law and the report and Findings of Fact and Conclusions of law aforesaid,

IT IS ORDERED, ADJUDGED AND DECREED, that the several parties plaintiff and defendants herein named do have judgment respectively for a right to use for irrigation and other purposes the following number of inches of water each 50 inches thereof to be equivalent to a flow of one cubic foot per second as prescribed by the laws of Idaho, from the waters of Snake River and its tributaries situated in the Counties of Fremont and Bingham, State of Idaho, their priorities to date from the time hereinafter named, to-wit: (Rasmus Hoff's Name does not appear)

Further ordered, that each of the said parties to whom water has been awarded under the terms of this decree, be and they are hereby directed to pay the Clerk of this Court, at St. Anthony, Idaho, the said amount of 4½ cents per inch for the water awarded to them, and it is

FURTHER ORDERED, that before any of the claimant herein shall be entitled to have any of the waters from the Snake River or its tributaries distributed to him under the terms of this decree, he shall pay the said amount so assessed against him to the Clerk of this Court, and it is,

FURTHER ORDERED, that each party hereto shall pay his own necessary costs for witnesses and other individual expenses, and this decree is entered without prejudice as to any and all rights or claims of waters of Snake River or any of its tributaries, or any of the parties who are now in default herein and whose rights accrued would take priority as of the date subsequent to the first day of June, 1906.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the above mentioned and described awards to the right to the use of the Snake River

Continuation of Abstract of Title

No. 45-b The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

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er and its tributaries respectively are declare to be appurtenant to and awarded for the purpose of irrigating the following described lands of the respective claimants and for the following manufacturing, power and other purposes, respectively, to-wit:

Hoff, Rasmus, S $\frac{1}{2}$ of NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 22, T.1N.R. 38 E.B.M. containing 160 acres. Also N $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T.1 N. R.38 E.B.M. containing 120 acres Also E $\frac{1}{2}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T.1 N.R.38 E.B.M. containing 120 acres, Also N $\frac{1}{2}$ of Sec. 1, S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 2, S $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.13; NE $\frac{1}{4}$ of S $\frac{1}{2}$ of Sec. 14, and NW $\frac{1}{4}$ Sec. 1, T.1 N.R.37 E.B.M.

IT IS FURTHER ORDERED, AND ADJUDGED, that the following amount set opposite the names of the respective parties to this action shall be paid by the said respective parties to the Clerk of this Court as costs therein, and the same shall be and are hereby declared to be a lien upon the real property of the said respective parties and upon the lands, to which the rights herein are decreed to be appurtenant respectively, and execution may issue against any one or more of such parties as may be delinquent in the payment thereof upon the application of any attorney of record in this action, and the order taxing costs heretofore made in this action is hereby modified to conform herewith, to-wit: (Rasmus Hoff's name does not appear).

AND IT IS FURTHER ORDERED that none of the parties hereto or their successors in interest shall be entitled to the use of any water under the order of the Court herein, until the respective amounts as above assessed be paid to the Clerk of this Court.

Dated December 16, 1910.

J.M.Stevens, District Judge.

Filed for Record Feb.3, 1911, recorded in Book "B" of Judgments at page 449, Records of Fremont County, Idaho.

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT.

Rexburg Irrigation Company, et al,
Plaintiffs,

-vs-

SUPPLEMENTAL DECREE.

Teton Irrigation Company, et al,
Defendants.

Now on the 29th day of July, 1912, the application of Rasmus Hoff, one of the defendants and cross-complainants herein, came regularly on to be heard. Thereupon the applicant, in support of his application, introduced in evidence a certified copy of that portion of the proof submitted in the trial of said cause in support of this applicant's claim to water as set forth in his cross-complaint filed herein, as well as a certified copy of that portion of the decree, heretofore rendered in said cause, in relation to the right of this applicant to the waters claimed by him as set forth in the said cross-complaint.

Now, therefore, the court, having fully considered the proof submitted in support of said application and it satisfactorily appearing therefrom that a clerical error was made in said decree and the prepar-

Continuation of Abstract of Title

No. 45-c The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

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ation thereof as set forth in the application of defendant and cross-complainant, Rasmus Hoff.

It is therefore, ordered, adjudged and decreed that the said decree heretofore rendered and entered in said court and cause be forthwith corrected by the clerk of said court so that said decree when corrected, will read as follows:

"This cause coming on to be heard this 16th day of December, 1910, upon the report of F.J. Cowen, Referee heretofore appointed for the purpose of taking the testimony and making recommendations as to findings of fact, conclusions of law, and decree, to be entered herein, and that the said F.J. Cowen, having filed his report of the testimony taken, and his recommendations as to findings of fact and conclusions of law, which have heretofore been adopted and the respective plaintiffs and defendants and cross-complainants, appearing herein by their respective counsel and the court, being fully informed and advised in the premise and having order d that judgment be entered in accordance with the report and recommendations of said Referee, Wherefore by reason of the law and the report and findings of fact and conclusions of law, aforesaid, it is ordered, adjudged and decreed that the several parties plaintiffs and defendants herein named do have judgment respectively for a right to use, for irrigation and other purposes, the following number of inches of water, each 50 inches thereof to be equivalent to a flow of one cubic foot per second of time, as prescribed by the laws of Idaho, from the Waters of Snake River and its tributaries that is to say, from Taylor Creek and the springs tributary to said creek and from Henry Creek, tributaries of said Snake River, situate in the Counties of Fremont, Bonneville and Bingham, State of Idaho, this priorities to date from the time hereinafter named, to-wit:

Hoff, Rasmus, 320 inches, April 1, 1878, Taylor Creek and the springs tributary thereto, for the irrigation of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 22 in Twp. 1 North of Range 38 E.B.M. located in what is now Bonneville County, Idaho.

Hoff, Rasmus, 300 inches, May 1, 1885, Henry Creek, for the irrigation of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, in Twp. 1 North of Range 38 E.B.M. Located in what is now Bonneville County, Idaho.

Hoff, Rasmus, 300 inches, July 1, 1898, Henry Creek, for the irrigation of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, in Twp. 1 North of Range 38 E.B.M. in located in what is now Bonneville County, Idaho.

Dated this 29th day of July, 1912.

J.M. Stevens, District Judge.

Filed August 12, 1912 at the request of J. M. Stevens and recorded in Book "B" of Judgments at page 610 records of Fremont County, Idaho.

State of Idaho) ss
County of Fremont)

The Fremont Abstract Company, Ltd. hereby certifies the foregoing five (5) pages to be a true and correct Abstract of that portion of the DECREE rendered in the District Court of the Sixth Judicial District.

OCT 26 1912

Continuation of Abstract of Title

No. 45-a The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

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in the Case of Rexburg Irrigation Company, et al, Plaintiffs, vs.
Teton Irrigation Company, et al, Defendants, affecting the water right
of Rasmus Hoff.

IN WITNESS WHEREOF, The Company has caused this Certificate to be
executed by its Secretary and its Corporate Seal to be hereunto
affixed this 16th day of August, 1916, at 9 o'clock A.M.

Corp. Seal.

IRS 10/ cld.

...Fremont Abstract Company, Ltd.
By Heber S. Sharp, Secretary.

Recorded August 30, 1916 at 2:30 P.M.
Book #1 of Miscellaneous at page 490,
Records of Bonneville County, Idaho.

OCT 26 1935

Continuation of Abstract of Title

No. 51- *The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho*

J. H. Smith,
State Engineer

Grantor.

TO

Rasmus Hoff

Grantee.

Certificate No. 183, Authorizing
Character of Instrument Transfer of Water Right
Date January 15th, 1916.
Recorded Sept. 20th, 1916 at 9:06 a.m.
Book #1 of Miscellaneous Page 497-
Records of Bonneville County, Idaho.
Transcribed from Book ... Page ...
Records of Bingham County, Idaho.
Consideration

Acknowledgement.

Date
Before
In and for
Is Official Seal Affixed?
Is Acknowledgement regular?
Does Acknowledgement show separate examination of wife?

Granting Words.

Covenants.

Does wife join throughout instrument?

Are there any irregularities or defects?

Are there any conditions, limitations or recitals?

Permission is hereby granted Rasmus Hoff, of Idaho Falls, County of Bonneville, State of Idaho, to transfer the use of 320 inches of the Waters of Henry Creek and Taylor Creek, in the County of Bonneville, State of Idaho, from the lands for which was originally decreed, to-wit: S $\frac{1}{2}$ of NW $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$, N $\frac{1}{2}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, E $\frac{1}{2}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 22, T. 1 N. R. 38 E. B. M. to the following described lands, to-wit: S $\frac{1}{2}$ of SW $\frac{1}{4}$, and SE $\frac{1}{4}$ Sec. 22, SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 23, T. 1 N. R. 38 E. B. M. the location of the points of division of said waters being as follows: From Talor Creek in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ sec. 33, T. 1 N. R. 38 E. B. M. and from Henry Creek in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 35, T. 1 N. R. 38 E. B. M.

The water right appurtenant to the above described lands was adjudged by decree, dated December 16, 1910, of James M. Steven, then Judge of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the matter of the Rexburg Irrigation Company et al, plaintiff, vs. Teton Irrigation Canal Company et al, defendants.

Witness my hand and seal of my office at Boise, Idaho, this 15th day of January, 1916.
Duly Verified. Book 1 Transfers, J. H. Smith, State Engineer.
Sept. 6, 1916. Page 163.

Continuation of Abstract of Title

No. 45- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT.

Rexburg Irrigation Company, et al,
Plaintiffs,

DECREE

-vs-

Teton Irrigation Canal Company, et al,
Defendants.

This cause coming on to be heard this 16th day of December, 1910, upon the report of F.J. Cowen, referee heretofore appointed for the purpose of taking the testimony and making recommendations as to Findings of Fact, Conclusions of Law and Decree, to be entered therein, and the said F.J. Cowen, having filed his report, of the testimony taken, and his recommendations as to Findings of Fact and Conclusions of Law, which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the Court being fully informed and advised in the premises, and having ordered that Judgment be entered in accordance with the report and recommendation of the said referee, Wherefore, by reason of the law and the report and Findings of Fact and Conclusions of Law aforesaid,

It is ordered, adjudged and decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively for a right to use, for irrigation and other purposes the following number of inches of water, each fifty inches thereof to be equivalent to a flow of one cubic feet per second, as prescribed by the law of Idaho, from the waters of the Snake River and its tributaries, situated in the Counties of Fremont and Bingham State of Idaho, their priorities to date from the times hereinafter named, to-wit:

Hoff Rasmus, $S\frac{1}{2}NW\frac{1}{4}$ and $N\frac{1}{2}$ of $SW\frac{1}{4}$ of Sec. 22, T.1 N.R.38 E.B.M. containing 160 acres, also $N\frac{1}{2}$ of $NW\frac{1}{4}$ and $NW\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 22, T.1 N. R.38 E.B.M. containing 120 acres, Also $E\frac{1}{2}$ of $NE\frac{1}{4}$ and $SW\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 22, T.1 N.R.38 E.B.M. containing 120 acres. Also $N\frac{1}{2}$ of Sec. 1, $S\frac{1}{2}$ of $SE\frac{1}{4}$ of Sec. 2, $SW\frac{1}{4}$ of $NW\frac{1}{4}$, and $NW\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 13, $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 14, and $NW\frac{1}{4}$ of Sec. 1, T.1 N.R.37 E.B.M.

Dated December 16, 1910.

J.M. Stevens, Judge.

State of Idaho)
County of Fremont) ss

I, Sam A. Trude, Clerk of the District of the Ninth Judicial District of the State of Idaho, in and for the County of Fremont, hereby certify the foregoing to be a true and correct copy of that part of the Snake River water decree, in so far as it pertains to the Rasmus Hoff claim.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 1st day of December, 1915.

Sam A. Trude, Clerk of District Court.

SEAL IRS 10¢ cld.

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Continuation of Abstract of Title

No. 37- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT
OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

Rasmus Hoff,

Plaintiff.

VS.

William F. Owen, Jr.

William F. Owen, Sr.

Defendants.

C.W. Kingston,

Intervener.

FINDINGS OF FACT

CONCLUSIONS OF LAW AND
DECREE.

(As to Rasmus Hoff)

FINDINGS

That the Plaintiff, Rasmus Hoff, is the owner, in the possession and entitled to the possession of the following described real property located in the County of Bonneville, State of Idaho: The N $\frac{1}{2}$ of Sec. 22, also the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said sec. 22, in Twp. 1 North of Range 38 E.B.M. That said lands are arid in character and require the artificial application of water for the successful production of crops thereon.

DECREE

It is ordered, adjudged and decreed that the plaintiff Rasmus Hoff may take and use of the waters of the Natural flow of Henry Creek 6.4 Cubic Feet per second of time for the irrigation of his land described in the complaint and in the Findings of Fact.

Dated Feb. 4th, 1914.
Filed Feb. 5th, 1914,
Recorded in Book #1 of
Judgments at page 309.

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Continuation of Abstract of Title

No. 45- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT.

Rexburg Irrigation Company, et al,
Plaintiffs,

DECREE

-VS-

Teton Irrigation Canal Company, et al,
Defendants.

This cause coming on to be heard this 16th day of December, 1910, upon the report of F.J. Cowen, referee heretofore appointed for the purpose of taking the testimony and making recommendations as to Findings of Fact, Conclusions of Law and Decree, to be entered therein, and the said F.J. Cowen, having filed his report, of the testimony taken, and his recommendations as to Findings of Fact and Conclusions of Law, which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the Court being fully informed and advised in the premises, and having ordered that Judgment be entered in accordance with the report and recommendation of the said referee, Wherefore, by reason of the law and the report and Findings of Fact and Conclusions of Law aforesaid,

It is ordered, adjudged and decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively for a right to use, for irrigation and other purposes the following number of inches of water, each fifty inches thereof to be equivalent to a flow of one cubic foot per second, as prescribed by the law of Idaho, from the waters of the Snake River and its tributaries, situated in the Counties of Fremont and Bingham State of Idaho, their priorities to date from the times hereinafter named, to-wit:

Hoff Rasmus, S $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 22, T.1 N.R.38 E.B.M. containing 160 acres, also N $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T.1 N. R.38 E.B.M. containing 120 acres, Also E $\frac{1}{2}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T.1 N.R.38 E.B.M. containing 120 acres. Also N $\frac{1}{2}$ of Sec. 1, S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 2, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 13, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 14, and NW $\frac{1}{4}$ of Sec. 1, T.1 N.R.37 E.B.M.

Dated December 16, 1910.

J.M. Stevens, Judge.

State of Idaho)
County of Fremont) ss

I, Sam A. Trude, Clerk of the District of the Ninth Judicial District of the State of Idaho, in and for the County of Fremont, hereby certify the foregoing to be a true and correct copy of that part of the Snake River water decree, in so far as it pertains to the Rasmus Hoff claim.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 1st day of December, 1915.
SEAL IRS 10¢ old.

Sam A. Trude, Clerk of District Court.

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Continuation of Abstract of Title

No. 45-a The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

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Recorded August 30, 1916 at 2:28 P.M.
Book #1 of Miscellaneous at page 489.

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO IN AND FOR THE COUNTY OF FREMONT.

Rexburg Irrigation Company, et al,
Plaintiffs,

-VS-

DECREE

Teton Irrigation Company, et al,
Defendants.

This cause coming on to be heard this 16th day of December, 1910, upon the report of F.J. Cowen, Referee heretofore appointed for the purpose of taking testimony and making recommendations as to the Findings of Fact and Conclusions of Law which have heretofore been adopted and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel and the Court being fully informed and advised in the premises and having ordered that judgment be entered in accordance with the report and recommendations of the said referee, Wherefore by reason of the law and the report and Findings of Fact and Conclusions of law aforesaid,

IT IS ORDERED, ADJUDGED AND DECREED, that the several parties plaintiff and defendants herein named do have judgment respectively for a right to use for irrigation and other purposes the following number of inches of water each 50 inches thereof to be equivalent to a flow of one cubic feet per second as prescribed by the laws of Idaho, from the waters of Snake River and its tributaries situated in the Counties of Fremont and Bingham, State of Idaho, their priorities to date from the time hereinafter named, to-wit: (Rasmus Hoff's Name does not appear)

Further ordered, that each of the said parties to whom water has been awarded under the terms of this decree, be and they are hereby directed to pay the Clerk of this Court, at St. Anthony, Idaho, the said amount of 4½ cents per inch for the water awarded to them, and it is

FURTHER ORDERED, that before any of the claimant herein shall be entitled to have any of the waters from the Snake River or its tributaries distributed to him under the terms of this decree, he shall pay the said amount so assessed against him to the Clerk of this Court, and it is,

FURTHER ORDERED, that each party hereto shall pay his own necessary costs for witnesses and other individual expenses, and this decree is entered without prejudice as to any and all rights or claims of waters of Snake River or any of its tributaries, or any of the parties who are now in default herein and whose rights accrued would take priority as of the date subsequent to the first day of June, 1905.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the above mentioned and described awards to the right to the use of the Snake River

Continuation of Abstract of Title

No. 45-b The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

-3-

er and its tributaries respectively are declare to be appurtenant to and awarded for the purpose of irrigating the following described lands of the respective claimants and for the following manufacturing, power and other purposes, respectively, to-wit:

Hoff, Rasmus, $S\frac{1}{2}$ of $NE\frac{1}{4}$ and $N\frac{1}{2}$ of $SW\frac{1}{4}$ of Sec. 22, T.1N.R. 38 E.B.M. containing 160 acres. Also $N\frac{1}{2}$ of $NW\frac{1}{4}$ and $NW\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 22, T.1 N. R.38 E.B.M. containing 120 acres Also $E\frac{1}{2}$ of $NE\frac{1}{4}$ and $SW\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 22, T.1 N.R.38 E.B.M. containing 120 acres, Also $N\frac{1}{2}$ of Sec. 1, $S\frac{1}{2}$ of $SE\frac{1}{4}$ of Sec. 2, $SW\frac{1}{4}$ of $NW\frac{1}{4}$ and $NW\frac{1}{4}$ $SW\frac{1}{4}$ Sec.13; $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 14, and $NW\frac{1}{4}$ Sec. 1, T.1 N.R.37 E.B.M.

IT IS FURTHER ORDERED, AND ADJUDGED, that the following amount set opposite the names of the respective parties to this action shall be paid by the said respective parties to the Clerk of this Court as costs therein, and the same shall be and are hereby declared to be a lien upon the real property of the said respective parties and upon the lands, to which the rights herein are decreed to be appurtenant respectively, and execution may issue against any one or more of such parties as may be delinquent in the payment thereof upon the application of any attorney of record in this action, and the order taxing costs heretofore made in this action is hereby modified to conform herewith, to-wit: (Rasmus Hoff's name does not appear).

AND IT IS FURTHER ORDERED' that none of the parties hereto or their successors in interest shall be entitled to the use of any water under the order of the Court herein, until the respective amounts as above assessed be paid to the Clerk of this Court.

Dated December 16, 1910.

J.M.Stevens, District Judge.

Filed for Record Feb.5, 1911, recorded in Book "B" of Judgments at page 449, Records of Fremont County, Idaho.

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT.

Rexburg Irrigation Company, et al,
Plaintiffs,

-vs-

SUPPLEMENTAL DECREE.

Teton Irrigation Company, et al,
Defendants.

Now on the 29th day of July, 1912, the application of Rasmus Hoff, one of the defendants and cross-complainants herein, came regularly on to be heard. Thereupon the applicant, in support of his application, introduced in evidence a certified copy of that portion of the proof submitted in the trial of said cause in support of this applicant's claim to water as set forth in his cross-complaint filed herein, as well as a certified copy of that portion of the decree, heretofore rendered in said cause, in relation to the right of this applicant to the waters claimed by him as set forth in the said cross-complaint.

Now, therefore, the court, having fully considered the proof submitted in support of said application and it satisfactorily appearing therefrom that a clerical error was made in said decree and the prepar-

Continuation of Abstract of Title

No. 45-c The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

-4-

ation thereof as set forth in the application of defendant and cross-complainant, Rasmus Hoff.

It is therefore, ordered, adjudged and decreed that the said decree heretofore rendered and entered in said court and cause be forthwith corrected by the clerk of said court so that said decree when corrected, will read as follows:

"This cause coming on to be heard this 16th day of December, 1910, upon the report of F.J. Cowen, Referee heretofore appointed for the purpose of taking the testimony and making recommendations as to findings of fact, conclusions of law, and decree, to be entered herein, and that the said F.J. Cowen, having filed his report of the testimony taken, and his recommendations as to findings of fact and conclusions of law, which have heretofore been adopted and the respective plaintiffs and defendants and cross-complainants, appearing herein by their respective counsel and the court, being fully informed and advised in the premise and having ordered that judgment be entered in accordance with the report and recommendations of said Referee, Wherefore by reason of the law and the report and findings of fact and conclusions of law, aforesaid, it is ordered, adjudged and decreed that the several parties plaintiffs and defendants herein named do have judgment respectively for a right to use, for irrigation and other purposes, the following number of inches of water, each 50 inches thereof to be equivalent to a flow of one cubic foot per second of time, as prescribed by the laws of Idaho, from the Waters of Snake River and its tributaries that is to say, from Taylor Creek and the springs tributary to said creek and from Henry Creek, tributaries of said Snake River, situate in the Counties of Fremont, Bonneville and Bingham, State of Idaho, this priorities to date from the time hereinafter named, to-wit:

Hoff, Rasmus, 320 inches, April 1, 1878, Taylor Creek and the springs tributary thereto, for the irrigation of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 22 in Twp. 1 North of Range 38 E.B.M. located in what is now Bonneville County, Idaho.

Hoff, Rasmus, 300 inches, May 1, 1885, Henry Creek, for the irrigation of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, in Twp. 1 North of Range 38 E.B.M. Located in what is now Bonneville County, Idaho.

Hoff, Rasmus, 300 inches, July 1, 1898, Henry Creek, for the irrigation of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, in Twp. 1 North of Range 38 E.B.M. ~~in~~ located in what is now Bonneville County, Idaho.

Dated this 29th day of July, 1912.

J.M. Stevens, District Judge.

Filed August 12, 1912 at the request of J. Stevens and recorded in Book "B" of Judgments at page 610 records of Fremont County, Idaho.

State of Idaho) ss
County of Fremont)

The Fremont Abstract Company, Ltd. hereby certifies that the foregoing five (5) pages to be a true and correct Abstract of that portion of the DECREE rendered in the District Court of the Sixth Judicial District

Continuation of Abstract of Title

No. 45-a The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

-5-

in the Case of Rexburg Irrigation Company, et al, Plaintiffs, vs.
Teton Irrigation Company, et al, Defendants, affecting the water right
of Rasmus Hoff.

IN WITNESS WHEREOF, The Company has caused this Certificate to be
executed by its Secretary and its Corporate Seal to be hereunto
affixed this 16th day of August, 1916, at 9 o'clock A.M.

Corp. Seal.

IRS 10/ cld.

...Fremont Abstract Company, Ltd.
By Heber S. Sharp, Secretary.

Recorded August 30, 1916 at 2:30 P.M.
Book #1 of Miscellaneous at page 490,
Records of Bonneville County, Idaho.

RECORDED

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