

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-07059
Date Received: 11/15/1988
Receipt No: E004058, E015755
Received By: EW

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CLIFTON RHODEHOUSE
Address: 725 N. 3300 E.
MENAN, ID

208-754-0082

83434

2. Date of Priority: SEP 4, 1974

3. Source: UNNAMED SLOUGH

Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	37E	36	NE	NE			JEFFERSON

5. Description of diverting works:
PUMP TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		

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

A.F.A.

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	37E	25	SE	SE		IRR	3.0

A25-07059

Page 1

Date:

03/01/89

MICROFILMED
NOV 10 1992

A2507059

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
		36	NE	NE	IRR	6.0
					Section Acres	6.0
					Total Acres	9.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 3/5/91 ESV.

15. Basis of Claim: LICENSE

Water Right Number: 257059

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Clifton B Rhoadhouse Date: March 5 1991

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of March 19 91



Notary Public

Seal

Residing at Idaho Falls, Id.
My Commission Expires 22 Aug 1994

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-07059
Date Received: 9/14/1988
Receipt No: E00 4058
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GENEVIEVE HADLEY 208-754-4313
Address: 725 N. 3300 E.
MENAN, ID 83434
2. Date of Priority: SEP 04, 1974
3. Source: UNNAMED SLOUGH Trib. to: SPRING CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|-----------|
| 05N | 37E | 36 | NE | NE | | | JEFFERSON |
5. Description of diverting works:
PUMP TO DITCH
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.120 | | |
7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 15.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	37E	36	NE	NE		IRR	6.0

Section Acres

A25-07059

Page 1

Date: 09/15/88

6.0 MICROFILMED
NOV 10 1988

10. Place of Use: Continued

Total Acres 6.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 257059

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Benedicta Hadley Date: 10-25-88

Date: _____

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of October 1988

Jerry D. Mather
Notary Public

Seal

Residing at Miner

My Commission Expires June 16, 1992

MICROFILMED

A25-0059

MM

ASA

PETERSON

R3TE

M HADLEY
DALLAS KANARD

D.C. Raymond
18.500

PMA

HSA

BMA

SCAC

ASA

TSN

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Log for claim 25-07059

Spatial Dynamics CAT

12/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n37e	25	SESE	3	1.1	
05n37e	36	NENE	6	5.9	
Totals:			9	7	

AJ5809NP
No. A25-07059

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 83

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLIFTON RHODEHOUSE 725 N 3300 E MENAN ID 83434 (208) 754-0082	09/04/1974	IRRIGATION	04-01 11-01	0.120 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.120 CFS	15.00 AFA

Water Source: UNNAMED SLOUGH

Tributary to: SPRING CREEK

Stage: LICENSE

Point(s) of Diversion: T05N R37E S36 NENE

JEFFERSON 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		
05N	37E	25	:																	:	3.0		
05N	37E	36	:	06																:	6.0		
																				:	9.0		
																				:	TOTAL ACRES	:	9.0

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: NONE

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

A01-00109G A01-00110E A01-00111E A01-00112E A01-00113E A01-00114C A01-00115S A01-00317 A25-00258A A25-00258B
A25-00259

Remarks: GEN OWNERSHIP CHANGE 3/5/91 ESV.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 01

Field Inspection Flag:

Presumption Flag:

Audit: 01/16/89 VERNER 03/05/91 VERNER 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. Priority September 4, 1974 Amount 0.18 cfs

THIS IS TO CERTIFY, that GENEVIEVE HADLEY
of Menan, Idaho, has complied with the terms and conditions of Permit
No. 25-7059 issued pursuant to Application for Permit dated September 4, 1974,
and has submitted proof to the Department of Water Resources on October 26, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.03 cfs of water from unnamed slough,
tributary to Spring Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>0.18</u> cfs and	<u>31.5 acre feet</u>
	from <u> </u> to <u> </u>	at <u> </u> cfs and	
	from <u> </u> to <u> </u>	at <u> </u> cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.18 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
31.5 acre feet per year, said waters to be diverted within the NE 1/4, Sec. 36, Twp. 5N,
Rge. 37E, B. M. in the County of Jefferson.

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5N</u>	<u>37E</u>	<u>25</u>																<u>3</u>	<u>3</u>
		<u>36</u>	<u>6</u>																<u>6</u>

Total number of acres irrigated 9

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
April, 19 79

Stephen Allred
Director

Identification No. 25 7059

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Genevieve Hadley Phone: 754-4313
post office address Route #1, Box 106, Menan, Idaho
2. Source of water supply Unnamed slough which is a tributary of Spring Creek trib. Snake R
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36 Township 5N
Range 37E B.M. Jefferson County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into Spring Creek at a point in SE $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 25 Township 5N Range 37E B.M. _____
4. Water will be used for the following purposes:
Amount 0.18 for Irrig. purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.18 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 75 h.p. pump and private ditch
system.
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years.
b. Estimated construction cost is \$ 1,500.00
8. Description of proposed uses:
a. If water is not for irrigation: N.A.
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water: _____
(5) If water is to be used for other purposes describe: _____

RECORDED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	37E	25																3	3
"	"	36	6																6

Total number of acres to be irrigated 9

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Hand-drawn map on graph paper showing a coastline and several labeled points. The coastline runs vertically on the left side. Points are labeled: "R37 E" at the top right, "75" in the upper middle, "3" and "60 - P.D." in the middle right, "36" in the lower middle, and "TSN" on the left side.

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Genevieve Hadley.
(Applicant)

9-04-1974

Proposed

Received by MB Date 9-04-74 Time 3:55 pm
Preliminary check by MR Fee \$ 10.⁰⁰
Received by MB Date 9-04-74 # 13044
Publication prepared by MB Date 9-06-74
Published in The Bigby Star
Publication dates Sept. 12 + 19, 1974
Publication approved MB Date 10/02/74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDC jss

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

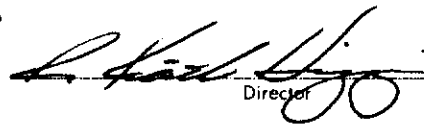
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 25-7059, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1976.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 9 day of October 1974.


Director

RECEIVED

~~OCT 29 197~~

754-4313

Eastern District Office

Person to contact _____ Phone _____

Unnamed slough

Tributary to Spring Cr., trib. to Snake (name spring, stream, etc.)

Amount 0.18 c.f.s. for Irrigation
 AF/Annum (nature of use)

Period of Use: from April 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Max Rate of Diversion 0.18 cubic feet per second and annual volume _____ AF/Annum.

Township 5N N/S, Range 37E E/W, B.M., Section 36, Subdivision NE 1/4 NE 1/4, Jefferson

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

County

Other Points of Diversions: _____

Description of diverting works: 5 hp pump, pipe extending to ditch along East end of field, water 6 acres of ground that has been levelled.

Measuring device required: yes ☐ no ☒

[illegible]

TOTAL ACREAGE _____ **9**

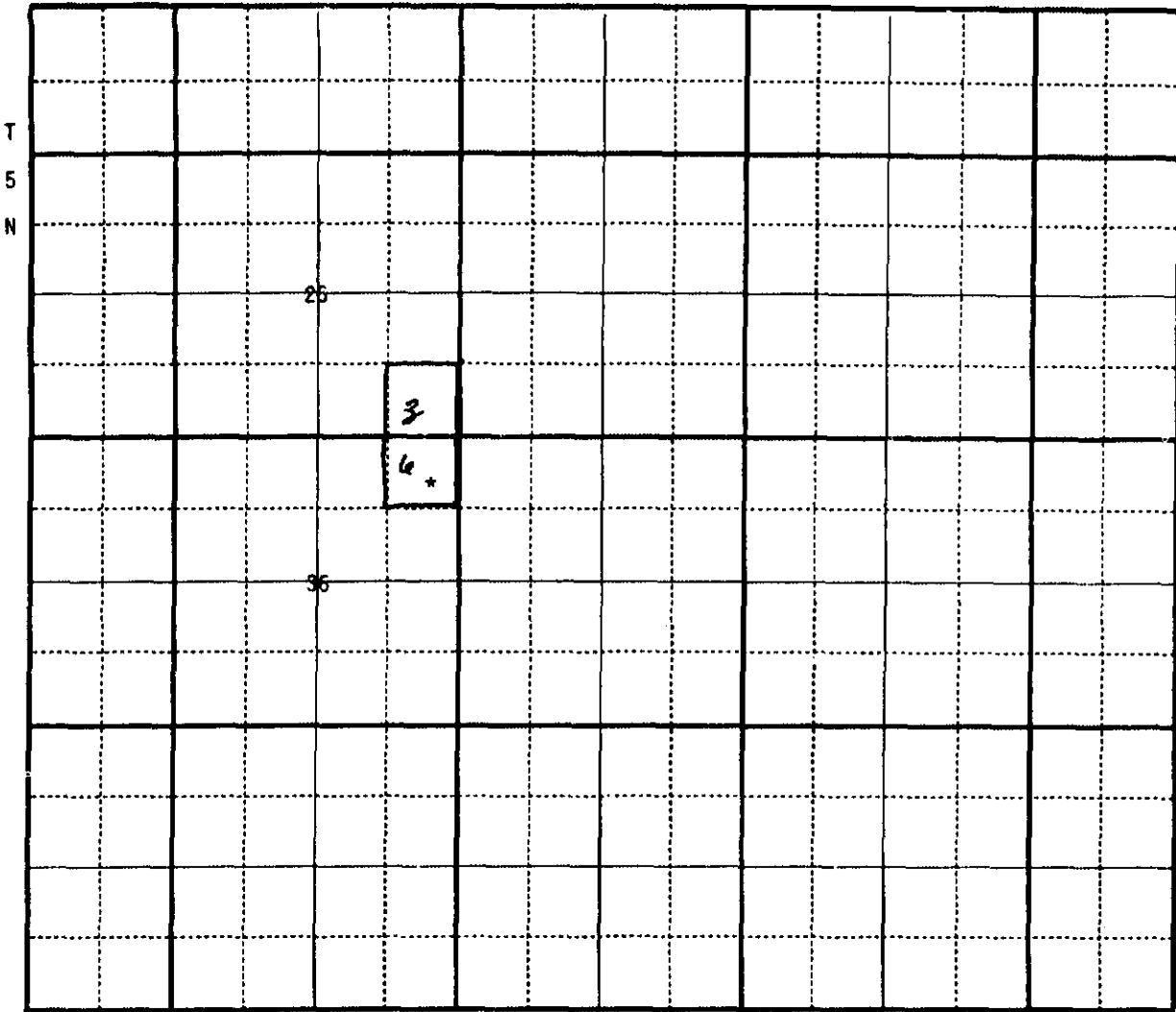
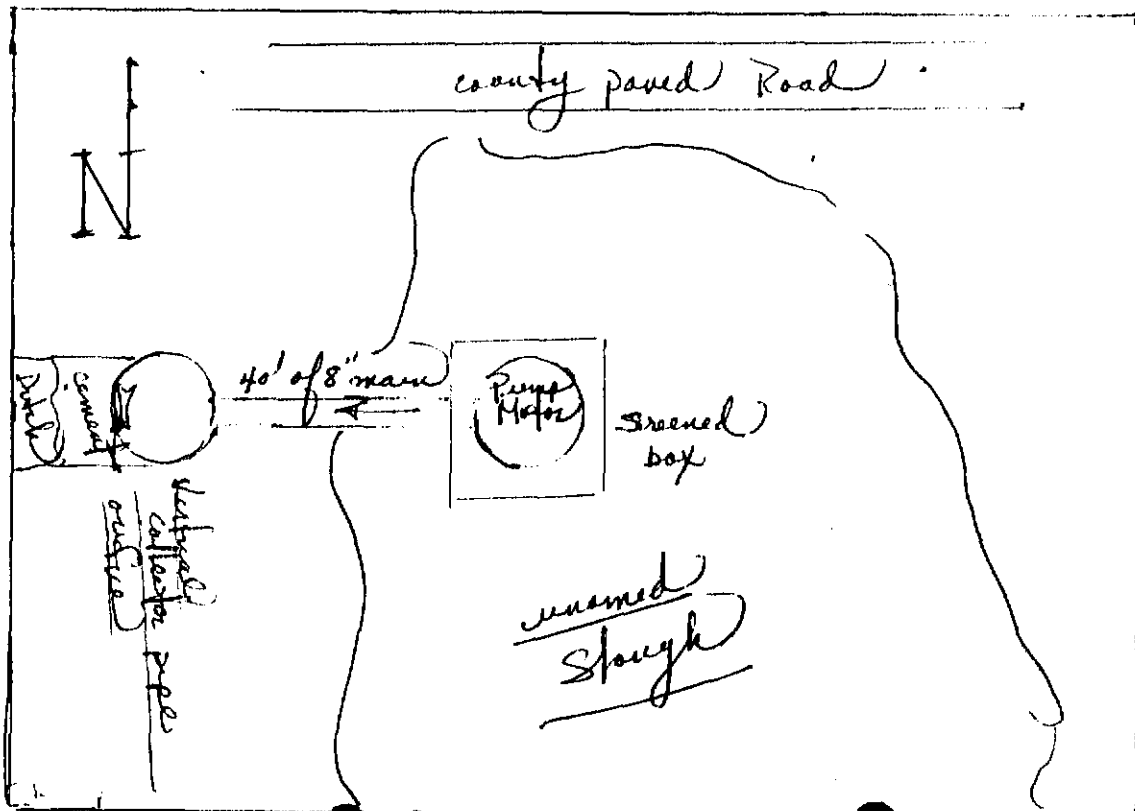


Diagram of System



DATE OF EXAM 7/27/17

Found 9 acs
Recommended 9 ac

Irrigation Requirement 3.5 Ac Ft/Ac

USE Irrigation Q = .18 c.f.s. V = 31.5 AF/Ann. from April to Nov
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

is water co-mingled? yes _____ no X

Name source: n/a
 twp. N/S, Rge E/W, B.M., Sec , Sub 1/4 1/4 County

Exchange? yes_____ no X

Name source exchanged with: SA [signature]
 twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
 County

Point of injection: n/2
 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 1.03 cfs Method of measurement V-notch weir

Total Q recommended 18 cfs Meter No. n/a Type n/a Condition good.

Total V recommended 31.5 M/Ann

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

None

MEASUREMENT, CALCULATION:

MEASUREMENT CALCULATION:
Measured 70m head = 1.03 cfs

$$V = 9 \times 9.5 = 31.5 \text{ Aft/An} \times 215 \times 1.98 \times 1.8 \text{ E. To To Aft/An}$$

TRK 9/27/17

SYSTEM DESCRIPTION:

SYSTEM DESCRIPTION:
Water is diverted from an unnamed slough tributary to
Spring Creek by a 7.5 HP. 3ph. V-S Electrical
motor, S/N 286097, MK-1 CFI and a 40' long
& 16" vertical Turbine pump, # 169081. Water
is pumped 40' thru a 8" diam steel main where
it open discharges into a N-S ditch. The acreage is
REMARKS: then flood irrigated.
System shown described & operated by Mrs.
Hedley.

Examiner's Signature Anthony K. Negloski Date 7/27/17

Checked by Ernest M. Cullen Date 3/15/28

Approved by _____ Date _____

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[X] Water Right Number(s): A2S-00258A, A2S-07059

[X] Name and Address of Former Claimant(s): GENEVIEVE HADLEY

725 N. 3300 E.

MEUAN, ID. 83434

[X] New Claimant(s): CLIFTON B RHOODE HOUSE

[X] New Mailing Address: 698 N. 3300 E.

MEUAN, ID. 83434

New Telephone Number: () 754-0082

[X] Does the change in ownership result in a splitting of the water right claimed? yes X no
If yes, then describe the portion of the water right that is now claimed by the new owner:

[X] Attach proof of ownership
Describe proof attached: COPY OF REAL ESTATE MORTGAGE
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[X] Signature of New Claimant(s): Clifton B Rhoadhouse

Date: March 5 1991

MICROFILMED
NOV 10 1992

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s): _____

Date: _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3-5-91 By: *EBV*

Further Action Needed:

Further Action Taken *NONE*

Date: By:

Final Review and Data-Entry

Date: 3-5-91 By: *EBV*

Claim Numbers of Split, if any:

NONE

*COPY OF CORRECTED CLAIMS GIVEN TO ~~THE~~ NEW
OWNER 3-5-91 - EBV -
NO CORRESPONDENCE IS NECESSARY.*

After form has been completed, please return to the nearest
IDWR office below:

WESTERN REGIONAL OFFICE

2735 AIRPORT WAY
BOISE, IDAHO 83705
(208) 334-2190

EASTERN REGIONAL OFFICE

150 SHOUP SUITE #15
IDAHO FALLS, IDAHO 83402
(208) 525-7161

STATE OFFICE

1301 N. ORCHARD ST.
STATEHOUSE MAIL
BOISE, IDAHO 83720
(208) 327-7906

SOUTHERN REGIONAL OFFICE

222 SHOSHONE STREET EAST
TWIN FALLS, ID 83301
(208) 734-3578

NORTHERN REGIONAL OFFICE

1910 NORTHWEST BLVD. SUITE 210
COEUR D'ALENE, IDAHO 83814
(208) 765-4639

250919

Notation No. 1907 January 1989
 At 1105 2 o'clock A. M.
 Jefferson 2 Deputy
 Fee \$ 9.00 5k
 Recorded at Request of First American Title

REAL ESTATE MORTGAGE

THIS MORTGAGE, made by CLIFTON B. RHODEHOUSE and GLORIA D. RHODEHOUSE,
 husband and wife, of the County of Bonneville, State
 of Idaho, as "MORTGAGOR", and GENEVIEVE C. HADLEY, a widow
 of the County of Jefferson, State
 of Idaho, as "MORTGAGEE",

WITNESSETH: That the said Mortgagor, in and for valuable consider-
 ations hereinafter described, the receipt whereof is hereby acknowledged,
 does grant, bargain, sell and convey unto the said Mortgagee, her
 successors and assigns forever, the following described real estate
 situated in Jefferson, County, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

Notation No. 251670
24 March 1989
 At 308 o'clock P. M.
 Jefferson 2 Deputy
 Fee \$ 9.00 5k
 Recorded at Request of First American Title

TOGETHER WITH all the improvements, privileges and appurtenances
 thereunto belonging and the rents, issues and profits thereof, and all
 rights of homestead exemption, together with all ditch and water rights
 of every nature, however evidenced, used on said land or belonging to
 the same or said Mortgagor, or which may be hereafter acquired or used
 upon said land. Said Mortgagor hereby warrants the title to said land and
 water rights against all persons whomsoever, and agreed to defend the same.

This grant is intended as a mortgage:

(1) To secure in whole or in part the performance of the covenants
 and agreements hereinafter contained and the payment of the following des-
 cribed promissory note(s) made by one or more of the Mortgagors (unless
 otherwise indicated) to the order of the Mortgagee, together with interest
 as hereinafter provided and together with all renewals or extensions thereof.

DATE OF NOTE(S)AMOUNT OF NOTE(S)MATURITY DATE(S)

January 16th, 1989

\$22,000.00

January 16th, 1999

(2) To secure payment of any and all extensions or renewals, and
 successive extensions or renewals of the notes above described, or of the
 indebtedness represented by the same, and of any other indebtedness at any
 time secured by this mortgage, whether represented by notes, drafts, open
 account or otherwise, and all the interest on all of the same, all of which
 extensions or renewals shall be optional with the Mortgagee, but at the
 Mortgagee's option may be made by new notes or otherwise, and at, before, or
 after maturity, and for all of which this mortgage shall stand as a continuing
 security until paid.

The said Mortgagor hereby covenants and agrees to pay, before the
 same become delinquent, all taxes and assessments upon said premises, or
 this mortgage, or debt secured hereby, laid, or assessed in Idaho; also
 all personal taxes; also all dues or assessments upon ditch or water
 rights or water stock representing water appurtenant to said premises,
 and in the event of default so to do, the holder hereof may pay the same;
 to keep the buildings located upon the said premises insured in the sum of
 at least \$ 22,000.00, with loss, if any, payable to
 the said Mortgagee, or assigns, with some company to be approved by the
 Mortgagee, and deliver all policies and the renewals thereof, to it, and
 in the event of default to so do, the holder hereof may insure the same.

In case of the foreclosure hereof the said Mortgagor agrees to pay a reasonable attorney's fee, the same to be a lien upon the said premises and due and payable when suit is begun. The plaintiff in such suit of foreclosure shall be entitled, without notice, to the appointment of a receiver, to collect and receive the rents, issues and profits of the mortgaged premises, and to exercise such other powers as the court shall confer. It is also agreed that should this mortgage be foreclosed, then in the decree of foreclosure entered in such action, the property described therein may be ordered sold en masse, or as one lot or parcel, at the option of the Mortgagee.

It is also agreed, that time is material and of the essence hereof and that the failure to pay when due any sum herein covenanted to be paid, or secured hereby, or the failure to comply with one of the agreements hereof, shall cause the whole debt to become due and collectable at the option of the Mortgagee, without notice; that all money paid by the said Mortgagee for insurance, taxes, or water or water stock assessments, or ditch dues, rents or assessments, or any sum paid in protection of the lien of this mortgage shall bear interest from the date of such payment at the rate of 13% per annum and shall be secured hereby and collectable with the said principal note.

And also, that the Mortgagee may at any time, without notice, release portions of said mortgaged premises from the lien of this mortgage, without affecting the personal liability of any person for the payment of the said indebtedness or the lien of this mortgage upon the remainder of the mortgaged premises for the full amount of said indebtedness then remaining unpaid.

This mortgage and the notes secured hereby shall be governed and construed according to the laws of the State of Idaho at the date of execution.

The word "Mortgagor" and the language of this instrument shall, where there is more than one Mortgagor, be construed as plural, and be binding equally on all Mortgagors; and the word "Mortgagee" shall be construed as including any lawful holder hereof; and both the words "Mortgagor" and "Mortgagee" shall be construed as including the heirs, executors, administrators, successors and assigns of each, as the case may be.

IN WITNESS WHEREOF, the said Mortgagor(s) have hereunto set their hands and seals this 16th day of January, 1989.

Clifton B. Rhodehouse
Clifton B. Rhodehouse

Gloria D. Rhodehouse
Gloria D. Rhodehouse

STATE OF IDAHO)
County of Bonneville) ss.

On this 16th day of January, 1989, before me, the undersigned, a Notary Public, personally appeared CLIFTON B. RHODEHOUSE and GLORIA D. RHODEHOUSE, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Marion Hawley
Notary Public for Idaho
Residing at: Idaho Falls, Idaho
My Commission Expires: 11/19/93

Township 5 North, Range 37, East of the Boise Meridian,
Jefferson County, Idaho,

Section 25: The S1/2SE1/4 lying East and South of /Spring
Creek. *CPR S. C. N. the Centerline of*

EXCEPTING THEREFROM: Beginning at the Southeast Corner of Section 25, Township 5 North, Range 37, East of the Boise Meridian; thence North along the East section line of said section for a distance of 367.71 feet; thence West for a distance of 24.31 feet to the TRUE POINT OF BEGINNING; thence N00°11'06"E for a distance of 251.74 feet; thence N84°17'45"W for a distance of 118.92 feet; thence S03°47'58"W for a distance of 238.62 feet; thence S79°11'08"E for a distance of 135.74 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING that portion of the following described property not already excepted: Beginning at a point 716.7 feet South of the Northeast Corner of the South Half of the Southeast Quarter of Section 25, Township 5 North, Range 37, East of the Boise Meridian, thence North 313.9 feet to Spring Creek; thence West 160 feet; thence South 313.9 feet; thence East 160 feet, to the point of beginning.

ALSO EXCEPTING THEREFROM: Any highway or county road right of ways.

Section 36: N1/2N1/2NE1/4 lying East of /Spring Creek. *CPR S. C. N. the Centerline of*

EXCEPTING THEREFROM: Beginning at a point 500 feet West of the Northeast Corner of the S1/2N1/2NE1/4 of said Section 36, said point of beginning, being a point on the West bank of a Slough being a tributary of Spring Creek, and running thence West 1680 feet, more or less to a point in the center of Spring Creek; thence in a Northeasterly direction in Spring Creek and along center line of said Creek 200 feet more or less, to a point 196.5 feet North of North boundary line of S1/2N1/2NE1/4 of said Section 36; thence East 1425 feet, more or less to a point on the West bank of said Slough, said point being 196 feet North and 650 feet West of the Northeast Corner of said S1/2N1/2NE1/4 of said Section 36; thence in a Southeasterly direction along West bank of said Slough 260 feet, more or less to the point of beginning.

ALSO EXCEPTING THEREFROM: Any highway or county road right of ways.

TOGETHER WITH any and all rights Grantor has or may hereafter acquire in the 50 miners inches of water in the Spring Creek (Decreed December 16th, 1910, and referred to as Water Right No. 250258 and A25-00258A), the water license and/or permit known as A25-07059, the 7.5 horsepower motor and pump (located in the Southeast Corner of the subject property), the 10 horsepower motor and pump (located in the Northwest Corner of the subject property).

ALSO TOGETHER WITH any and all rights of access to and from the subject property as described in that certain Affidavit recorded as Instrument No. 250917 / , records of Jefferson County, Idaho. and re-recorded as Instrument No. 251668

ALSO TOGETHER WITH any and all rights of ditch and right of way rights for water to the subject property. Such ditch and right of way runs along or near the South and West bank of the slough which runs through Lyle Cottle's property (lying South of the subject property), the water proceeds from and through the Long Island Irrigation Co. canals and ditches.