

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: A25-12976
Date Received: 9/12/1989
Receipt No: E010307
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: O. W. RANCHES, INC. 801-336-2282
Address: 10095 SOUTH 1000 WEST
SOUTH JORDAN, UT 84065

2. Date of Priority: JUL 18, 1888

3. Source: BRIDGE CREEK Trib. to: GREYS LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	43E	25	SE	SE			BONNEVILLE

5. Description of diverting works:
DIVERSION BOX TO DITCHES FOR FLOOD IRRIGATION

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 402.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	43E	25	SW	SW		IRR	4.0
			SE	SW		IRR	40.0
			SW	SE		IRR	40.0

A25-12976

Page 1

Date: 09/12/89

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A2512976

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	43E	25	SE	SE		IRR	38.0
						Section Acres	122.0
		36	NW	NE		IRR	19.0
			NE	NW		IRR	20.0
						Section Acres	39.0
						Total Acres	161.0

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:
NONE

14. Remarks:
SEE COPY OF ATTACHED DEED AS BASIS OF THIS RIGHT

15. Basis of Claim: BENEFICIAL USE

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 Manager of
O.W. Randes Inc, that I have signed the foregoing
Organization
document in the space below as Manager of
O.W. Randes Inc and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Man.
Title and Organization

Sept 12 89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of Sept 19 89

Betty J. Thompson
Notary Public

Seal



Residing at BETTY J. THOMPSON, NOTARY PUBLIC
My Commission Expires
RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

466

2' 30"

465

464

463

PLACE OF USE

POINT OF DIVERSION

36

T
4
S

R43E

K44E

A25-12976

BOONEVILLE CO.

CARIBOU CO.

WICHITA CO.

Log for claim 25-12976

Spatial Dynamics CAT

11/20/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04s43e	25	SWSW	4	40	Indiscernible
04s43e	25	SESW	40	40	
04s43e	25	SWSE	40	40	
04s43e	25	SESE	38	40	
04s43e	36	NWNE	19	18	
04s43e	36	NENW	20	19	
Totals:			161	197	

AJ5809NP
No. A25-12976

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 70

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	O W RANCHES INC 10095 SOUTH 1000 WEST SOUTH JORDAN UT 84065 (801) 336-2282	07/18/1888	IRRIGATION	04-01 11-01	6.400 CFS	
TOTAL DIVERSION:					6.400 CFS	
CONSUMPTIVE USE:						402.50 AFA

Water Source: BRIDGE CREEK

Tributary to: GREYS LAKE

Stage: BENEFICIAL USE

Point(s) of Diversion: T04S R43E S25 SESE

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
04S	43E 25	:								:								:
04S	43E 36	:		19						:		20						:
TOTAL ACRES																		161.0

POU County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN SEE COPY OF ATTACHED DEED AS BASIS OF THIS RIGHT

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 09/12/89 WILSON 03/29/95 POST-STD

May 2, 1991

O.W. Ranches, Inc.
10095 South 1000 West
South Jordan, UT 84065

RE: Evidence of Priority

Dear Sir:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by **June 3, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILMED

NOV 11 1992

O.W. Ranches, Inc.

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-12976
D. W. RANCHES, INC.
10095 SOUTH 1000 WEST

SOUTH JORDAN UT 84065

MICROFILMED

NOV 11 1992

ABSTRACT OF TITLE

TO

The following described Real Estate:

[The southwest quarter of the northeast, the southeast quarter of the northwest quarter, the east half of the southwest quarter, and the southeast quarter of section twenty-five, township four, south of range forty-three, east of the Boise Meridian.]

Loan No. *D 4469*
Application No. *26762*
Received _____
Filed *JUL 2 - 1935*
THE FEDERAL LAND BANK
OF SPOKANE

APPLICATION NO.	<i>A 26762</i>
APPLICANT	<i>Chas. V. Tingley</i>
N. F. L. A.	<i>Comm</i> STATE <i>Idaho</i>

THE IDAHO ABSTRACT AND TITLE COMPANY
Idaho Falls, Idaho

6037 FEB 1

United States of America By Theodore Roosevelt, President, SEAL Grantors TO Perry Tingey. Grantees	Instrument— Patent. Date— May 25, 1908. Recorded— August 12, 1916, at 2:30 P.M. Book 1 of Deeds Page 12 Records of Bonneville Co., Idaho. Transcribed from Book Page Records Bingham Co., Idaho. Consideration— Full Payment.
---	---

Name of Witnesses— Date of Acknowledgement— Name and Title of Officer— Address of Officer— Is wife separately examined? Granting words— Covenants— Conditions, Limitations and Recitals—	Official Seal Attached?
---	--------------------------------

Description and Remarks [North half of the southeast quarter, Southwest quarter of the northeast quarter, southeast quarter of the northwest quarter of section twenty-five, township four, south of range forty-three, east of the Boise Meridian] containing 160 acres.

FLB 3 FLB 5

United States of America,
by the President, T. Roosevelt,
SEAL,

Grantors

TO

Perry G. Tingey,

Grantees

Instrument— Patent.

Date— April 10, 1907.

Recorded—Aug. 24, 1931, at 11:22 A.M.

Book 30 of Deeds Page 604
Records of Bonneville Co., Idaho.

Transcribed from Book Page
Records Bingham Co., Idaho.

Consideration— Dull consideration.

Name of Witnesses—

Date of Acknowledgement—

Name and Title of Officer—

Address of Officer—

Is wife separately examined?

Official Seal Attached?

Granting words—

Covenants—

Conditions, Limitations and Recitals—

Description and Remarks

Dated this

The south half of the southeast quarter and the
east half of the southwest quarter of section
twenty-five, in township four, south of range
forty-three, east of the Boise Meridian, in Idaho,
containing one hundred and sixty acres.

Dated this

FLB 4

FLB 5

SEVT
BY the President, L. ROOSEVELT
UNITED STATES OF AMERICA

RECEIVED
RECORDED
INDEXED
DATE
FILED

CERTIFICATE OF ABSTRACTER

State of Idaho,
Bonneville County,

ss.

The Idaho Falls Abstract and Title Company, of Idaho Falls, Idaho, Abstracter of Title in and for said County, does hereby certify that the foregoing abstract, consisting of two transfers, numbered from 1 to 2 inclusive, sets forth a true and correct abstract of the records in the office of the County Recorder of Bonneville County, Idaho, which in any way affect the title to the property described in the caption of this abstract.

We further certify that there are no taxes due and unpaid, and that there are no judgments or other liens of record in the office of the Recorder or Clerk of the District Court of said County, which are a lien against the said lands described in caption of this abstract, except as follows, to-wit:

Last half of taxes for 1933 not paid.

This certificate is made to Perry G. Tingey

Witness our hands this 12th day of April 1934, at one o'clock P.M.

THE IDAHO FALLS ABSTRACT AND TITLE CO.

By *M. B. Bundy Secy*

This Certificate is hereby extended to include transfers Nos.

to inclusive.

Dated this day of 193 , at

o'clock M.

THE IDAHO FALLS ABSTRACT AND TITLE CO.

By _____

This Certificate is hereby extended to include transfers Nos.

to inclusive.

Dated this day of 193 , at

o'clock M.

THE IDAHO FALLS ABSTRACT AND TITLE CO.

By _____

CERTIFICATE OF RECORDING

Charles H. Tingey and wife,
Lois Tingey,
P. G. Tingey, sometimes
written Perry G. Tingey
Grantors
TO

Land Bank Commissioner.

the Southeast quarter
the East half of the

Instrument— Mortgage

Date—July 2, 1934

Recorded—Jany 19, 1935 at 10:30 A.M

Book 36 of Mortgages Page 137
Records of Bonneville County, Idaho

Transcribed from Book Page
Records Bingham County, Idaho

Consideration— \$4800.00

Name of Witnesses—

Date of Acknowledgement—January 8 1935 (for Charles H. Tingey and wife, Lois)

Name and Title of Officer— Colin Chester, Clerk of District Court.

Address of Officer—Soda Springs, Idaho Official Seal Attached? Yes.

Is wife seperately examined?

Granting words—

Covenants

Conditions, Limitations and Recitals— (P.G. Tingey, sometimes written Perry G. Tingey,
and Hattie Tingey, husband and wife, acknowledged
Jany 11 1935, before Henry W. Stahle, Notary Public
Bountiful Utah. (Seal)

Description and Remarks

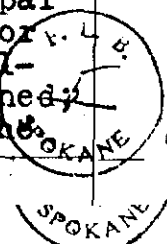
Tract 1— North half of the Southeast quarter, the Southwest quarter of the Northeast quarter, and the Southeast quarter of the Northwest quarter of Section 25, Township 4 South, Range 43 East Boise Meridian.

Tract 2— The South half of the Southeast quarter, and the East half of the Southwest quarter of Section 25, Township 4 South Range 43 East Boise Meridian.

Together with all water rights and rights in ditches, canals and laterals, and rights of way therefor, appurtenant to said premises or used in connection therewith now and / or at any time during the existance of this mortgage, including (but not limited to) the following:

All right to use of waters of Eagle Creek (being an undivided one-third interest in 5.3 cubin feet of water) evidenced by Water License #366 for State of Idaho, recorded Nov. 15, 1907, in Book Page also 320 inches of waters of Bridge Creek, with priority of July 1888.

P. G. Tingey, sometimes written Perry G. Tingey who as principal obligor upon the note hereby secured executed this mortgage for the purpose of binding himself as principal obligor to the fulfillment of all the covenants of the mortgagors herein contained; but does not thereby assert any ownership of or interest in the land hereby mortgaged.



The undersigned hereby certifies that the foregoing abstract of title, consisting of Sheets numbered from 1 to 3 both inclusive, comprises a true abstract of all conveyances, deeds, trust deeds, land contracts, mortgages, leases, mechanics' and other liens, attachments, notices of levy of execution, suits pending, tax sales, tax deeds, probate proceedings, special proceedings, bankruptcy and insolvency proceedings, unsatisfied judgments, in State Courts and Federal Courts holding terms in the County, if any; transcriptions of judgments, and any other matters not herein specified, of record in the public offices in the County of Bonneville, and State of Idaho prior to the 19th day of January, 1935, at 5 o'clock P. M., affecting the title to or constituting liens upon the following described real estate situate in said County, to-wit:

The Southwest quarter of the Northeast quarter,
the Southeast quarter of the Northwest quarter,
the East half of the Southwest quarter, and the
Southeast quarter of Section 25, Township 4 South Range
43 East Boise Meridian.

If said land, or any portion thereof, is situate within an irrigation, drainage, road or other special assessment district, report on special assessments:

This certificate does not cover Irrigation District Assessments.

Report on Taxes:

Last half taxes for 1933 not paid- \$61.00
Taxes for 1934 not paid - 89.66

This certificate is made for and at the request of The Federal Land Bank of Spokane and for the Land Bank Commissioner, this 19th day of January, 1935.

Idaho Falls Abstract & Title Co.

By [Signature] Secretary.

NOTE—This certificate must cover the entire abstract and the entire day on which the mortgage is filed.



No.4

Idaho Falls, Idaho

Perry G. Tingey and wife
Hattie M. Tingey

Grantors

TO

Charles H. Tingey.

Grantees

Instrument— Warranty Deed.

Date— June 4, 1934

Recorded— May 22, 1935 at 11:32 A.M

Book 26 of deeds Page 445
Records of Bonneville County, Idaho

Transcribed from Book Page
Records of Bingham County, Idaho

Consideration— \$4300.00

\$4.50 IRS cancelled on deed

Name of Witnesses—

Date of Acknowledgement— June 4, 1934

Name and Title of Officer— Henry W. Stahle, Notary Public

Address of Officer— Bountiful, Utah

Official Seal Attached? Yes.

Is wife separately examined?

Granting words—

Covenants—

Conditions, Limitations and Recitals—

If said land, or any portion thereof, is in the
assessment district, report as required by law.

Description and Remarks

Report on Taxes:

The North half of the Southeast quarter,
the Southwest quarter of the Northeast
quarter, and the Southeast quarter of the
Northwest quarter of Section 25, Township 4
South Range 43 East Boise Meridian.

Also the South half of the Southeast quarter,
and the East half of the Southwest quarter
of Section 25, Township 4 South Range 43
East Boise Meridian

Together with all water rights and rights in ditches, canals, and
laterals and right of way therefor, appurtenant to said premises or
used in connection therewith now and or, at any time during the
existence of this mortgage, including (but not limited to the following:

All rights to use of waters of Eagle Creek (being an undivided
one-third interest in 5.6 cubic feet of water) evidenced by Water
License #366 for State of Idaho, recorded Nov 15, 1907 in Book 1
page 243, also 320 inches of waters of Bridge Creek, with priority
of July 1888.



RECEIVED
JAN 22 1935
COUNTY CLERK

DEPARTMENT OF LAND
SPOKANE, IDAHO

The Undersigned hereby certifies that the foregoing Abstract of Title, consisting of Sheets numbered from 4 to , both inclusive, comprises a true abstract of all conveyances, deeds, trust deeds, land contracts, mortgages, leases, mechanics' and other liens, attachments, notices of levy of execution, suits pending, tax sales, tax deeds, probate proceedings, special proceedings, bankruptcy and insolvency proceedings, unsatisfied judgments, in State Courts and Federal Courts holding terms in the County, if any; transcriptions of judgments, and any other matters not herein specified, of record in the public offices in the County of Bonneville and State of Idaho subsequent to the 19th day of January, 1935, at 5:00 o'clock P.M., affecting the title to or constituting liens upon the following described real estate situate in said County, to-wit:

The Southwest quarter of the Northeast quarter,
the Southeast quarter of the Northwest quarter,
the East half of the Southwest quarter and the
Southeast quarter of Section 25ⁿ Township 4
South Range 43 East Boise Meridian.

If said land, or any portion thereof, is situate within an irrigation, drainage, road or other special assessment district, report on special assessments:

Report on Taxes:

Taxes for 1934 and prior taxes paid.

Land Bank Commissioner

This certificate is made for and at the request of The ~~Federal Land Bank of Spokane~~, this

22nd day of May, 1935, at 5:00 o'clock P. M.

Idaho Falls Abstract & Title Co.

By M. Bundy Secretary.

(This certificate must cover up to and including 5:00 p. m. on the day on which made.)

SEE SM 1-22



THIS INDENTURE, Made the 4th day of June, in the year of our Lord one thousand nine hundred and Thirty-four, between Perry G. Tingey and Hattie Tingey, husband and wife,

of the County of Centerville and State of Utah, the parties of the first part, and

Charles H. Tingey
of the County of Bonneville and State of Idaho, the part Y of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of

Forty-three Hundred and No/100ths (\$4300.00) ----- DOLLARS,

lawful money of the United States of America, to them in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, do by these presents Grant, Sell, Bargain and Convey and Confirm unto the said party of the second part, and to his heirs and assigns, forever, all that certain lot, piece or parcel of land situate, lying and being in the County of Bonneville and State of Idaho, and bounded and described as follows, to-wit:

The North Half of the Southeast Quarter, the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Northwest Quarter of Section Twenty-five, Township Four South, Range Forty-three, East of the Boise Meridian.

Also, the South Half of the Southeast Quarter, and the East Half of the Southwest Quarter of Section Twenty-five, Township Four South, Range Forty-three, East of the Boise Meridian.

Together with all water rights and rights in ditches, canals and laterals, and rights of way therefor, appurtenant to said premises or used in connection therewith now and/or at any time during the existence of this mortgage, including (but not limited to) the following:

All right to use of waters of Eagle Creek (being an undivided one-third interest in 5.6 cubic feet of water) evidenced by Water License # 386 for State of Idaho, recorded November 15, 1907, in Book 1, Page 243, also 320 inches of waters of Bridge Creek, with priority of July, 1888.

Bonneville County, Idaho.

\$4.50 in U.S.I.R. Stamps
Attached and cancelled.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise pertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part, and to his heirs and assigns, forever, and the said parties of the first part and their heirs, and the said premises in a quiet and peaceable possession of the said part Y of the second part, his heirs and assigns, against the said parties of the first part and their heirs, and against and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals, the day and year first above written.

Signed, Sealed and Delivered in the Presence of

E. J. Soelberg

Perry G. Tingey (Seal)

Hattie Tingey (Seal)

(Seal)

(Seal)

STATE OF ~~Idaho~~ ^{Utah}

County of Davis ss.

~~DOUGHERTY~~ on this 4th day of June 1934 ~~at the year 1934~~, before Henry W. Stahle, notary public in and for said ~~County~~ ^{State}, personally appeared Perry G. Tingey and Hattie Tingey, husband and wife,

known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official

FARM MORTGAGE

THIS MORTGAGE, Made this 2nd day of July, 1934

by Charles H. Tingey and Lois Tingey, husband and wife; and P. G. Tingey, sometimes
written Perry G. Tingey
 of Gray in the County of Bonneville, State of Idaho, mortgagors, to
 the Land Bank Commissioner, acting pursuant to Part 3 of the Act of Congress known as the Emergency Farm Mort-
 gage Act of 1933, at his office and place of business in the City of Spokane, State of Washington, mortgagee,

WITNESSETH: That in consideration of a loan to the mortgagors, evidenced as hereinafter described, the
 mortgagors do hereby grant, bargain, sell, and convey to the mortgagee the following described real property situated in
 the County of Bonneville, State of Idaho, to-wit:

TRACT 1: The North Half of the Southeast Quarter, the Southwest Quarter of the Northeast
 Quarter, and the Southeast Quarter of the Northwest Quarter of Section Twenty-five, Town-
 ship Four South, Range Forty-three, East of the Boise Meridian.

TRACT 2: The South Half of the Southeast Quarter, and the East Half of the Southwest
 Quarter of Section Twenty-five, Township Four South, Range Forty-three, East of the Boise,
 Meridian,
 Together with all water rights and rights in ditches, canals, and laterals, and rights
 of way therefor, appurtenant to said premises or used in connection therewith now and/or
 at any time during the existence of this mortgage, including (but not limited to) the
 following:

All right to use of waters of Eagle Creek (being an undivided one-third interest in 5.3
 cubic feet of water) evidenced by Water License #366 for State of Idaho, recorded November
 15, 1907, in Book , Page , also 320 inches of waters of Bridge Creek, with priority
 of July 1888,

together with the tenements, hereditaments, rights, privileges and appurtenances, now or hereafter belonging to or used in con-
 nection with the above described premises; and all plumbing, lighting, heating, cooking, cooling, ventilating, elevating, watering
 and irrigating apparatus and fixtures, now or hereafter belonging to or used in connection with the above described premises;
 and together with all waters and water rights of every kind and description and however evidenced or manifested, which now
 or hereafter may be appurtenant to said premises or any part thereof, or incident to the ownership thereof, or any part thereof,
 OF used in connection therewith; and together with all of the rents, issues and profits of the mortgaged property.

This conveyance is intended as a mortgage and is given as security for the performance of the covenants hereinafter con-
 tained and for payment to the mortgagee at his (the Commissioner's) office in the City of Spokane, State of Washington, of
 the debt evidenced by one promissory note executed by the mortgagors to the order of the mortgagee of even date herewith,

AT-35
 3-5-35

Recorded at Request of _____
at _____ M. Fee Paid \$ _____
by _____ Dep. Book _____ Page _____ Ref.: _____
Mail tax notice to _____ Address _____

QUIT-CLAIM DEED

LOIS S. TINGEY
of Bountiful, County of Davis, State of Utah, hereby
QUIT-CLAIMS to

ZIONS FIRST NATIONAL BANK, a national banking association,
as TRUSTEE in TRUST
of Salt Lake City, Salt Lake County, State of Utah, for the sum of
-----TEN----- DOLLARS,
and other good and valuable consideration
the following described tract of land in Bonneville County,
State of IDAHO: Idaho:

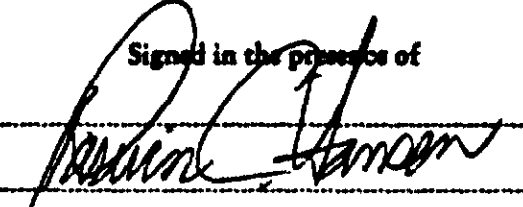
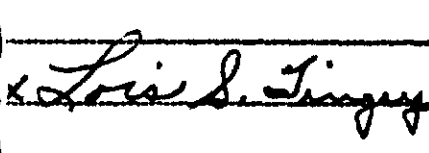
PARCEL NO. 1: The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of the NE $\frac{1}{4}$) the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of the NW $\frac{1}{4}$) the East Half of the Southwest Quarter (E $\frac{1}{2}$ of the SW $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of Section 25, T4S, R43E of the Boise Meridian, subject to the effect of that certain indenture dated the 25th day of October, 1925, and recorded in Book 30 of Deeds, Page 214 of the records of Bonneville County, Idaho, and subject further to the effect of that certain Deed dated the 25th day of August, 1934, and recorded in Book 26, Page 417 of the records of Bonneville County, Idaho as they pertain to a one acre parcel of ground situated in the Southeast corner of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of the NE $\frac{1}{4}$) of Section 25, T4S, R43E of the Boise Meridian.

PARCEL NO. 2: The West Half of the West Half of the Northeast Quarter (W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$), the East Half of the Northwest Quarter (E $\frac{1}{2}$ of the NW $\frac{1}{4}$), the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of Section 36, T4S, R43E of the Boise Meridian.

(Cont'd on reverse)

Witness the hand of said grantor, this 20 day of
October, A. D. one thousand nine hundred and seventy-two.

Signed in the presence of

 } 

STATE OF UTAH,

COUNTY OF DAVIS

ss.

On the 20 day of
personally appeared before me

October
LOIS S. TINGEY

MICROFILMED

NOV 1 1992
A.D. 19

WARRANTY DEED

LOUIS S. TINGLEY

grantor

Bountiful

Davis

State of Utah by

BOHNS FIRST NATIONAL BANK, a National Banking Association,
as Trustee in Trust

Salt Lake City, Salt Lake County, State of Utah

grantor

State of Utah by

-----TEN (\$10.00) and no/100----- DOLLARS,
and other good and valuable consideration

Bonneville

XXXX Idaho:

PARCEL NO. 1: The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of the NE $\frac{1}{4}$) the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of the NW $\frac{1}{4}$) the East Half of the Southwest Quarter (E $\frac{1}{2}$ of the SW $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of Section 25, T4S, R43E of the Boise Meridian, subject to the effect of that certain indenture dated the 25th day of October, 1925, and recorded in Book 30 of Deeds, Page 214 of the records of Bonneville County, Idaho, and subject further to the effect of that certain deed dated the 25th day of August, 1934, and recorded in Book 26, Page 417 of the records of Bonneville County, Idaho as they pertain to a one acre parcel of ground situated in the Southeast corner of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of the NE $\frac{1}{4}$) of Section 25, T4S, R43E of the Boise Meridian.

PARCEL NO. 2: The West Half of the West Half of the Northeast Quarter (W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$), the East Half of the Northwest Quarter (E $\frac{1}{2}$ of the NW $\frac{1}{4}$), the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of Section 36, T4S, R43E of the Boise Meridian, TOGETHER with all right to use the waters of Eagle Creek (being an undivided one-third interest in 5.6 cubic ft. of water), evidenced by water license No. 366 for the State of Idaho, recorded November 15, 1907, in Book 1, Page 243 of the records of Bonneville County, Idaho, and also 320 in. of water of Bridge Creek, with a priority of July, 1888, and together with all other water rights (See reverse side)

20th

day of

October

1972

MICROFILMED

NOV 11 1992

EXHIBIT "A"

509314

PARCEL NO. 1: The Southwest Quarter of the Northeast Quarter (SW1/4 of the NE1/4), the Southeast Quarter of the Northwest Quarter (SE1/4 of the NW1/4), the East half of the Southwest Quarter (E1/2 of the SW1/4) and the Southeast Quarter (SE1/4) of Section 25, T4S, R43E of the Boise Meridian, subject to the effect of that certain indenture dated the 25th day of October, 1925, and recorded in Book 30 of deeds, page 214 of the records of Bonneville County, Idaho, and subject further to the effect of that certain Deed dated the 25th day of August, 1934, and recorded in Book 26, page 417 of the records of Bonneville County, Idaho, as they pertain to a one acre parcel of ground situated in the Southeast corner of the Southwest Quarter of the Northeast Quarter (SW1/4 of the NE1/4) of Section 25, T4S, R43E, of the Boise Meridian. (Cont. 320 acres)

PARCEL NO. 2: The West half of the West half of the Northeast Quarter (W1/2 of the W1/2 of the NE1/4), the East half of the Northwest Quarter (E1/2 of the NW1/4), the Northeast Quarter of the Southwest Quarter (NE1/4 of the SW1/4), and the Southeast Quarter (SE1/4) of Section 36, T4S, R43E of the Boise Meridian. (Cont. 320 acres)

Together with all right to use the waters of Eagle Creek (being an undivided one-third interest in 5.5 cubic feet of water) evidenced by water license No. 366 for the State of Idaho, recorded November 15th, 1907, in Book 1, page 243 of the records of Bonneville County, Idaho, and also 320 inches of water of Bridge Creek, with a priority of July, 1888, and together with all other water rights and rights in ditches, canals and laterals and rights-of-way therefore appurtenant to said premises or used in connection therewith and all other tenements, hereditaments, and appurtenances belonging and appertaining to the above described real property.

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NOV 11 1992

and rights in ditches, canals and laterals and rights-of-way therefore appurtenant to said premises or used in connection therewith and all other tenements, hereditaments, and appurtenances belonging and appertaining to the above described real property.

MICROFILMED
NOV 11 1992

No. _____

WARRANTY DEED

Book No. 42

138929

STANDARD CO. PRINTERS & BINDERS, BOISE 190324

THIS INDENTURE, Made this 10th day of April in the year of our Lord one thousand nine hundred and thirty-nine, ~~between~~ between Hattie May Tingey, a widow of the , County of Bonneville and , State of Idaho the part y of the first part, and Charles Tingey of the the , County of Bonneville and the , State of Idaho the part y of the second part:

WITNESSETH, That the said part y of the first part, for and in consideration of the sum of Ten and No/100 DOLLARS, and other valuable consideration lawful money of the United States of America, to and in hand paid by the part y of the second part, the receipt whereof is hereby acknowledged, ha s Granted, Bargained and Sold, and by these presents do es Grant, Bargain, Sell, Convey and Confirm, unto the said part y of the second part, and to his heirs and assigns, forever, all of the following described real estate, situated in Bonneville County, State of Idaho, to-wit:

The East Half of the Northwest Quarter; the West Half of the West Half of the Northeast Quarter the Northeast Quarter of the Southwest Quarter; and the Southeast Quarter of Section 36, Township 4 South, Range 43 East, Boise Meridian.

\$.50 U. S. I. R. Stamp Attached and Cancelled.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest, in and to the said property, as well in law as in equity, of said party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part y of the second part, and to his heirs and assigns forever. And the said part y of the first part, and her heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, and his heirs and assigns, against the said part y of the first part, and her heirs, and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part y of the first part ha s hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

E. J. Soelberg	Hattie May Tingey
	(SEAL)
	(SEAL)
	(SEAL)
	(SEAL)

STATE OF IDAHO, }
COUNTY OF Bonneville } ss.
I Do Hereby Certify

On this 10th day of April, in the year 19 39, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared

Hattie May Tingey, a widow known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same. at Idaho Falls, Idaho

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

(SEAL) Earl J. Soelberg
My commission expires June 6, 1943 Residence: Idaho Falls, Idaho, Notary Public.

Recorded at the request of Earl J. Soelberg, March 2, 1940 at 9:12 A. M.

W. L. Brewrink

Recorder.

By Grace McIntosh Deputy Recorder.

Recorder's Fees, \$ 1.20

980164

[CORPORATE FORM]

Devere M. Watkins, Harmon C. Killebrew, Vibert L. Kesler, Jr.

See attached Exhibit "A" for description of property.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 9th day of June, A. D. 1975

KILLEBREW-SIMMENTAL Company
By Devere M. Watkins
Devere M. Watkins President.

County of Salt Lake

On the 9 day of June, A. D. 1975, personally appeared before me *Devere M. Gattis* and *Vibert L. Kessler* who being by me duly sworn did say, each for himself, that he, the said *Wether* is the president, and he, the said *Kessler* is the secretary of *Killbuck Industrial* Company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said *and* each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

My commission expires June 21, 1976 My residence is Salt Lake City, Utah NOV 1

BLANK NO. 1830-- 50,000 PUL. 54-- 1215 RD. 2000 EAST-- BALD LARKS ONLY

LAND TITLE COMPANY

P. O. BOX 1191

8686

DEVERE M. WATKINS and ROBERT L. KESLER, JR., of Salt Lake City, Utah
and HARMON C. KILLEBREW, of Ontario, Oregon, Grantors, CONVEY and
WARRANT TO WHEELER ENTERPRISES, INC., a Utah Corporation, Grantee,
for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS,
the following described tracts of land in Bonneville County, State
of Idaho:

PARCEL NO. 1: The Southwest Quarter of the Northeast Quarter (SW1/4 of the NE1/4), the Southeast Quarter of the Northwest Quarter (SE1/4 of the NW1/4), the East half of the Southwest Quarter (E1/2 of the SW1/4) and the Southeast Quarter (SE1/4) of Section 25, T4S, R43E of the Boise Meridian, subject to the effect of that certain indenture dated the 25th day of October, 1925, and recorded in Book 30 of deeds, Page 214 of the records of Bonneville County, Idaho, and subject further to the effect of that certain Deed dated the 25th day of August, 1934, and recorded in Book 26, Page 417 of the records of Bonneville County, Idaho, as they pertain to a one acre parcel of ground situated in the Southeast corner of the Southwest Quarter of the Northeast Quarter (SW1/4 of the NE1/4) of Section 25, T4S, R43E, of the Boise Meridian. (Cont. 320 acres)

PARCEL NO. 2: The West half of the West half of the Northeast Quarter (W1/2 of the W1/2 of the NE1/4), the East half of the Northwest Quarter (E1/2 of the NW1/4), the Northeast Quarter of the Southwest Quarter (NE1/4 of the SW1/4), and the Southeast Quarter (SE1/4) of Section 36, T4S, R43E of the Boise Meridian. (Cont. 320 acres)

EXCEPTING THEREFROM an undivided one-half interest in all mineral rights (including geo-thermal resources) which interest is retained, in equal shares, by the Grantors.

Together with all right to use the waters of Eagle Creek (being an undivided one-third interest in 5.6 cubic feet of water) evidenced by water license No. 366 for the State of Idaho, recorded November 15th, 1907, in Book 1, page 243 of the records of Bonneville County, Idaho, and also 320 inches of water of Bridge Creek, with a priority of July, 1888, and together with all other water rights and rights in ditches, canals and laterals and rights-of-way therefore appurtenant to said premises or used in connection therewith and all other tenements, hereditaments, and appurtenances belonging and appertaining to the above described real property.

DATED this 5th day of June, 1975.

STATE OF UTAH
COUNTY OF SALT LAKE)

Devere M. Watkins
Harmon C. Killebrew

pursuant to power of attorney to 7-75
Harmon C. Killebrew by Vibert L.
Kesler, Jr., his attorney-in-fact

Vibert L. Kesler, Jr.

On the 6th day of June, 1975, personally appeared before me
DEVERE M. WATKINS, HARMON C. KILLEBREW, by Vibert L. Kesler, Jr.,
his attorney-in-fact, pursuant to a Power of Attorney dated February-24, 1973, and VIBERT L. KESLER, JR., the signers of the instrument, who duly acknowledged to me that they executed the same.

My commission expires:

Notary Public

Residing at Salt Lake City, Utah

(Cont'd from Page 1)

Together with all right to use the waters of Eagle Creek (being an undivided one-third interest in 5.6 cubic feet of water), evidenced by water license No. 366 for the State of Idaho, recorded November 15, 1907, in Book 1, Page 243 of the records of Bonneville County, Idaho, and also 320 inches of water of Bridge Creek, with a priority of July, 1888, and together with all other water rights and rights in ditches, canals and laterals and rights-of-way therefore appurtenant to said premises or used in connection therewith and all other tenements, hereditaments, and appurtenances belonging and appertaining to the above described real property.

443092

STATE OF IDAHO)
County of Bonneville)

I hereby certify that the within is
a true and correct copy of the
FEB 5 9 32 AM '92

KEITH LONG, County Recorder

By W. J. Dwyer Deputy

Witness my hand and seal of office this 5th day of February 1902

P.O. Box 1709

Salt Lake City, Utah 84110

FILED	INDEXED
SERIALIZED	FILED
FEB 5 1902	

MICROFILMED

NOV 11 1992

THE UNITED STATES OF AMERICA

Desert Lands,
Certificate No. 1751

To All to Whom these Presents shall Come GREETING:

WHEREAS, Perry Tingey

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Blackfoot, Idaho,

whereby it appears that full payment has been made by the said

Perry Tingey

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled, "An Act making further provisions for the Sale of the Public Lands," and the acts supplemental thereto, for the north half of the southeast quarter, the southwest quarter of the northeast quarter, and the southeast quarter of the northwest quarter of Section twenty-five in Township four south of Range forty-three East of the Boise Meridian, Idaho, containing one hundred sixty acres,

according to the Official Plat of the Survey of the said Lands returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Perry Tingey

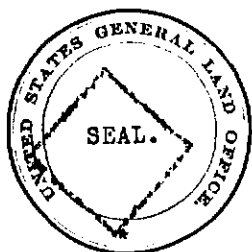
NOW, KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have GIVEN and GRANTED, and by these presents do GIVE and GRANT, unto the said Perry Tingey

and to his heirs, the said Tract above described.

TO HAVE AND TO HOLD THE SAME, Together with all the rights, privileges, immunities and appurtenances of whatsoever nature thereunto belonging, unto the said Perry Tingey

and to his heirs

and assigns, forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.



IN TESTIMONY WHEREOF, I, Theodore Roosevelt,

President of the United States

of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the twenty-fifth day of May, in the year of our Lord one thousand nine hundred and eight and of the Independence of the United States the one hundred thirty-second,

BY THE PRESIDENT: Theodore Roosevelt

By A. S. Stump Assistant

Secretary.

Recorded Vol. 779 Page 306.

H.W. Sanford,
Recorder of the General Land Office.

Filed for Record at 2:30 o'clock P. M., August 12th,
Perry Tingey

A. D. 1916, and recorded at the request of

F.W. Jordan,

By

Allice B. B. B.

Deputy.

County Recorder.

Fee \$1.00.

No. 97923.

THE UNITED STATES OF AMERICA,

To All To Whom These Presents Shall Come, Greeting:

Homestead Certificate No. 5083
Application 7112

WHEREAS There has been deposited in the GENERAL LAND

OFFICE of the United States a Certificate of the Register of the Land Office at Blackfoot, Idaho, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "TO SECURE HOMESTEADS TO ACTUAL SETTLERS ON THE PUBLIC DOMAIN," and the acts supplemental thereto, the claim of Perry G. Tingey has been established and duly consummated, in conformity to law, for the South half of the South East quarter and the East half of the South West quarter of Section twenty-five, in Township four South of Range forty-three East of Boise Meridian, in Idaho, containing one hundred and sixty acres according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor General:

NOW KNOW YE, That there is, therefore, granted by the United States unto

the said Perry G. Tingey the tract of Land above described: TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said Perry G. Tingey and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I Theodore Roosevelt, President of the United of America, have caused these lettersto be made Patent, and the seal of the GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the tenth day of April, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States the one hundred and thirty-first.

By the President: T. Roosevelt

Seal

By F. M. McKean, Secretary,
H. W. Sanford, Recorder of the General Land Office.

Recorded Idaho, Vol. 66, Page 129.

Recorded at the request of P. G. Tingey.
August 24, 1931, at 11:22 A. M.
Fee \$1.00
Bk. 50, p. 64.

W. L. Brewrink, Recorder.

By *Alvin H. Ball*, Deputy.

MICROFILMED

NOV 11 1992

625625

Recorded at Request of _____
at _____ M. Fee Paid \$ _____
by _____ Dep. Book _____ Page **SECRETARY OF STATE**
Mail tax notice to _____ Address _____

QUIT-CLAIM DEED

ELDRED G. WRIGHT

of South Jordan, County of Salt Lake, State of Utah, hereby
QUIT-CLAIM to

O. W. RANCHES, a Utah Corporation

of _____ grantee
--TEN AND 00/100-----(\$10.00)----- for the sum of
and other good and valuable consideration DOLLARS,
the following described tract of land in County,
State of ~~Utah~~ Idaho:

See Exhibit "A" attached hereto
and made a part hereof

INSTRUMENT NO. 625625
DATE 6-14-82
INST. CODE 356
CASH REC. 1678-18
FEE 4.00
STATE OF IDAHO
By Eldred G. Wright
Request of _____

JUN 14 11 26 AM '82

BONNEVILLE COUNTY
CLERK

625625

WITNESS the hand of said grantor, this 3rd day of
May, A. D. one thousand nine hundred and eighty-two

Signed in the presence of

Eldred G. Wright
ELDRED G. WRIGHT

STATE OF UTAH,
County of Salt Lake } ss.

On the 3rd day of May, A. D. one
thousand nine hundred and eighty-two personally appeared before me

ELDRED G. WRIGHT

the signer of the foregoing instrument, who duly acknowledge to me that he executed the same.

My commission expires 30 July 1985 Address: Sandy, Utah

Gregory F. Seal
Notary Public.

EXHIBIT "A"

TOWNSHIP 4 SOUTH, RANGE 43 EAST, BOISE MERIDIAN

Parcel No. 1:

Section 25: SW 1/4 NE 1/4, SE 1/4 NW 1/4, E 1/2 SW 1/4, SE 1/4 (excluding a one-acre parcel situated in the SW 1/4 NE 1/4 set aside as a cemetery).

Parcel No. 2:

Section 36: W 1/2 W 1/2 NE 1/4, E 1/2 NW 1/4, NE 1/4 SW 1/4, SE 1/4

A one-half (1/2) interest in the Mineral Rights (including geothermal) associated with the above-described real property.

An undivided one-third (1/3) interest in 5.6 Cubic Feet of Water from Eagle Creek, as evidenced by Water License No. 366 for the State of Idaho, recorded November 15, 1907 in Book 1, Page 243 of the Records of Bonneville County, Idaho.

[320 Inches of water of Bridge Creek, with a priority of July 18, 1888.]

A 10-year term grazing permit on the Caribou National Forest, Bridge Creek Allotment, for 175 cows from June 11th to September 30th each year amounting to 854 A.U.M.'s.

All improvements, fixtures and buildings located on the above-described real property.

INSTRUMENT NO. 67253
DATE 4-12-82
INST. CODE 352
FICHE NO. 1584-26
FEE \$10.00
STATE OF IDAHO)
COUNTY OF BONNEVILLE) ss
I hereby certify that the within
instrument was recorded.
recorded at request of _____
at _____ m. Fee paid \$ _____
by _____
By Mail tax notice _____
Request of _____

c/o Seal and Kennedy
5200, South Highland Dr., Suite 302
Salt Lake City, UT 84117
0 2 2 3 8 2

EXHIBIT "I"

WARRANTY DEED

WHEELER ENTERPRISES, INC., a corporation organized and existing under the laws of the State of Utah, with its principal office at Salt Lake County, State of Utah, grantor, hereby conveys and warrants to ELDRED G. WRIGHT, of South Jordan, County of Salt Lake, State of Utah, grantee, for the sum of Ten and 00/100 Dollars (\$10.00), and other good and valuable consideration, the following described tracts of land in Bonneville County, State of Idaho:

An undivided 62 percent interest in the following described property:

TOWNSHIP 4 SOUTH, RANGE 43 EAST, BOISE MERIDIAN

Parcel No. 1:

Section 25: SW 1/4 NE 1/4, SE 1/4 NW 1/4, E 1/2 SW 1/4, SE 1/4 (excluding a one-acre parcel situated in the SW 1/4 NE 1/4 set aside as a cemetery).

Parcel No. 2:

Section 36: W 1/2 W 1/2 NE 1/4, E 1/2 NW 1/4, NE 1/4 SW 1/4, SE 1/4

Said property being situate in Bonneville County, Idaho.

Together with a one-half (1/2) interest in the Mineral Rights (including geothermal) associated with the above-described real property.

Together with an undivided one-third (1/3) interest in 5.6 Cubic Feet of Water from Eagle Creek, as evidenced by Water License No. 366 for the State of Idaho, recorded November 15, 1907 in Book 1, Page 243 of the Records of Bonneville County, Idaho.

Together with 320 Inches of water of Bridge Creek, with a priority of July 18, 1888.

WITNESS the hand of said grantor, this 10th. day of March, 1982.

Attest:

WHEELER ENTERPRISES, INC.

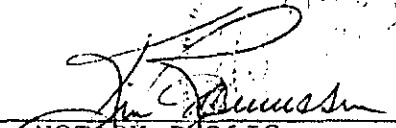
By

President

STATE OF UTAH)
(ss.
COUNTY OF SALT LAKE)

On the 10th. day of March, 1982, personally appeared before me Don M. Wheeler and W. B. Egan, who being by me

duly sworn did say, each for himself, that he, the said Don M. Wheeler is the president, and he, the said W. B. Egan is the secretary of Wheeler Enterprises, Inc., and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Don M. Wheeler and W. B. Egan each duly acknowledged to me that said corporation executed the same and the seal affixed is the seal of said corporation.


NOTARY PUBLIC
Residing at: Salt Lake County, UT.

My Commission Expires:

10/9/82

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NOV 11 1992