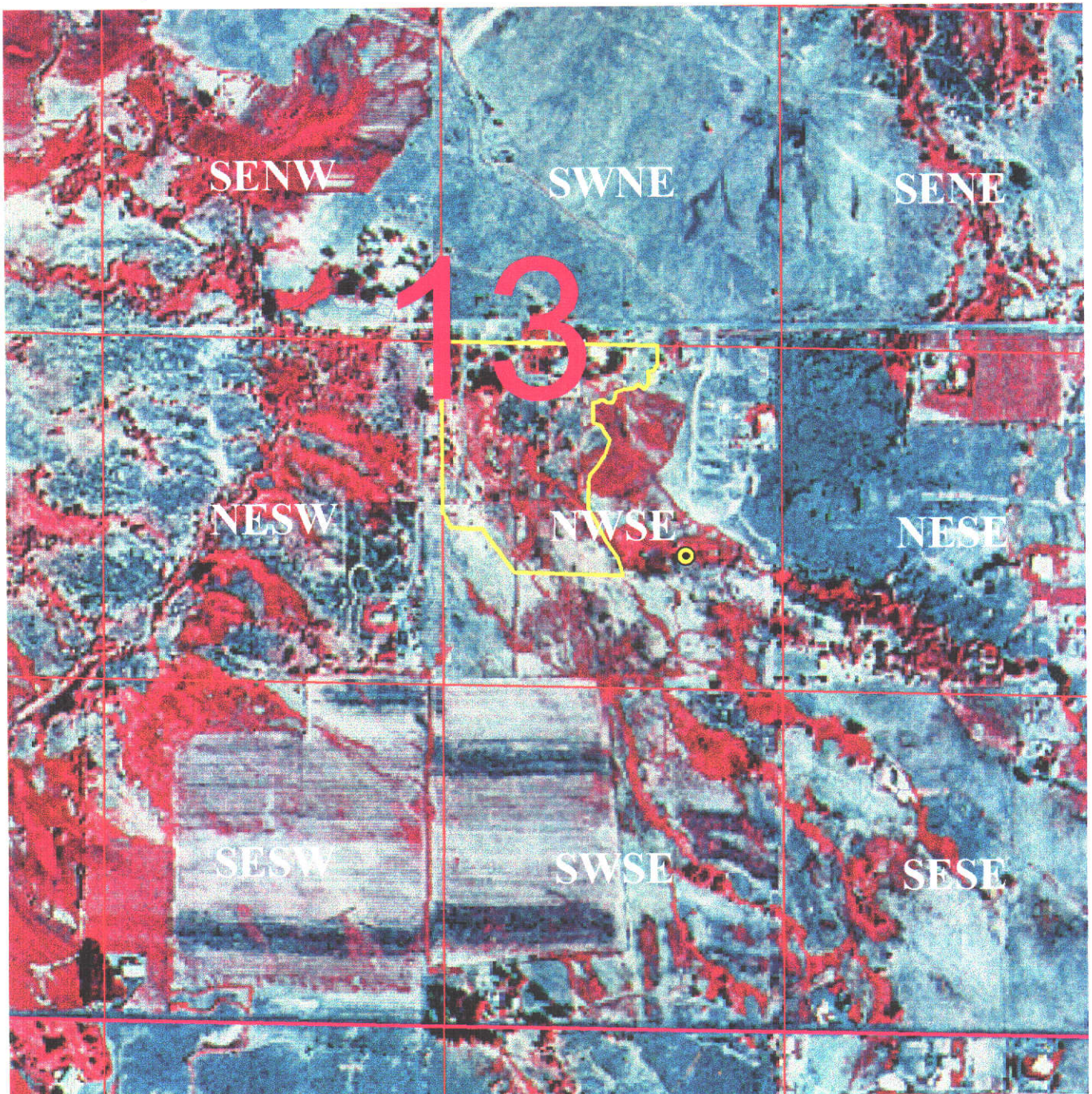


Water Right Claim Number 47-15274
Township , 9S14E

03/06/2001



Legend					
	Irrigated Area		Section Line		Roads
	Place of Diversion		Quarter Section Line		Streams and Canals

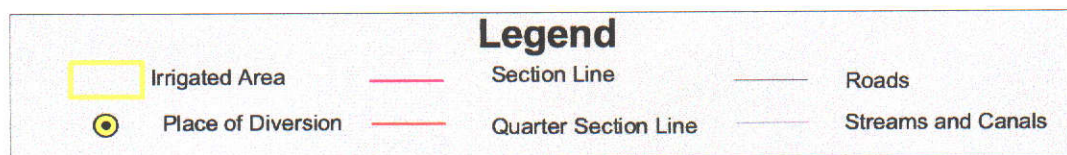
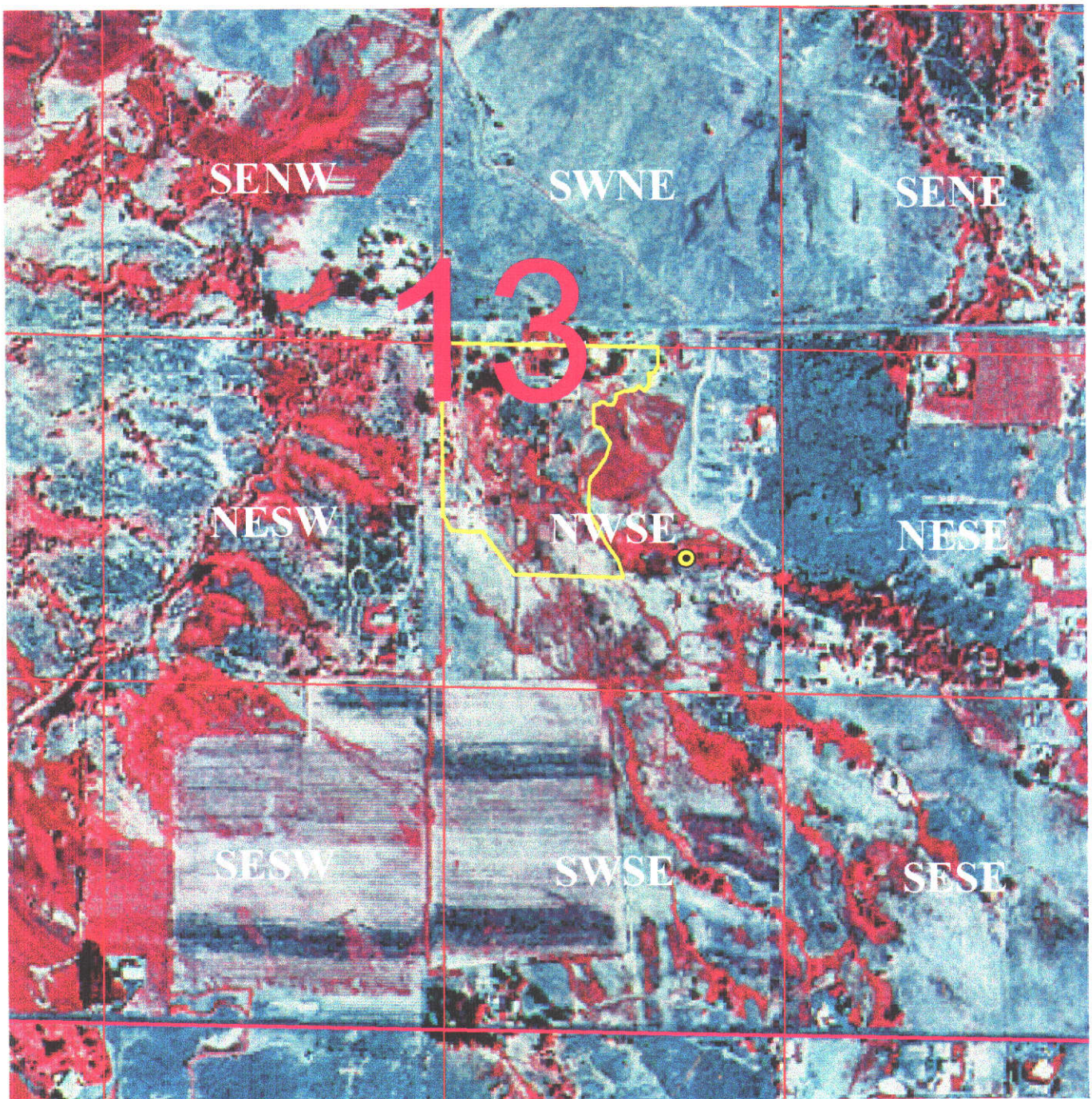


400 0 400 800 Feet



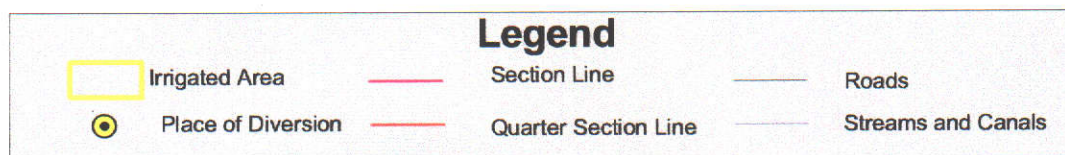
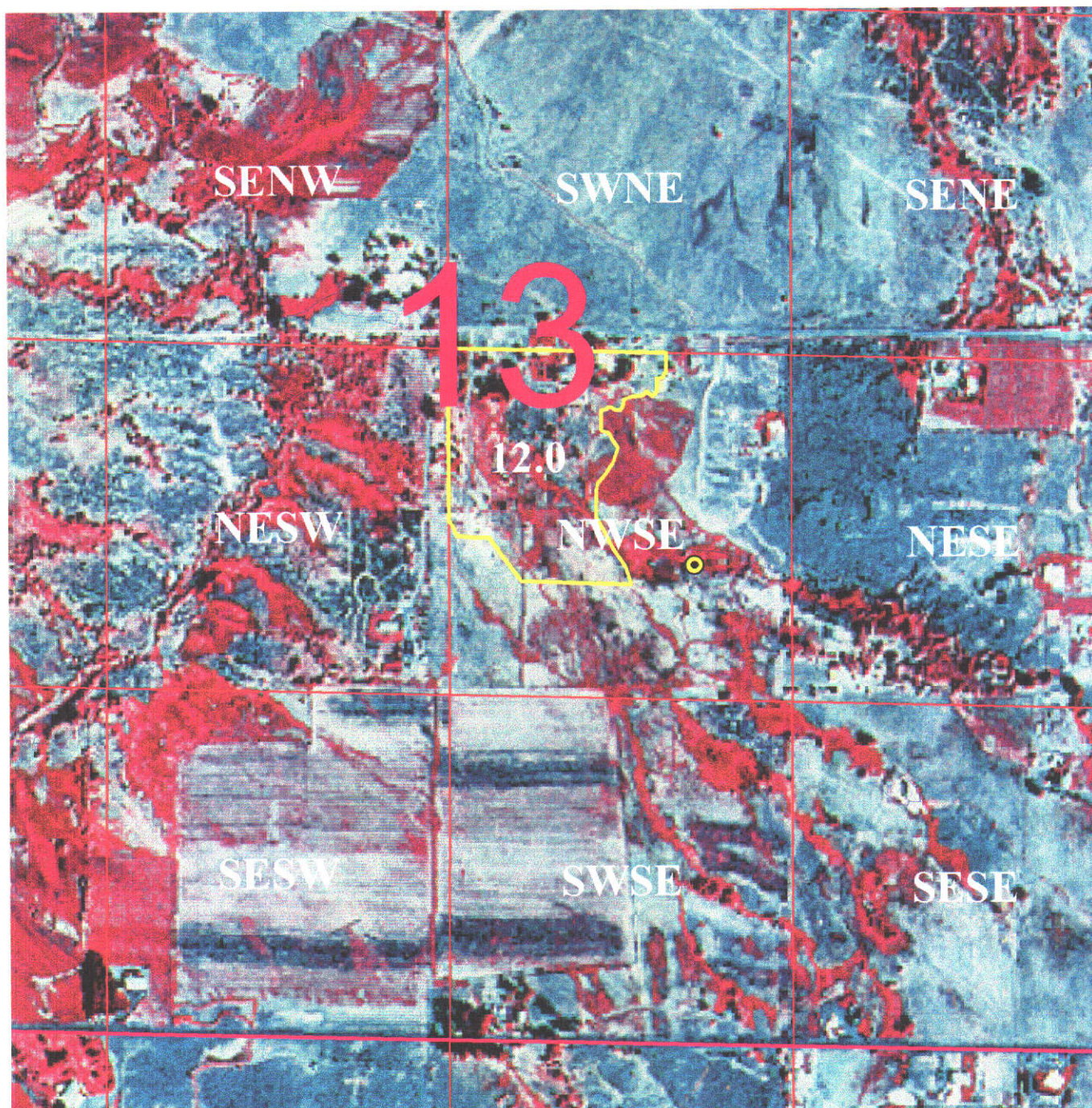
Water Right Claim Number 47-15274
Township , 9S14E

03/06/2001



Water Right Claim Number 47-15274
Township , 9S14E

03/06/2001



400 0 400 800 Feet



 SPATIAL
DYNAMICS

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: A47-15274

Date Received: 7/25/1988

Receipt No: X777777

Received By: *Ownership Change*
TLB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRED OSQUTHORPE 801-561-3936
Address: 9324 SOUTH 1300 WEST
WEST JORDAN UT 84088

AND/OR

Name: CAROL OSQUTHORPE 801-561-3936
Address: 9324 SOUTH 1300 WEST
WEST JORDAN UT 84088

2. Date of Priority: MAR 20, 1947

3. Source: UNNAMED STREAM Trib. to: J-3 COULEE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	13	NW	SE			TWIN FALLS

5. Description of diverting works:
CHECK DAM & DITCH, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	13	NW	SE		IRR	4.0

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DEC 1 1996

10. Place of Use: Continued

Section Acres 4.0

Total Acres 4.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

NONE

14. Remarks:

LAND HAS BEEN SPLIT INTO 3 PARCELS OWNED BY THE 3 DAUGHTERS OF MR. WONENBERG (NOW DECEASED). THE DIVERSION SYSTEM IS STILL OPERATED AS ONE UNIT, SO ALL 3 PARCELS ARE COVERED BY THIS ONE CLAIM. OF THE 17.5 ACRES OWNED, ABOUT 15 ACRES ARE IRRIGATED.

OWNERSHIP CHANGE 10/17/91 BY JG.

SPLIT RT. A47-07645A - PETERSON, BARBARA & DUANE A.

CLAIM BASED UPON A47-07645B BUT CLAIMANT WANTED TO CLAIM A BENEFICIAL USE CLAIM FOR THE SAME USE BUT FOR AN EARLIER PRIORITY DATE. KKC. 5-28-93.

OWNERSHIP CHANGE MADE 3-17-95 BY TLB. PETERSEN-FORMER OWNER, OSQYTHORPE-NEW OWNER. BOTH SINGATURES INCLUDED ON FORM.

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 Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: ~~MICROFILMED~~

DEC 1 1996

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

DEC 1 1996

Water Right Number - R47-15274

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
OSQUTHORPE

FRED

1 - 9324 SOUTH 1300 WEST
2 -
3 -

City- WEST JORDAN
Phone - 801-561-3936

State- UT Zip- 84088

OSQUTHORPE

CAROL

1 - 9324 SOUTH 1300 WEST
2 -
3 -

City- WEST JORDAN
Phone - 801-561-3936

State- UT Zip- 84088

*** O - ORIGINAL OWNER ***
PETERSEN

ELDON A.

1 - PO BOX 281
2 -
3 -

City- RUSH VALLEY
Phone - 801-268-0136

State- UT Zip- 84069

PETERSEN

DIXIE L.

1 - PO BOX 281
2 -
3 -

City- RUSH VALLEY
Phone - 801-268-0136

State- UT Zip- 84069

PETERSON

BARBARA JEAN

1 - 1461 E. 4450 N.
2 -
3 -

City- BUHL
Phone - 208-543-4629

State- ID Zip- 83316

PETERSON

DUANE A.

1 - 1461 E. 4450 N.
2 -
3 -

City- BUHL
Phone - 208-543-4629

State- ID Zip- 83316

MC GUIRE

CAROLYN D.

1 - P. O. BOX 323
2 -
3 -

City- IONE
Phone - 208-524-1447

State- ID Zip- 83427

MC GUIRE

MICHAEL

1 - P. O. BOX 323
2 -
3 -

City- IONE
Phone - 208-524-1447

State- ID Zip- 83427

+ - - Priority Date - - +
03/20/1947

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

+ - - Source - - - - +
UNNAMED STREAM

+ - - Tributary - - - - +
J-3 COULEE

MICROFILMED
DEC 1 1996

Prefix Translation: RESEARCH

Point of Diversion					
Twn	Rng	Sec	Tract	Lot	RFlg
					County

09S 14E 13 NW SE (83) TWIN FALLS

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	----------------	------------------

01 - IRRIGATION	03/15	11/15	0.080
-----------------	-------	-------	-------

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.080		0.0	

Place of Use							
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description
							County

09S	14E	13	NW SE	4.0	01 IRRIGATION	(83) TWIN FALLS
-----	-----	----	-------	-----	---------------	-----------------

Total Acres: 4.0

+ - - Diversion Means - CHECK DAM & DITCH, GRAVITY IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+-----Remarks-----+

LAND HAS BEEN SPLIT INTO 3 PARCELS OWNED BY THE 3 DAUGHTERS OF MR. WONENBERG (NOW DECEASED). THE DIVERSION SYSTEM IS STILL OPERATED AS ONE UNIT, SO ALL 3 PARCELS ARE COVERED BY THIS ONE CLAIM. OF THE 17.5 ACRES OWNED, ABOUT 15 ACRES ARE IRRIGATED.

OWNERSHIP CHANGE 10/17/91 BY JG.

SPLIT RT. A47-07645A - PETERSON, BARBARA & DUANE A.

CLAIM BASED UPON A47-07645B BUT CLAIMANT WANTED TO CLAIM A BENEFICIAL USE CLAIM FOR THE SAME USE BUT FOR AN EARLIER PRIORITY DATE. KKC. 5-28-93.

OWNERSHIP CHANGE MADE 3-17-95 BY TLB. PETERSEN-FORMER OWNER,
OSQYTHORPE-NEW OWNER. BOTH SINGATURES INCLUDED ON FORM.

+ - - - - - Old Water Right Numbers - - - - - +

4707645

----- Conditions of Approval -----

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

+ - Decree Date - +
00/00/0000

MICROFILMED
DEC 1 1996

Water right number - R47-15274

Prefix Translation: RESEARCH

+ - - - - - Comments - - - - - +

Date: 03/17/1995 User Id: TBACKLUN Subject: COPIED FROM REMARKS
LAND HAS BEEN SPLIT INTO 3 PARCELS OWNED BY THE 3 DAUGHTERS OF
OPERATED AS ONE UNIT, SO ALL 3 PARCELS ARE COVERED BY THIS ONE

SPLIT RT. A47-07645A - PETERSON, BARBARA & DUANE A.
CLAIM BASED UPON A47-07645B BUT CLAIMANT WANTED TO CLAIM A
DATE. KKC. 5-28-93.
OWNERSHIP CHANGE MADE 3-17-95 BY TLB. PETERSEN-FORMER OWNER,

MR. WONENBERG (NOW DECEASED). THE DIVERSION SYSTEM IS STILL
CLAIM. OF THE 17.5 ACRES OWNED, ABOUT 15 ACRES ARE IRRIGATED.
OWNERSHIP CHANGE 10/17/91 BY JG.

BENEFICIAL USE CLAIM FOR THE SAME USE BUT FOR AN EARLIER PRIORITY

OSQYTHORPE-NEW OWNER. BOTH SINGATURES INCLUDED ON FORM.

+ - - Audit Fields - - +

03/17/95 TBACKLUN

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/25/1988	Last Amended Date	- 05/28/1993	Temporary Right	- T
		Receipt Number	-	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
DEC 1 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

FEB 15 1995

DATE OF CLOSING: 10/15/94

LEGAL DESCRIPTION OF PROPERTY: Township 9 Range 14 Department of Water Resources
 Section 13, 1/4 of 1/4 of 1/4 Govt. Lot , BM. Southern Region
 Lot , Block , Subdivision/Townsite
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A47 - 15274A

Name and Address of Former
Owner/Claimant(s)(Seller):

Eldon A & Dixie h. Petersen

P.O. Box 281

Rush Valley, UTAH 84069

New Owner/Claimant
(Purchaser):

Fred L. & Carol Daythorpe

New Mailing Address:

9324 SE 1300W

West Jordan Utah 84088

New Telephone Number:

(801) 561 - 3936

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

☐ Attach proof of
ownership, describe
proof attached:

(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 owner/claimant.)

Signature of New
Owner/Claimant(s)

Fred L. Daythorpe

Date 2/12/95

Date

Signature of Former
Owner/Claimant(s):

Eldon A. Petersen

Date Feb 11, 1995

Date Feb 11, 1995

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 3-1-95 By: HLB

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

PROFILED
DEC 1 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor PHIL BATT

R. KEITH HIGGINSON
Director

March 17, 1995

FRED & CAROL OSQUTHORPE
9324 SOUTH 1300 WEST
WEST JORDAN, UT 84088

RE: SRBA CLAIM A47-15374

DEAR CLAIMANT:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM, WE HAVE CHANGED THE DEPARTMENT'S RECORDS. PLEASE REVIEW THE RECORDS FOR ACCURACY.

YOU HAVE ANY MORE QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

MICROFILMED
DEC 1 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-15274

ELDON A. PETERSEN

DIXIE L. PETERSEN

PO BOX 281

RUSH VALLEY

UT 84069

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your 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. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, 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.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

MICROFILMED
DEC 1 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS

Governor

PHIL BATT

R. KEITH HIGGINSON
Director

February 6, 1995

FRED OSGUTHORPE
9324 S 1300 W
WEST JORDAN UT 84088

RE: CHANGE OF OWNERSHIP FOR SNAKE RIVER BASIN ADJUDICATION CLAIM
A47-15274A.

Dear Mr Osguthorpe

Enclosed is the change of ownership form you requested. Please complete the checked fields and return the form to the office. As you indicated that the former owners would be available to sign the change of ownership form, proof of ownership will not be necessary.

I pulled the claim file and found that they had submitted evidence of priority. I did not review the information but if additional information is required in the future the department will contact you.

If you have any additional questions please call this office.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

MICROFILMED
DEC 1 1996

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-15274A

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

DATE

February 6, 1995 2:45pm

CUSTOMER

FRED OSGUTHORPE

9324 S 1300 W

WEST JORDAN UT 84088

SUBJECT: CHANGE OF OWNERSHIP FOR A47-15274A

He recently purchased the property and needs a change of ownership form. He also requested that I check on the status on evidence of priority for this claim. I pulled the file and found that a number of documents have been filed with the claim.

MICROFILMED
DEC 1 1996

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: A47-15274
Date Received: 7/25/1988
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ELDON A. PETERSEN 801-268-0136
Address: PO BOX 281
RUSH VALLEY UT 84069
AND/OR
Name: DIXIE L. PETERSEN 801-268-0136
Address: PO BOX 281
RUSH VALLEY UT 84069

2. Date of Priority: MAR 20, 1947

3. Source: UNNAMED STREAM Trib. to: J-3 COULEE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	13	NW	SE			TWIN FALLS

5. Description of diverting works:
CHECK DAM & DITCH, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	13	NW	SE		IRR	4.0

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OCT 28 1994

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DEC 1 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
					Total Acres	4.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:

LAND HAS BEEN SPLIT INTO 3 PARCELS OWNED BY THE 3 DAUGHTERS OF MR. WONENBERG (NOW DECEASED). THE DIVERSION SYSTEM IS STILL OPERATED AS ONE UNIT, SO ALL 3 PARCELS ARE COVERED BY THIS ONE CLAIM. OF THE 17.5 ACRES OWNED, ABOUT 15 ACRES ARE IRRIGATED.

OWNERSHIP CHANGE 10/17/91 BY JG.
SPLIT RT. A47-07645A - PETERSON, BARBARA & DUANE A.

CLAIM BASED UPON A47-07645B BUT CLAIMANT WANTED TO CLAIM A BENEFICIAL USE CLAIM FOR THE SAME USE BUT FOR AN EARLIER PRIORITY DATE. KKC. 5-28-93.

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 Individuals:

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

Signature of Claimant(s): Winnie L. Petersen

Date: May 28, 93

MICROFILMED

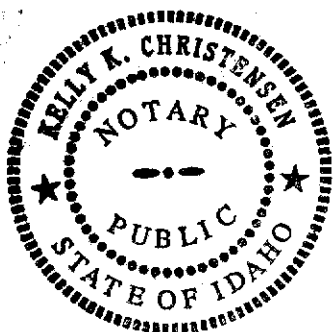
OCT 28 1994

State of Idaho)
County of Lewin Falls) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of May 19 93

Kelly K. Christensen
Notary Public

Seal



Residing at Kimberly Rd.

My Commission Expires 3-2-98

MICROFILMED
OCT 28 1994



CLAIM 436-7615 INIT KKE
T. R. S. Q/Q
P/D 9S 14E 13 NWSE
PHOTO BB-20
DT.&ID. 1974

OCT 28 1994

RI4E

RI

SPLIT OF A47-07645

System acres
owned by:

Barbara - 3.86
5.58
5.10
14.54 14.54 $\approx$ 15

Dixie 5.6
.49
6.09 6.09 $\approx$ 6

System total 20.63 $\approx$ 21 Acres

Water rights to be split proportionately:

Part A

owner Barbara:

15 * 15 acres = 10.7 Acres

21 * 0.30 CFS = 0.214 CFS

RECOMMEND.
11 Acres

0.22 CFS

owner Dixie

6 * 15 Acres = 4.3 Acres

21 0.30 CFS = 0.086 CFS

4 Acres

0.08 CFS

MICROFILMED
OCT 28 1951
MAR 11 1993

Copy from T. F. Co. Assessor
10/16/91 *YFB*

For A36-7645

POOR ORIGINAL

4 SE 4
T. 9 S. R. 14 E. B.M.
S COUNTY, IDAHO

PART B

PARCEL A

Area 1.72 acre

PART A

PART A

PART A

PART B

PARCEL D

Area 5.58 acre

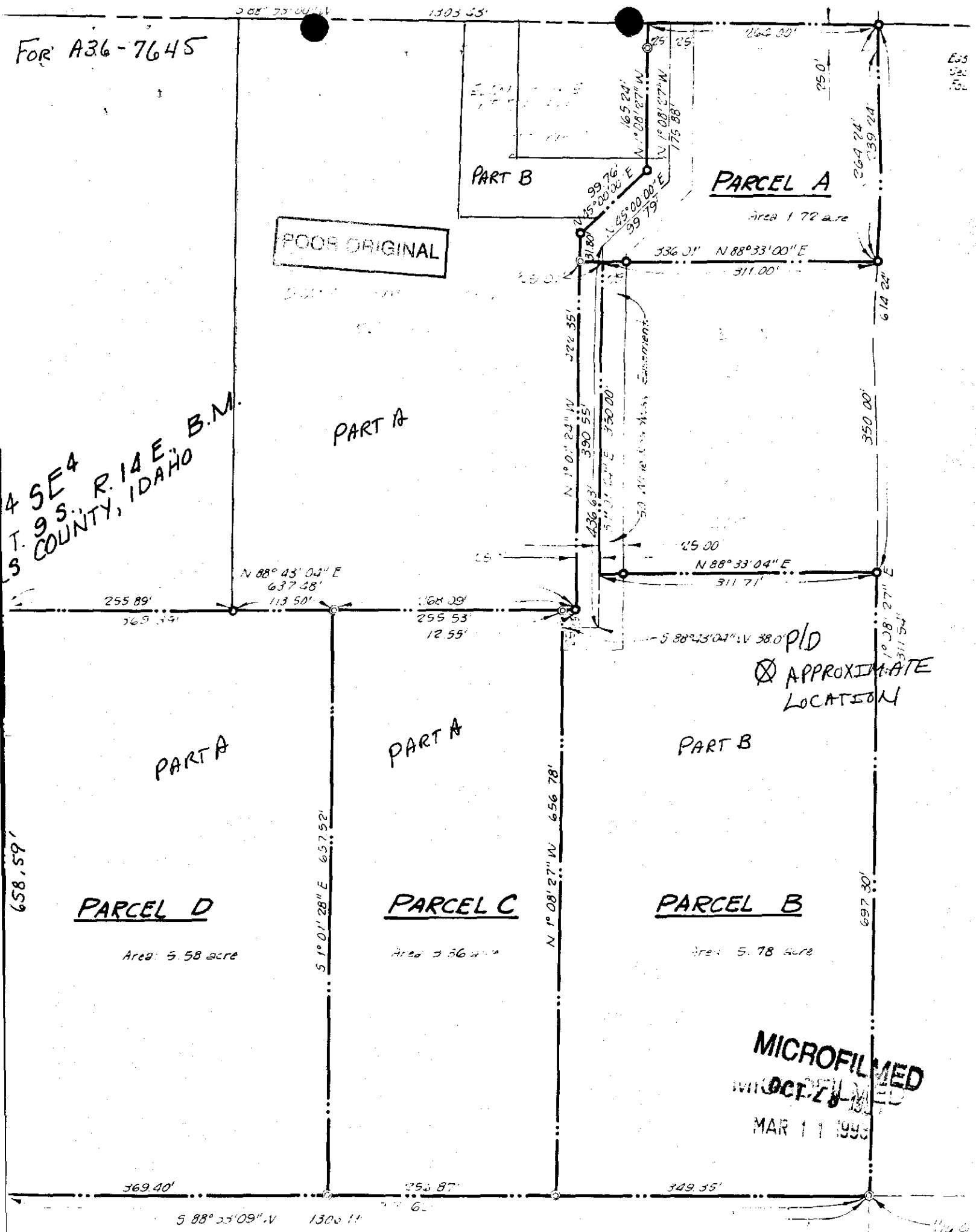
PARCEL C

Area 3.56 acre

PARCEL B

Area 5.78 acre

MICROFILMED
OCT 28 1993
MAR 11 1993



QUITCLAIM DEED

1061

THIS INDENTURE, Made this nineteenth day of March

in the year of our Lord one thousand nine hundred and
Gottfried Benz

(47)

between

POOR ORIGINAL

of Buhl

County of Twin Falls

State of Idaho, the part y of the first part, and

Carolina Wonenberg

of Buhl

County of Twin Falls

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 One DOLLARS, lawful money of the United States of America, to him in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said part y of the second part, and to her heirs and assigns, all that certain lot, piece or parcel of land, situate, lying and being in County of Twin Falls, State of Idaho, bounded and particularly described as follows, to-wit:

Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), Section 13, Township 9, South 14, EBM together with the water right to that certain stream of water formed by several small seepage and percolating water and waste and overflow from lands south and southeast of said land, forming a natural channel across the south line of said land to and upon said land and there appropriated by means of a catching ditch and conveying ditches to points of use, the point of diversion is about 100 feet west and 10 feet north on said land from the southeast corner.

This deed is made as a correction to the deed I made to John Wonenberg in 1941 and by inadvertance the water right was not inserted and described in said deed and this deed is made to more definitely describe said water right in said transference to John Wonenberg. I acquired the land and water right from Walter Shaw by purchase in 1920, May 3, and for 21 years I used said water and all of said stream of water and to irrigate said land for 21 years exclusively. The point of diversion was on said land near southeast corner of said land and about 10 feet north of south line and extended west for about 40 rods to pick up said water as it flowed upon said Northwest Quarter (NW $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$), Section 13, Township 9, South 14, EBM and from said catch ditch, used for irrigating said land for the last 26 years.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances unto the part y of the second part, and to her heirs and assigns forever.

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

Signed, Sealed and Delivered in Presence of

Gottfried Benz
OCT 26 1947
[S]
[S]
[S]
[S]

Affidavits

IN THE MATTER OF THE APPROPRIATION OF WATER FROM A CERTAIN STREAM
HEREINAFTER DESCRIBED:

Northwest Quarter (NW $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$) of
Section 13, Township 9, South, of Range 14, East of
Beise Meridian.

POOR COPY

STATE OF IDAHO

County of Twin Falls

ss

Gettfrid Benz desposes and says:

That he purchased the Northwest Quarter (NW $\frac{1}{4}$) of
Southeast Quarter (SE $\frac{1}{4}$) of Section 13, Township 9, South, of Range
14, East of Beise Meridian, from Walter Shaw on May 3, 1920, and
that he was acquainted with said land for considerable length of
time prior thereto and at the time he purchased said land the said
Walter Shaw was appropriating and had appropriated along the south
side of said forty a natural stream of water which flowed from five
(5) to fifty (50) miners cubic inches of water and that the same
came from springs, seepage, waste water and overflow and it was a
continuous flowing in a natural channel and that the said stream
was diverted at a point about 100 feet west and 10 feet north of
the northeast corner of said forty acres described above, and that
it had been used a number of years for irrigation before May 3, 1920,
the exact date I do not know, but would say that it is considerably
over twenty-five (25) years since it was appropriated from my own
knowledge.

Dated this 20th day of March, 1947.

Gettfrid Benz

Subscribed and sworn to before me this 20th day of March, 1947.

C. R. Reeves

Notary Public in and for the State
of Idaho, residing at Buhl, Idaho

MICROFILMED
OCT 28 1994

IN THE MATTER OF THE APPROPRIATION OF WATER FROM A CERTAIN STREAM
HEREINAFTER DESCRIBED;

Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of
Section 13, Township 9, South, of Range 14, East of Boise
Meridian.

STATE OF IDAHO

County of Twin Falls

} ss

POOR ORIGINAL

Carolina Wonenberg, the undersigned,
being first duly sworn, deposes and says:

That Carolina Wonenberg is the wife of John Wonenberg, who bought the above described property from Gottfried Benz in the spring of 1941, and that since said purchase she and her husband, during his lifetime and since his children, have appropriated and have used a certain stream of water flowing by gravity and a natural channel a stream of water that flowed from five (5) to fifty (50) miners cubic inches of water and that the same came of springs, seepage, waste water and overflow and was a continuous flowing in a natural channel and that the said stream is and was diverted from its channel at a point about 100 feet west and 10 feet north from the northeast corner of said forty acres described above, and that each and every year since they have moved upon the same they have appropriated the water for irrigation of crops, grass, hay and all of said water has been used for farming.

Dated this 21st day of March, 1947.

X Carolina Wonenberg

Subscribed and sworn to before me this 21st day of March, 1947.

C. R. Reeves

Notary Public in and for the State of
Idaho, residing at Buhl, Idaho.

MICROFILMED
OCT 28 1994

Post Office Box No. 15,
Buhl, Idaho,
May 6, 1947.

Mrs. Carolina Wonenberg,
Buhl,
Idaho.

POOR ORIGINAL

My Dear Mrs. Wonenberg:

I have been able to make a complete record, of your water-right, and to show a continuous use upon your land, from the time that WALTER SHAW purchased it, in 1915, making THIRTY-TWO (32) YEARS of continuous use; together with transfers of the WATER-RIGHT to you of record.

On March 4, 1916, Edwin Damman filed an application No. 17307----Permit No. 12565, to appropriate public water.

It appears from the record that he constructed the dams and ditches, on your land, when Walter Shaw was the owner, and interfered with Walter Shaw's rights.

Proof of appropriation, for beneficial purposes, by Damman, was never completed. An injunction was issued against Damman, and on July 3, 1919, Walter Damman made application to extend his time to appropriate the water, which was granted to October 1, 1922.

The restraining order, as is shown by a copy of the affidavit, in the abstract, was made permanent and Damman abandoned his right to the appropriation.

You have appropriated and used the water, openly and notoriously for more than five years, and with your predecessors in interest thirty-two years, and your continuous use for more than five years, gives you an absolute title against the world or any claimant, as is provided BY THE LAWS OF THE STATE OF IDAHO PERTAINING TO WATER-RIGHTS.

I hope that this is satisfactory,

Respectfully submitted,

C. R. Reeves
C. R. Reeves, Attorney-at-Law.

MICROFILMED
OCT 28 1994

POOR ORIGINAL

No. 49 continued

164
Gottfried Benz
since Dec 1923

quitclaims and conveys to second party all the right, title and interest in and to the ditch, right of way and easement.

It is understood that second party shall keep, maintain and operate the said ditch at its own expense and that the said second party shall have the right to go in on the said above premises for the purpose of constructing, maintaining and operating the same to the same extent and with like rights as exists under other ditches laterals and canals of the Twin Falls Canal System, operated by the second party.
Gottfried Benz

Acknowledged June 1, 1925 before L. H. Perrine,
Notary Public, Twin Falls County, Idaho (SEAL).

(50)

Twin Falls Canal Company
to
The Public

RESOLUTION OF CONSENT TO
TRANSFER.
Filed January 4, 1939.
Misc. Book 10, page 340.

WHEREAS, Gottfried Benz owner of NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13 Tp. 9 S. R. 14 E.B.M., to which a water right is appurtenant as evidenced by Certificate No. 10748A for 20 shares of the capital stock of the Twin Falls Canal Company, has filed an application to transfer said water right to all the land lying and being above and west of the Main Canal of the Twin Falls Canal Company canal in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12 Tp. 11 S.R. 19 E.B.M., being 30 acres more or less, and

WHEREAS, a deed of transfer has been presented with said application.

NOW, THEREFORE, BE IT RESOLVED That said application for transfer be, and the same is hereby granted.

Upon roll call the resolution was adopted.

Certificate dated December 13, 1938, that the foregoing is a full, true and correct copy of a resolution of consent to transfer a water right duly adopted by the Board of Directors of the Twin Falls Canal Company, on December 13, 1938, signed, J. F. Cordes, Secretary, By Emma L. Wick, Assistant Secretary (CORPORATE SEAL).

(51)

Gottfried Benz, a bachelor
to
John R. Olmstead

TRANSFER DEED.
Dated March 26, 1938.
Filed January 4, 1939.
Deed Book 117, page 539.

Recites that first party is the owner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13 Tp. 9 S.R. 14 E.B.M., to which a water right has been made appurtenant as evidenced by Certificate No. 10748A for 20 shares of stock issued by the Twin Falls Canal Company, and there is also a storage water right in the American Falls Reservoir District appurtenant to said land, and first party

PO ORIGINAL
No. 51 continued

desires to abandon the use of said water or water rights in the irrigation of the lands herein last above described and second party is the owner of all the land lying and being above and west of the main canal of the Twin Falls Canal Company canal in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12 Tp. 11 S.R. 19 E.B.M., being 30 acres more or less and the said part of the --- part desire to --- said water and water rights -- beneficial use on the lands last above described.

For a valuable consideration, first party does by these presents, transfer, grant, convey and confirm the water rights now appurtenant to the lands herein first above described to the lands herein last above described.

That consent to said transfer has been given by the Twin Falls Canal Company.

Gottfried Benz

Acknowledged March 26, 1938 before Wayne A. Barclay, Notary Public, Jerome County, Idaho (SEAL).

(52)

Gottfried Benz
to
John R. Olmstead

AGREEMENT.
Dated December 19, 1938.
Filed January 5, 1939.
Book 13 C.A.B., page 136.

Recites that 20 shares of water stock of the Twin Falls Canal Company against which sots and benefits were apportioned by the American Falls Reservoir District as being apurtenant to the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13 Tp. 9 S.R. 14 E.B.M., is located within the American Falls Reservoir District, and said water stock is owned by first party and is chargeable with the assessment of said irrigation district; and the first party now desires to transfer said water stock and water rights appurtenant to the above described land to the extent of 20 shares to the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12 Tp. 11 S. R. 19 E. B.M., lying west and above the Main Canal of the Twin Falls Canal Company, containing 30 acres, more or less which is owned by John R. Olmstead, which said transfer is desired by the second party.

MUTUALLY AGREED by and between the parties hereto that all assessments of the American Falls Reservoir District shall be chargeable against the lands as herein last above described owned by second party, in lieu of the assessments against the lands as hereinabove described owned by first party, to the extent of 20 shares and that said assessments shall be effective in all respects against the lands owned by the second party as the same would have been had the said lands of the second party been situated within the American Falls Reservoir District, from and since the date of the organization of said Irrigation District.

Gottfried Benz
John R. Olmstead

OCT 28 1934

POOR

No. 52 continued

ORIGINAL
Acknowledged December 19, 1938 by John R. Olmstead
before E. B. Johnson, Notary Public, Twin Falls
County, Idaho (SEAL).

Acknowledged December 29, 1938 by Gottfried Benz
before W. A. Heiss, Notary Public, Jerome County,
Idaho (SEAL).

(53)

American Falls Reservoir District
to
The Public

RESOLUTION.
Filed January 5, 1939.
Misc. Book 19, page 343.

RESOLVED, That that certain agreement made and entered into by and between Gottfried Benz and John R. Olmstead under date of December 19, 1938, wherein it is agreed that the assessments of the American Falls Reservoir District heretofore levied against the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13 Tp. 9 S.R. 14 E.B.M., for the purchase of water right supplemental to 20 shares of the stock of the Twin Falls Canal Co., shall be chargeable against NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12 Tp. 11 S.R. 19 E.B.M., containing 30 acres more or less, and lying west and above the main canal of the Twin Falls Canal Company and that the said assessments shall be effective in all respects against said land, shall be, and the same is hereby ratified and approved; and

RESOLVED, Further, that all assessments of the American Falls Reservoir District be, and the same are hereby transferred to the lands herein last above described in accordance with the terms and provisions of said agreement.

Certificate dated January 5, 1939 that the foregoing is a true and correct copy of the resolution adopted at the meeting of the Board of Directors of the American Falls Reservoir District held on December 19, 1938, and which appears in the minutes of the board as of that date, signed, J. H. Barker, Secretary By E. B. Johnson, Assistant Secretary (CORPORATE SEAL).

Acknowledged January 5, 1939 before Emma L. Wick,
Notary Public, Twin Falls County, Idaho (SEAL).

(54)

Gottfried Benz, a bachelor
to
The Twin Falls Canal Company

COVENANT OF RELEASE.
Dated March 26, 1939.
Filed March 17, 1939.
Misc. Book 19, page 392.

Recites that the first party is the owner in fee of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13 Tp. 9 S.R. 14 E.B.M., together with a water right appurtenant thereto as evidenced by 40 shares of the capital stock of the said Twin Falls Canal Company, and the first party has entered into a contract to sell said water right represented by 20 shares of the capital stock of the said Twin Falls Canal Company and first party desires to abandon the use of said water right represented by 20 shares of the capital stock of the said Twin Falls Canal Company upon the land to which it is now appurtenant as hereinabove described, and

PC ORIGINAL

No. 54 continued

the first party has filed an application with the board of directors of the said Twin Falls Canal Company, requesting that the use of said water and water right be transferred from the land herein last above described to the NW $\frac{1}{4}$ SE $\frac{1}{4}$ West of the Main Canal in Sec. 12 Tp. 11 S.R. 19 E.B.M.

IN CONSIDERATION of the premises and the granting of said transfer by the said Twin Falls Canal Company, and other valuable considerations, the said first party hereby releases and discharges the said Twin Falls Canal Company, from any and all liability and claims of every kind or character whatever for damages to the lands herein first above described and appurtenances thereunto belonging, which may have heretofore occurred, or arisen, or which may hereafter occur or arise from seepage, flooding, rise in the ground water table, and from any cause growing out of the use of water by the said Twin Falls Canal Company, and does hereby recognize and agree that this release shall be construed to be and is a covenant running with the land in perpetuity and shall be binding upon all those who may now or in the future acquire any right, title, or interest in or to said real property.

Gottfried Benz

Acknowledged March 26, 1938 before Wayne A. Barclay,
Notary Public, Jerome County, Idaho (SEAL).

(55)

AGREEMENT.

Dated March 8, 1940.

MICROFILMED
OCT 28 1994

ORIGINAL

No. 55 continued

Acknowledged March 8, 1940 by Jay R. Hall and Belva P. Hall, his wife before E. B. Johnson, Notary Public, Twin Falls County, Idaho (SEAL).

Acknowledged April 15, 1940 by Gottfried Benz before E. B. Johnson, Notary Public, Twin Falls County, Idaho (SEAL).

(56)

American Falls Reservoir District
to
The Public

RESOLUTION.
Filed May 15, 1940.
Misc. Book 20, page 120.

RESOLVED, That that certain agreement made and entered into by and between Gottfried Benz and Jay R. Hall and Belva P. Hall, husband and wife under date of March 8, 1940, wherein it is agreed that the assessments of the American Falls Reservoir District heretofore levied against NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13 Tp. 9 S.R. 14 E.B.M., for the purchase of a water right supplemental to 20 shares of the stock of the Twin Falls Canal Co. shall be chargeable against SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12 Tp. 11 S.R. 18 E. B.M., lying below the High Line Canal of the Twin Falls Canal Company, and that the said assessments shall be effective in all respects against said land, shall be, and the same is hereby ratified and approved; and

RESOLVED, Further, that all assessments of the American Falls Reservoir District be, and the same are hereby transferred to the lands herein last above described in accordance with the terms and provisions of said agreement.

Certified April 25, 1940 to be a true and correct copy of the resolution adopted at the meeting of the Board of Directors of the American Falls Reservoir District on April 25, 1940 and which appears in the minutes of the board as of that date, signed, J. H. Barker, Secretary By E. B. Johnson, Assistant Secretary (CORPORATE SEAL).

Acknowledged April 25, 1940 before Emma L. Wick, Notary Public, Twin Falls County, Idaho (SEAL).

(57)

G. Benz
to
Belva P. Hall and Jay R.
Hall, her husband

TRANSFER DEED.
Dated March 8, 1940.
Filed May 15, 1940.
Deed Book 123, page 290.

Recites that the first party is the owners of the NW of SE of Sec. 13 Range 9 Township 14 E.B.M., in Twin Falls County, Idaho, to which a water right has been made appurtenant as evidenced by Certificate No. 13256A for 20 shares of stock issued by Twin Falls Canal Company, and there is also a storage water right in the American Falls Reservoir appurtenant to said land, and first party desires to abandon the use of said water or water rights in the irrigation of the lands herein last above described, and the second party is the owner of SW NE of Sec. 12 Range 11 Township 18 E.B.M., in Twin Falls County, Idaho, and second parties

POOR ORIGINAL

No. 57 continued

desire to apply said water and water rights to beneficial use on the lands last above described.

For a valuable consideration the first party does by these presents, transfer, grant, convey and confirm the water rights now appurtenant to the lands herein first above described to the lands herein last above described.

That consent to said transfer has been given by the Twin Falls Canal Company, and there is incorporated in this instrument and made a part hereof a certified copy of a resolution adopted by the Board of Directors of the said Twin Falls Canal Company, granting consent to said transfer.

Gottfried Benz

Acknowledged March 18, 1940 by Gottfried Benz before Emma L. Wick, Notary Public, Twin Falls County, Idaho (SEAL).

(58)

Twin Falls Canal Company
to
The Public

RESOLUTION OF CONSENT TO
TRANSFER.
Filed May 15, 1940.
Deed Book 123, page 290.

WHEREAS Gottfried Benz owner of NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13 Tp. 9 S.R. 14 E.B.M., to which a water right is appurtenant as evidenced by Certificate No. 13256A for 20 shares of the capital stock of the Twin Falls Canal Company, has filed an application to transfer said water right to that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12 Tp. 11 S.R. 18 E.B.M., that lies below the Highline Canal of the Twin Falls Canal Company, and

WHEREAS, a deed of transfer - J.R. Hall has been presented with said application.

NOW, THEREFORE, BE IT RESOLVED, That said application for transfer be, and the same is hereby granted.

Upon roll call the resolution was adopted.

Certificate dated March 6, 1940, that the foregoing is a full, true and correct copy of a resolution of consent to transfer a water right duly adopted by the Board of Directors of the Twin Falls Canal Company, signed, Peter Link, Secretary By Emma L. Wick, Assistant Secretary (CORPORATE SEAL).

MICROFILMED
OCT 28 1994

PO ORIGINAL

(59)

Gottfried Benz, a bachelor
to
Twin Falls Canal Company

COVENANT OF RELEASE.
Dated March 18, 1940.
Filed May 24, 1940.
Misc. Book 20, page 120.

Recites that the first party is the owner in fee of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13 Tp. 9 S.R. 14 E.B.M., together with a water right appurtenant thereto as evidenced by 20 shares of the capital stock of the said Twin Falls Canal Company, and first party has entered into a contract to sell said water right represented by 20 shares of the capital stock of the said Twin Falls Canal Company to J.R. Hall and the first party desires to abandon the use of the water right represented by 20 shares of the capital stock of the Twin Falls Canal Company, which is certificate No. 13256A, upon the land to which it is now appurtenant, as hereinabove described, and the first party has filed an application with the board of directors of the said Twin Falls Canal Company, requesting that the use of said water and water right be transferred from the land herein last above described to that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12 Tp. 11 S.R. 18 E.B.M., that lies below the Highline Canal of the Twin Falls Canal Company.

In consideration of the premises and the granting of said transfer by the said Twin Falls Canal Company, and other valuable consideration the first party forever releases and discharges the said Twin Falls Canal Company, from any and all liability and claims of every kind or character whatever for damages to the lands herein first above described and appurtenances thereunto belonging, which may have heretofore occurred, or arisen, or which may hereafter occur or arise from seepage, flooding, rise in the ground water table, and from any cause growing out of the use of water by the said Twin Falls Canal Company and does hereby recognize and agree that this release shall be construed to be and is a covenant running with the land in perpetuity and shall be binding upon all those whomay now or in the future acquire any right, title, or interest in or to said real property.

Gottfried Benz

Acknowledged March 18, 1940 before Emma L. Wick,
Notary Public, Twin Falls County, Idaho (SEAL).

(60)

Taxes for 1940 and prior years are fully paid. Taxes for 1941 are now a lien, not yet extended on the assessment rolls, and no statement of the amount can be given at this time.

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OCT 28 1994

POOR ORIGINAL

C E R T I F I C A T E.

Entries 48 to 60, both inclusive, are a true and correct abstract of all the records and files in the office of the Clerk of the District Court and Recorder of Twin Falls County, Idaho, affecting the title to the caption property.

FROM: December 5, 1923 at 8:00 A. M.
TO: April 21, 1941 at 5:00 P. M.

BOONE ABSTRACT COMPANY,

By *[Signature]*
President.

MICROFILMED
OCT 28 1994

POO ORIGINAL

1081
ABSTRACT OF TITLE

Continuation of

No. 2142

TO

Northwest Quarter of the Southeast Quarter of Section
Thirteen (13) Township Nine (9) South, of Range Fourteen
(14) East of the Boise Meridian.

From July 25, 1916 at 10:20 o'clock A. M.
IN TWIN FALLS COUNTY, IDAHO

MADE FOR

Walter J. Shaw

BY

TWIN FALLS TITLE & ABSTRACT CO. LTD

SEARCHERS OF RECORDS

TWIN FALLS, IDAHO

No. 37
Chattel
Mortgage

J. W. Stark and Dora T.
Stark, his wife
to
Walter J. Shaw

Chattel Mortgage. Dated July 17,
1918. Filed August 6, 1918 as
Chattel Mortgage #14703. Consideration \$600.00. Covers crops
growing on the years 1918, 1919 and

on NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13 Tp. 9 S.R. 14 E.B.M. Given to secure part
of three notes as follows: 1 for \$50.00; 1 for \$250.00; 1 for
\$300.00; due respectively October 1 of the years 1918, 1919
1920, interest not specified. Signed, J. W. Stark, Dora T.
Stark. Affidavit of good faith subscribed and sworn to July
17, 1918 before J.W. Taylor, Notary Public, Twin Falls County,
Idaho (Seal). Acknowledged July 17, 1918 before J. W. Taylor,
Notary Public, Twin Falls County, Idaho (Seal).

No. 38
Easement

Walter J. Shaw, a bachelor
to
Buhl Highway District

Easement. Dated December 10, 1918.
Filed April 8, 1919. Recorded in
Book 47 of Deeds, page 382. In

consideration of the premises and
other good and valuable considerations, the receipt of which
hereby acknowledged, the said party of the first part grants
unto the said party of the second part, a right of way for a
public highway and consent that the same may be laid out and
constructed over, through and across a strip of land, the width
of 20 feet on the north side of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13 Tp. 9 S.R.
14 E.B.M. Signed, Walter J. Shaw. Acknowledged June 13, 1919
before Arthur W. Ostrom, Notary Public, Twin Falls County, Idaho
(Seal).

No. 39
Taxes

Taxes for 1916, 1917, 1918 and 1919 are fully paid. Taxes
for 1920 are now a lien, not yet extended on the assessment
rolls, and no statement of the amount can be made at this date.

Certifi-
cate

We hereby certify that the foregoing three (3) entries, numbered thirty-seven (37) to thirty-nine (39) inclusive, shown the instruments that have been filed or recorded in the office of the Recorder of Twin Falls County, State of Idaho, since July 25, 1916 at 10:20 o'clock A. M., that in any manner affect the title to the real estate described in the caption of this abstract.

We further certify that there are no tax liens, judgments or liens of any kind shown on the public records of said county since said date, affecting said real estate, not herein shown.

Dated at Twin Falls, County of Twin Falls, State of Idaho, this 19th day of July A.D. 1920 at 4:00 o'clock P. M.

TWIN FALLS TITLE & ABSTRACT COMPANY, LTD.
RR 11

POOR ORIGINAL

Continuation of

ABSTRACT OF TITLE

No. 2142

TO

Northwest Quarter of Southeast Quarter of Section Thirteen (13) Township Nine (9) South of Range Fourteen (14) East of the Boise Meridian.

From July 19th, 1920 at 4:00 o'clock P.M.

IN TWIN FALLS COUNTY, IDAHO

MADE FOR

Gottfried Benz

BY

TWIN FALLS TITLE & ABSTRACT CO. LTD.

SEARCHERS OF RECORDS

TWIN FALLS, IDAHO

No. 40
Order

Organization of American Falls Reservoir District. Dat January 22, 1923. Filed January 26, 1923. Recorded in Book 7 Miscellaneous, page 174. Recites that the Board of County Commissioners of Twin Falls County, Idaho, met January 22, 1923 canvass the returns of the special election held January 16, 1923 for the purpose of organizing an irrigation district, to known as the American Falls Reservoir District, and from said canvass it appearing that more than two-thirds of all the vote cast at said election were "Irrigation District—Yes". Orders that certain specified land, which includes the land described in the caption of this abstract, is hereby organized as an irrigation district under the name and style of the American Falls Reservoir District. Signed J. D. Barnhart, Chairman, Attest: C. C. Siggins, Clerk (Seal). Certified January 25, 1923 to be a correct copy of said order by C. C. Siggins, Clerk of the Board of County Commissioners, by John F. Hansen Deputy (Seal). Decree rendered in the District Court of the Eleventh Judicial District of the State of Idaho, in and for Twin Falls County, on March 24, 1923, filed March 24, 1923, and recorded in book of Judgments, page 368, confirms the organization of above described territory as said American Falls Reservoir District.

No. 41
Water
License

State of Idaho
to
Twin Falls Canal Company

Water License. Dated April 5, 1923.
Filed June 15, 1923. Recorded in
Book 7 of Miscellaneous, page 297.
Certifies that George E. Harlan

made application for permit to appropriate the public waters of the State of Idaho, dated December 22, 1915 and permit was issued thereunder; Certificate of Completion of Works with a carrying capacity of 600 second feet was issued on March 16 1921; that on January 10, 1923 Twin Falls Canal Company made proof of the right to the use of the water of Snake River for the purpose of irrigation, under said permit, and said right, dating from December 22, 1915 is hereby confirmed by the State Engineer of the State of Idaho. Amount of water to which said right is entitled and confirmed shall not exceed 600 cubic feet per second and use of said water is restricted to certain specified land, which includes the land described in the caption of this abstract. Signed, W. G. Swenson, Commissioner of Reclamation.

POOR ORIGIN

No.42
Release

State of Idaho
to
Walter J. Shaw, a bachelor

Satisfaction of Mortgage. Dated
August 21, 1920. Filed September
18, 1920. Recorded in Book 19
of Satisfaction of Mortgages,

36
page 540. Certifies that mortgage made and executed on July
21, 1916, by Walter J. Shaw, a bachelor to State of Idaho,
recorded on July 25, 1916 in Book 33 of Mortgages, page 237
has been fully satisfied by payment of the full amount of the
principal and interest secured thereby, and is hereby satisfied
and discharged. Signed, State of Idaho, by D.W. Davis, Governor.
Attest, Department of Public Investment, C. A. Elmer,
Commissioner Public Investment (Seal). Acknowledged August
21, 1920 before S. E. Blaine, Notary Public, Ada County, Idaho
(Seal).

No.43
Deed

Walter J. Shaw, a bachelor
to
Allen L. Black and Gottfried
Benz

Warranty Deed. Dated May 3, 1920.
Filed September 18, 1920. Recorded in Book 55 of Deeds,
page 261. Consideration \$5600.00.
Conveys the NW 1/4 Sec. 13,

9 S., R. 14 E.B.M. together with 40 shares of the capital
stock of the Twin Falls Canal Company, and all water and
rights appurtenant to said land. Subject to taxes for the
year 1920 and subject to water maintenance for the year 1920
of the March payment. Signed Walter J. Shaw. Witness: H. M.
Kelley. Acknowledged June 2, 1920 before H. H. Johnson,
Notary Public, Los Angeles County, California (Seal).

No.44
Mortgage

Allen L. Black and Eliza
S. Black, his wife, and
Gottfried Benz, a bachelor
to
Walter J. Shaw, a bachelor

Mortgage. Dated May 3, 1920.
Filed September 18, 1920.
Recorded in Book 63 of Mortgages,
page 218. Consideration \$1000.00.
Covers the NW 1/4 Sec. 13,
9 S., R. 14 E.B.M. Together

✓
40 shares of the Capital Stock of the Twin Falls Canal
Company and all water and water rights appurtenant to said land.
to secure payment of three notes of even date, for \$1200.00
each due December 1st respectively of the years 1920, 1921
and 1922 with 7% interest. Signed Allen L. Black, Eliza
Black, Gottfried Benz. Acknowledged May 3, 1920 before
L. Layne, Notary Public, Twin Falls County, Idaho (Seal).

No.45
Deed

Allen L. Black and Eliza
S. Black, his wife
to
Gottfried Benz

Warranty Deed. Dated November
16, 1921. Filed February 1,
1922. Recorded in Book 57
of Deeds, page 538. Consideration
\$1.00 and other valuable

consideration. Conveys and undivided one half interest in
NW 1/4 Sec. 13, Tp. 9 S., R. 14 E.B.M. Together with 40
shares of stock in the Twin Falls Canal Company, and all
rights appurtenant to said land. Subject to liens and
encumbrances of record. Signed Allen L. Black, Eliza S. Black.
Acknowledged November 16, 1921 before Geo. L. Layne,
Notary Public, Twin Falls County, Idaho (Seal).

MICROFILMED
OCT 28 1994

POOR ORIGINAL

No.46
Mortgage

Gottfried Benz, a bachelor
to
Walter J. Shaw, a bachelor

Mortgage. Dated January 10,
1922. Filed January 9, 1923.
Recorded in Book 78 of Mortgages
page 169. Consideration \$2921.

Rel 4d
Covers NW 1/4 Sec. 13, Tp. 9 S., R. 14 E., T. 14 N. Together with
40 shares of the capital stock of the Twin Falls Canal Company
and all water and water rights appurtenant to said land. All
to secure payment of eight notes of even date, being seven
for \$359.35 each and one for \$406.49, due December 1st respec-
tively of the years 1922, 1923, 1924, 1925, 1926, 1927, 1928
and 1929, with 7% interest. Signed Gottfried Benz. Acknowledged
January 10, 1922 before J. W. Taylor, Notary Public,
Twin Falls County, Idaho (Seal).

No.47
Taxes

Taxes for 1920, 1921 and 1922 are fully paid. Taxes for
1923 are now due and unpaid in the amount of \$29.40.

Certifi-
cate.

We hereby certify that the foregoing eight (8) entries
numbered forty (40) to forty-seven (47) inclusive, show all
the instruments that have been filed or recorded in the office
of the Recorder of Twin Falls County, State of Idaho, since
July 19, 1920 at 4:00 o'clock P.M., that in any manner affect
the title to the real estate described in the caption of this
abstract.

We further certify that there are no tax sales, judgments
or liens of any kind shown on the public records of said county
since said date, affecting said real estate, not heretofore
mentioned.

Dated at Twin Falls, County of Twin Falls, State of Idaho
this 5th day of December A.D. 1923 at 8:00 o'clock A.M.

TWIN FALLS TITLE & ABSTRACT COMPANY, INC.

BY

R. B. Smith
Secy.

MICROFILMED
OCT 28 1994

Continuation of
BOOK ORIGINAL

ABSTRACT OF TITLE

No. 2142

TO

Northwest Quarter of Southeast Quarter of Section
Thirteen (13), Township Nine (9) South, of Range
Fourteen (14), East of the Boise Meridian,

From March 15, 1915, at 9:35 o'clock A.M.
IN TWIN FALLS COUNTY, IDAHO

MADE FOR

Walter J. Shaw

BY

TWIN FALLS TITLE & ABSTRACT CO. LTD

SEARCHERS OF RECORDS

TWIN FALLS, IDAHO

No. 32
Copy of
Resolution

Copy of Resolution passed at a meeting of the Board of
Directors of Twin Falls Land & Water Company duly held Nov-
ember 24, 1915. Authorizes Assistant Secretary to execute,
acknowledge and deliver contracts for sale of water rights,
and to execute, acknowledge and deliver releases and assign-
ments of such contracts. Certified November 24, 1915, to
be a full, true and complete copy of said resolution, by
F.H.Buhl, President, J.P.Whitla, Secretary. (Corporate Seal)
Above filed December 8, 1915. Recorded in Book 3 of Miscell-
aneous, page 31.

No. 33
Release

Twin Falls Land & Water Co. Release of Water Contract. Dated
to January 14, 1916. Filed January 20
Walter J. Shaw 1916. Recorded in Book 2 of Re-
leases of Water Contracts, page 479.
Quit claims, releases, and discharges NW 1/4 Sec. 13, Tp. 9 S.
14 R. 2 E. from lien of water contract dated April 13, 1908,
issued to Seymour Fairchild, recorded in Book 6 of Water Con-
tracts page 76 on April 25, 1908. Signed Twin Falls Land &
Water Company, By R.R. Pitcairn, Asst. Secretary (Corporate
Seal). Witness L.C. Faulkner. Acknowledged January 14, 1916,
before L.C. Faulkner, Notary Public Twin Falls County, Idaho
(Seal).

No. 34
Release

Citizens State Bank, Satisfaction of Mortgage. Dated
to November 4, 1915. Filed November
L.C. Harvey and Lizzie 16, 1915. Recorded in Book 9 of
Harvey, his wife Satisfaction of Mortgages, page 411.
Certifies that a certain mortgage
dated December 14, 1911, made and executed by L.C. Harvey and
Lizzie Harvey, his wife to Citizens State Bank, covering NW 1/4 Sec.
13, Tp. 9 S. R. 14 E. B.M., recorded in Book 19 of Mortgages,
page 143 on December 15, 1911, together with debt thereby
secured, is fully paid, satisfied and discharged. Signed
Citizens State Bank, By Russ W. Allred, Cash. (Corporate Seal).
Acknowledged November 4, 1915, before Arthur W. Ostrom, Notary
Public Twin Falls County, Idaho (Seal).

MICROFILMED
OCT 28 1994

FOR ORIGINAL

No. 35
Taxes

Certifi-
cate

Taxes for 1915 are fully paid. Taxes for 1916 are now a lien, not yet extended on assessment roll, and no statement of the amount can be made at this time.

We hereby certify that the foregoing four (4) entries, numbered thirty-two (32) to thirty-five (35) inclusive, show all the instruments that have been filed or recorded in the office of the Recorder of Twin Falls County, State of Idaho, since March 15, 1916, at 9:35 o'clock A.M., that in any manner affect the title to the real estate described in the caption of this abstract.

We further certify that there are no tax sales, judgments or liens of any kind shown on the public records of said County since said date, affecting said real estate, not herein shown.

Dated at Twin Falls County of Twin Falls, State of Idaho this 19th day of June, A.D. 1916, at 9:40 o'clock A.M.

TWIN FALLS TITLE & ABSTRACT COMPANY

BY

B. Smith
Secy.

MICROFILMED
OCT 28 1994

Continuation of

ABSTRACT OF TITLE

No. 2142
TO

Northwest Quarter of Southeast Quarter of Section Thirteen
(13), Township Nine (9) South, of Range Fourteen (14), East
of Boise Meridian

From December 15, 1911, at 10:00 o'clock A.M.
IN TWIN FALLS COUNTY, IDAHO

POOR ORIGINAL

MADE FOR

L.C. Harvey

BY

TWIN FALLS TITLE & ABSTRACT CO. LTD

SEARCHERS OF RECORDS

TWIN FALLS, IDAHO

No. 23
Release

The Continental and Commercial Trust and Savings Bank, formerly named the American Trust and Savings Bank, Trustee to Twin Falls Land & Water Co. Re-assignment of Water Contracts. Dated January 5, 1912. Filed January 11, 1912, at 11:30 o'clock A.M. Recorded Book 1 Assignments of Water Contracts, page 388. Re-assigns all water contracts assigned to the American Trust and Savings Bank, Trustee, which have not been heretofore released and discharged. Releases, cancels, and discharges trust deed covering dam, canals, and irrigation system of Twin Falls Land & Water Company (being trust deed shown at Entry No. 10 of this abstract). Signed The Continental and Commercial Trust and Savings Bank, Trustee, by John Jay Abbott, Vice-President. Attest Frank H. Jones, Secretary (Corporate Seal). Acknowledged January 5, 1912, before E.F. Mueller, Notary Public Cook County, Illinois (Seal).

No. 24
Release

T.H. Miller to Seymour Fairchild and Melissa Fairchild, his wife Satisfaction of Mortgage. Dated January 12, 1912. Filed January 18, 1912, at 9:35 o'clock A.M. Instrument No. 32408. Not Yet Recorded. Certifies that a certain mortgage, executed by Seymour Fairchild and Melissa Fairchild, his wife to T.H. Miller, dated March 6, 1909, Recorded Book 10 of Mortgages, page 74, covering NW $\frac{1}{4}$ Sec. 13, Tp. 9 S.R. 14 E.B.M., together with debt thereby secured is fully paid, satisfied, and discharged. Signed T.H. Miller Witness R.C. McCormick. Acknowledged January 12, 1912, before Walter A. Blake, Notary Public Sedgewick County, Kansas (Seal).

No. 25
Taxes

Taxes for 1912 are now a lien, not yet due or payable, not yet extended on assessment roll.

MICROFILMED
OCT 26 1962

FOR ORIGINAL

Certifi-
cate

We hereby certify that the foregoing three (3) entries, numbered twenty-three (23) to twenty-five (25) inclusive, show all the instruments that have been filed or recorded in the office of the Recorder of Twin Falls County, State of Idaho, since December 15, 1911, at 10:00 o'clock A.M., that in any manner affect the title to the real estate described in the caption of this abstract.

We further certify that there are no tax sales, judgments or liens of any kind shown on the public records of said County and State, since said date, affecting said real estate, not herein shown.

Dated at Twin Falls, County of Twin Falls, State of Idaho, this 18th day of January, A.D. 1912, at 9:35 o'clock A.M.

TWIN FALLS TITLE & ABSTRACT COMPANY, LTD.

By

Arthur J. Peary

MICROFILMED
OCT 28

ABSTRACT OF TITLE

No. 2142

TO

Northwest Quarter of Southeast Quarter of Section Thirteen
(13), Township Nine (9) South, of Range Fourteen (14),
East of Boise Meridian,

POOR ORIGINAL

IN TWIN FALLS COUNTY, IDAHO

MADE FOR

L.C. Harvey

BY

TWIN FALLS TITLE & ABSTRACT CO. LTD.

SEARCHERS OF RECORDS

TWIN FALLS, IDAHO

No. 1
Carey
Act.

Act of Congress. Approved Aug. 18, 1894; Amended June 11, 1896 and March 3, 1901. Grants to certain states not to exceed 1,000,000 acres of unappropriated public lands, desert in character, and binds the United States to patent such lands to the State, on proof that an ample supply of water is actually furnished in a substantial ditch or canal to reclaim a particular tract or tracts without regard to settlement or cultivation.

No. 2
Agree-
ment.

United States Dated July 1, 1901; Filed Jan. 13, 1906 at
to 10:30 A.M. Recorded Book 1 C.A.B. pages 62
State of Idaho. to 69. Shows the selection of certain
lands by the State of Idaho, and binds the
United States to patent such lands to the State, in accord-
ance with the Carey Act.

No. 3
Agree-
ment.

United States Dated July 1, 1901. Filed June 15, 1906 at
to 9:5 A.M. Recorded Book 1 C.A.B. page 218.
State of Idaho. Shows the selection of certain lands by
the State of Idaho; and binds the United
States to patent such lands to the State, in accordance with
the Carey Act.

Note.

Agreements shown in Entries Nos. 2 and 3 cover all the land segregated for the Twin Falls Canal System, including the land described in the caption of this abstract.

No. 4
Water
Right.

I.B. Perrine Location Notice. Dated June 25, 1900;
to Filed July 21, 1900 at 2 P.M. Recorded
The Public. Book 1 Misc. page 106. Claims appropria-
tion of waters of Snake River of 3000 cu.
ft. per second for irrigating, domestic and manufacturing
purposes; point of diversion NW 1329 ft. from SE. corner Sec.
29, Tp. 10 S.R. 21 E.B.M. place of intended use certain
townships named therein (which are covered by the agreements
of segregation shown above.)

No. 5
Water
Right.

Twin Falls Land Location Notice. Dated Oct. 11, 1900; Filed
& Water Company Oct. 30, 1900 at 2 P.M. Recorded Book 1
to Misc. page 111. Claims appropriation of
The Public. waters of Snake River of 3000 cu. ft.
per second; point of intended diversion
same as Entry No. 4. Place of intended use, lands on south
side of Snake River as shown by permit of State Engineer
to said Company.

No. 6.
Water
Right.

POOR ORIGINAL

I.B. Perrine,
to
Twin Falls Land &
Water Company.

Assignment of Water Right. Dated Jan. 22, 1906; Filed Aug. 17, 1906 at 9:5 AM. Recorded Bk. 1 Deeds pg. 622. States that I.B. Perrine assigned the water right shown in Entry No. 4 herein Sept. 1900 to Twin Falls Land & Water Co., said assignment has been lost or mislaid and this assignment is made to confirm the first one made.

No. 7.
Articles
of Incorporation.

Twin Falls Land &
Water Company
to
The Public.

Dated Sept. 3, 1900; Filed July 3, 1903 at 1:10 PM Shows the incorporation under the laws of the State of Utah; term of 50 yrs. objects, to do all things necessary for the development of their irrigation system. Re-filed Twin Falls County, October 10, 1911.

No. 8.
Mortgage.

Twin Falls Land &
Water Company,
to
Walter G. Filer &
Martin B. DeLong.

Mortgage; Dated July 1, 1904; Filed Jan. 26, 1905 at 1:20 P.M. Recorded Bk. 1 Mtgs. page 173; Covers all property now owned or hereafter to be acquired by first party, including entire Twin Falls dam and canal system, all water rights, etc.

No. 9.
Release
of
Mortgage.

Walter G. Filer &
Martin B. DeLong,
to
Twin Falls Land &
Water Company.

Satisfaction of Mortgage. Dated Dec. 22, 1905; Filed Feb. 2, 1906; Recorded Bk. 1 Satis. Mtgs. pg. 28. Releases the mortgage described in the preceding entry.

No. 10.
Trust
Deed.

Twin Falls Land &
Water Company,
to
American Trust &
Savings Bank, Trustee.

Trust Deed. Dated Jan. 1, 1906; Filed Jan. 29, 1906 at 9 AM. Recorded Bk. 1 Mtgs. pg. 275. Conveys lien on dam, canal system, water rights, franchises etc. also all notes, contracts and mortgages now owned or which may be acquired by first party, provided, that no lien is created on said notes, contracts and mortgages, until they shall be specifically assigned and deposited with trustee.

No. 11.
Designa-
tion
of Agent.

Acceptance of the Constitution and Designation of agent by Foreign Corporation. Dated Sept. 9, 1908; Filed Sept. 16, 1908 at 9:34 AM File No. 5. Designates Fred A. Voigt, at Twin Falls, County of Twin Falls, Idaho, as authorized agent of Twin Falls Land & Water Co.

No. 12.
Copy of
Resolu-
tion.

Copy of Resolution passed at a regular meeting of the Board of Directors of Twin Falls Land & Water Co., held at Salt Lake City, Utah July 1, 1903; authorizes Secretary to sign, seal and deliver, for and on behalf of the corporation all contracts for sale of water rights, and assignments and releases of such contracts. Dated Apr. 28, 1909; Filed Apr. 29, 1909 at 3:5 P.M. Recorded Bk. 1 Miscellaneous page 275.

No. 13.
Copy of
Resolu-
tion.

Copy of Resolution passed at a regular meeting of the Board of Directors of Twin Falls Land & Water Co., held at Salt Lake City, Utah, August 2, 1910. Electing Chester C. Baird Assistant Secretary of said Twin Falls Land & Water Co. and defining his powers and duties, among others, to execute for and on behalf of the corporation all water contracts and assignments and releases of such contracts. Certified as a true copy August 2, 1910 by Frank H. Buhl, President and J. P. Whitla, Secretary. (Corporate Seal). Filed August 15, 1910. Instrument No. 21477. On File among Articles of Incorporation.

PROFILMED
OCT 28

POOR ORIGINAL

No. 14
Water
Contract

Twin Falls Land & Water Co. Water Contract No. 2259. Dated April 13, 1908. Filed April 25, 1908. Recorded Book G of Water Contracts, Page 76. Consideration \$1,000.00. Contracts for delivery of 1/60 cu. ft. of water per sec. per acre for irrigating NW 1/4 SE 1/4 Sec. 13, Tp. 9 S.R. 14, E.B.M. Consideration \$1000.00 of which \$120.00 was paid on signing contract, balance payable in nine annual installments with 6% interest. Deferred payments shall be a lien on the land, to secure payment of which this contract acts as a first mortgage. Water shall be dedicated and appurtenant to said land and none other, and title to water shall pass with title to the land.

No. 15
Final Certificate

State of Idaho
to
Seymour Fairchild
Final Certificate. Dated July 28, 1908. Filed August 18, 1908. Recorded Book 1 of Final Certificates, Page 170. Shows submission of evidence of cultivation, reclamation and settlement of the NW 1/4 SE 1/4 Sec. 13, Tp. 9 S.R. 14 E.B.M., containing 40 acres, more or less. Approved August 10, 1908 by order of State Board of Land Commissioners, M.I. Church, Register, (Seal of State Board of Land Commissioners). (Covers land described in caption of this abstract)

No. 16
Mortgage

Seymour Fairchild and
Melissa Fairchild, his wife
to
George E. Harlan
Mortgage. Dated December 3, 1908. Filed December 4, 1908. Recorded Book 6 of Mortgages, Page 183. Consideration \$186.38. Covers NW 1/4 SE 1/4 Sec. 13, Tp. 9 S.R. 14 E.B.M. Subject to deferred payments due Twin Falls Land and Water Company on water contract. Given to secure payment of one note of even date for \$186.38, due 10 months after date with 10% interest. Signed Seymour Fairchild, Mrs. Melissa Fairchild. Witness J.W. Faris. Acknowledged Nov. 3, 1908 before John W. Faris, Notary Public Twin Falls County, Idaho. (Seal) (For release see following entry of this abstract)

No. 17
Release

George E. Harlan
to
Seymour Fairchild and
Melissa Fairchild, his wife
Marginal Satisfaction of Mortgage
Dated March 7, 1910. Filed March 7, 1910. Recorded on Margin of Record, Book 6 of Mortgages, Page 183. I hereby acknowledge full and entire satisfaction of the debt secured by this Mortgage. George E. Harlan. Signed and acknowledged before me this 7 day of March, 1910, H.T. West, Ex-Officio Recorder, Twin Falls Co., Idaho, C.C. Siggins, Deputy. (Releases Mortgage at Entry No. 16 of this abstract)

No. 18
Mortgage

Seymour Fairchild and
Melissa Fairchild, his wife
to
T.H. Miller
Mortgage. Dated March 6, 1909. Filed December 29, 1909. Recorded Book 10 of Mortgages, Page 74. Consideration \$95.00. Covers NW 1/4 SE 1/4 Sec. 13, Tp. 9 S.R. 14 E.B.M., subject to payments due Twin Falls Land and Water Company, and subject to mortgage of \$180.00 in favor of Geo. Harlan. Given to secure payment of one note of even date for \$95.00, due 6 months after date with 8% interest. Signed Seymour Fairchild, Melissa Fairchild. Witness J.W. Faris. Acknowledged March 6, 1909, before John W. Faris, Notary Public Twin Falls County, Idaho (Seal).

Rel #2-4

POOR ORIGINAL

No. 19
Deed

Seymour Fairchild and Melisia Fairchild, his wife
to
L.C. Harvey
Warranty Deed. Dated February 18, 1910. Filed May 9, 1910. Recorded Book 13 of Deeds, Page 640.
Consideration \$100.00. Conveys NW 1/4 SE 1/4 Sec. 13, Tp. 9 S.R. 14 E.B.M. Subject to \$22.00 per acre due Twin Falls Land & Water Company for water right. Signed Seymour Fairchild, Melisia Fairchild. Witness Russ W. Allred. Acknowledged February 18, 1910. before Russ W. Allred, Notary Public Twin Falls County, Idaho (Seal).

No. 20
Mortgage

L.C. Harvey and Lizzie Harvey, his wife
to
Citizens State Bank
Mortgage. Dated May 7, 1910. Filed May 9, 1910. Recorded Book 12 of Mortgages, page 122. Consideration \$300.00. Covers NW 1/4 SE 1/4 Sec. 13, Tp. 9 S.R. 14 E.B.M. Subject to lien of Twin Falls Land & Water Company for water right. Given to secure payment of one note of even date for \$300.00, due 6 months after date with 12% interest payable quarterly. Signed L.C. Harvey, Lizzie Harvey. Witness Russ W. Allred. Acknowledged May 7, 1910 before Russ W. Allred, Notary Public Twin Falls County, Idaho (Seal).

No. 21
Mortgage

L.C. Harvey and Lizzie Harvey, his wife
to
Citizens State Bank.
Mortgage. Dated December 14, 1911. Filed December 15, 1911 at 9:35 o'clock A.M. Instrument No. 3167. ~~Not Yet Recorded~~. Consideration \$700.00. Covers NW 1/4 SE 1/4 Sec. 13, Tp. 9 S.R. 14 E.B.M. Subject to \$16.00 per acre due the Twin Falls Land and Water Co. for water right. Given to secure payment of one note of even date for \$700.00 due 3 years after date with 9% interest payable semi-annually. Signed L.C. Harvey, Lizzie Harvey. Witness Russ W. Allred. Acknowledged December 14, 1911 before Arthur W. Ostrom, Notary Public Twin Falls County, Idaho (Seal). (Recorded in Book 19 of Mortgages, page 143.)

No. 22
Taxes

Taxes for 1911 and prior years are paid.

Certificate

We hereby certify that the foregoing twenty-two (22) entries show all the instruments that have been filed or recorded in the office of the Recorder of Twin Falls County, State of Idaho that in any manner affect the title to the real estate described in the caption of this abstract.

We further certify that there are no tax sales, judgments or liens of any kind shown on the public records of said County and State affecting said real estate, not herein shown.

Dated at Twin Falls, County of Twin Falls, State of Idaho this 15th day of December, A.D. 1911, at 10:00 o'clock A.M.

TWIN FALLS TITLE & ABSTRACT COMPANY, INC.

By

Arthur J. Racy

MICROFILMED
OCT 28 1994

Log for claim 47-15274

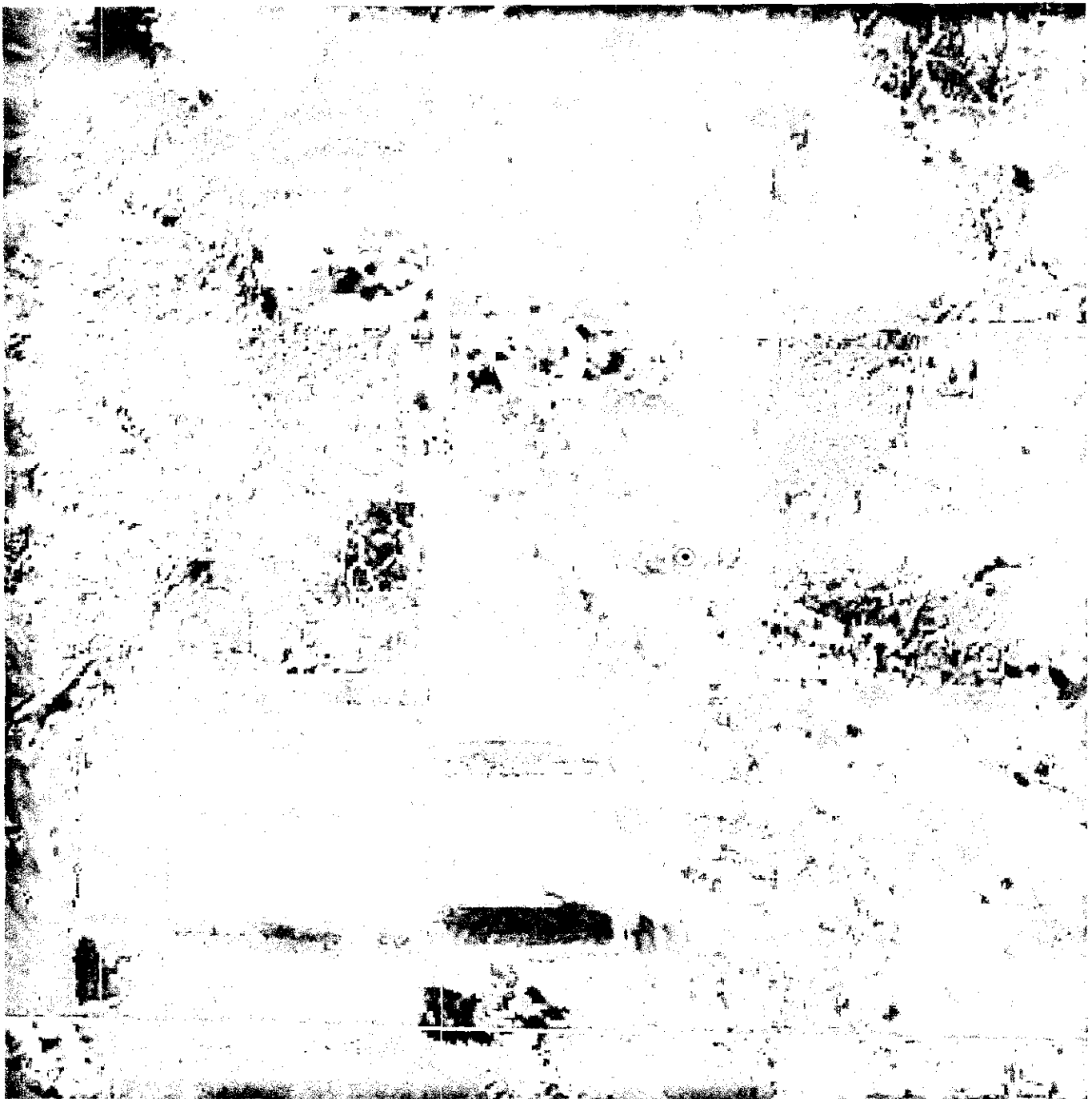
Spatial Dynamics BTD

3/6/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	13	NWSE	4	12	Indiscernible
Totals:			4	12	

Water Right Claim Number 47-15274
Township , 9S14E

03/06/2001



Legend			
Irrigated Area	——	Section Line	——
⊙ Place of Diversion	——	Quarter Section Line	——
		Roads	——
		Streams and Canals	——

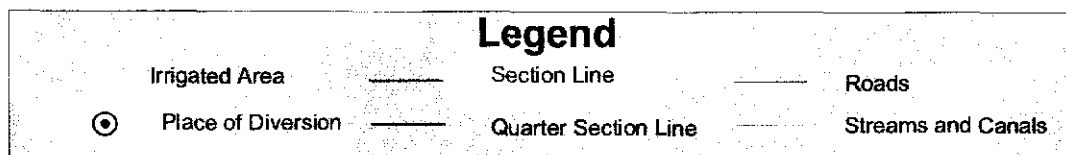


400 0 400 800 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-15274
Township , 9S14E

03/06/2001



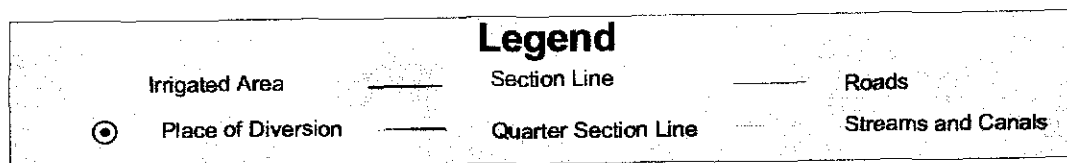
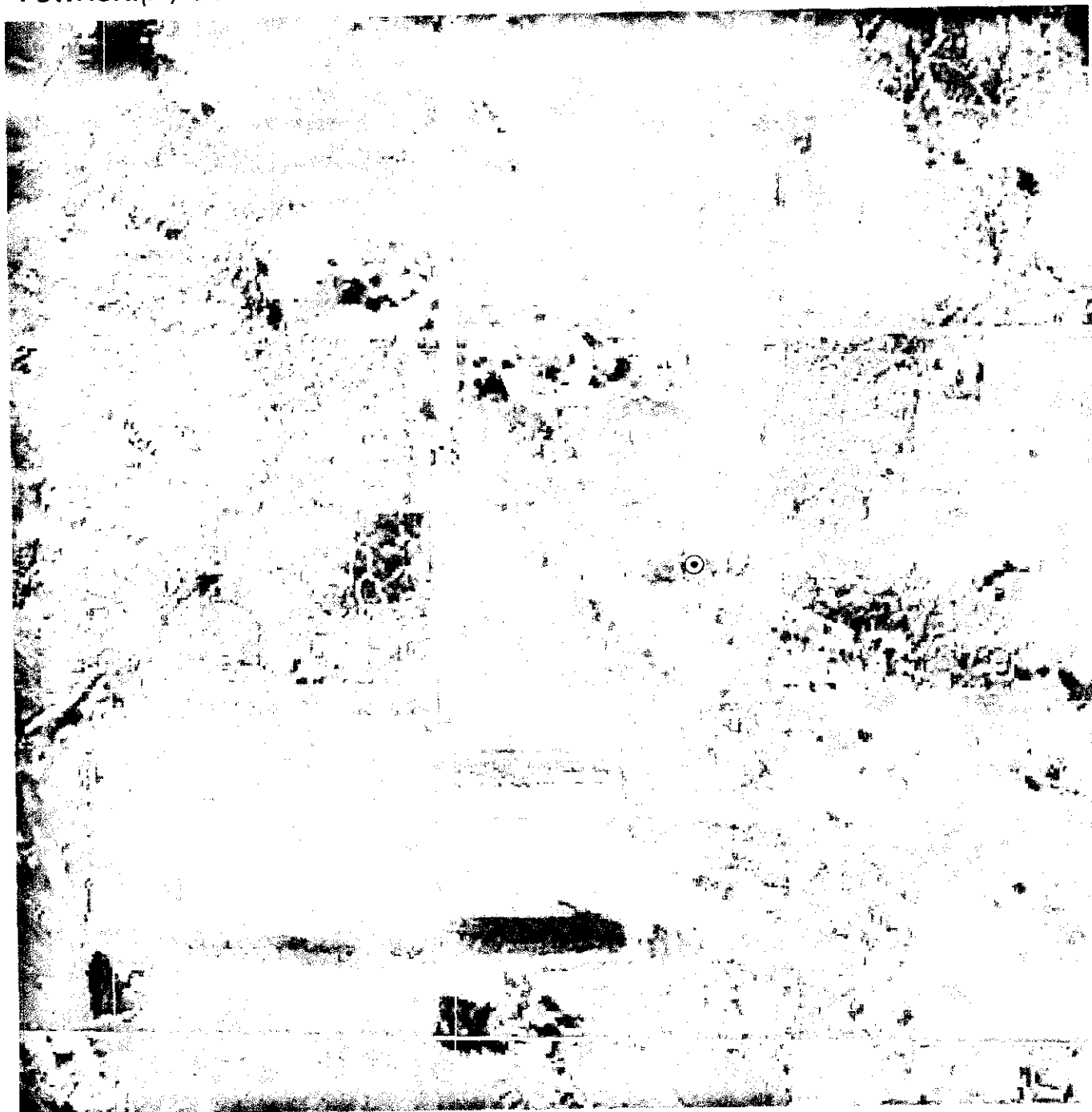
400 0 400 800 Feet

A scale bar with markings for 400, 0, 400, and 800 feet.

 SPATIAL
DYNAMICS

Water Right Claim Number 47-15274
Township , 9S14E

03/06/2001



**SPATIAL
DYNAMICS**

AJ5809NP
No. A47-15274

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 272

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRED OSQUTHORPE	03/20/1947	IRRIGATION	03-15 11-15	0.080 CFS	
C	CAROL OSQUTHORPE 9324 SOUTH 1300 WEST WEST JORDAN UT 84088 (801) 561-3936					
TOTAL DIVERSION:					0.080 CFS	

Water Source: UNNAMED STREAM

Tributary to: J-3 COULEE

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09S R14E S13

NWSE

TWIN FALLS 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
09S	14E	13	:																	:	
																			04	:	4.0
																			TOTAL ACRES	:	4.0

POU County: TWIN FALLS

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

47-10125	47-10129	47-10485	47-10827	47-11798	47-11971	47-12977	47-13904	47-14977	A47-10125
A47-10129	A47-10485	A47-10827	A47-11798	A47-11971	A47-12977	A47-13904	A47-14977	A47-15273	R47-15274

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

A47-04289A A47-07645 A47-07645A A47-07645B A47-15273 R47-07645 R47-07645A R47-07645B R47-15274

Remarks: GEN LAND HAS BEEN SPLIT INTO 3 PARCELS OWNED BY THE 3 DAUGHTERS OF MR. WONENBERG (NOW DECEASED). THE DIVERSION SYSTEM IS STILL OPERATED AS ONE UNIT, SO ALL 3 PARCELS ARE COVERED BY THIS ONE CLAIM. OF THE 17.5 ACRES OWNED, ABOUT 15 ACRES ARE IRRIGATED.

OWNERSHIP CHANGE 10/17/91 BY JG.

SPLIT RT. A47-07645A - PETERSON, BARBARA & DUANE A.

CLAIM BASED UPON A47-07645B BUT CLAIMANT WANTED TO CLAIM A BENEFICIAL USE CLAIM FOR THE SAME USE BUT FOR AN EARLIER PRIORITY DATE. KKC. 5-28-93.

OWNERSHIP CHANGE MADE 3-17-95 BY TLB. PETERSEN-FORMER OWNER, OSQYTHORPE-NEW OWNER. BOTH SINGATURES INCLUDED ON FORM.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A47-15274

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 273

Audit: 05/28/93 CHRISTEN 03/17/95 TBACKLUN 03/30/95 POST-STD