

September 28, 2004

Roxanne Brown
State of Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Dear Ms. Brown:

Re: Water-right numbers 74-716, 74-717, 74-1860, 74-1861

Enclosed are copies of the deeds I understand are needed regarding the above water rights:

1. First is the quitclaim deed from the Peter N. Jenson estate to Frank Russell Hartvigson.
2. Second is the quitclaim deed from the Frank Russell Hartvigson estate to his widow Eunice E. Hartvigson.
3. Third is the quitclaim deed from Eunice E. Hartvigson to her Living Trust, the Eunice E. Hartvigson, Company.

These are the copies the Lemhi County Clerk and Recorder sent showing the titles until the Eunice E. Hartvigson Company was created. If you need added information, please let me know. You already have the information regarding the change of ownership from the Eunice E. Hartvigson Company (a living trust) to the Zenas R. Hartvigson Company (a living trust), the current owner.

Sincerely



Zenas Hartvigson
746 King Street
Denver, CO 80204-3160
e-mail zenas.hartvigson@cudenver.edu

QUIT CLAIM DEED

THIS INDENTURE, Made and entered into this 18th day of January, in the year of our Lord one thousand nine hundred and thirty-nine, between Hannah Andrews, widow of Logan, Utah, Oliver Jenson of Logan, Utah, and Ida Jenson, Clyde Jenson, Vernon Jenson, Donald S. Jenson, Merlin Jenson, of Oneida County, State of Idaho, all being heirs at law and devisees named in the will of Peter N. Jenson, deceased, late of Baker, Lemhi County, Idaho, the parties of the first part, and FRANK RUSSEL HARTVIGSON, of Baker, Lemhi County, Idaho, the party of the second part,-

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of One Dollar, lawful money of the United States of America, the receipt whereof is hereby acknowledged, to them in hand paid by the said party of the second part, do hereby REMISE, RELEASE and forever QUITCLAIM unto the said party of the second part, and to his heirs and assigns, all of their right, title, estate and interest as such heirs at law and devisees or otherwise in and to the following described property:

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Twp. 20 North, Range 23 E.B.M., and that portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 3, lying North and East of the right of way of the Gilmore & Pittsburg Railroad, more particularly described as follows:

Commencing at the NE corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 3, running thence W. to the right of way of the said Gilmore & Pittsburg Railroad; thence SE along the East line of said right of way to the Sec. line between Section 3 and 10; thence East along said Sec. line to the SE corner of said 40 acre tract; thence North 1320' more or less to the point of beginning, containing approximately 25 acres, containing in all approximately 65 acres.

Together with all water and water rights, ditch and ditch rights appertaining thereto.

And the parties of the first part do hereby sell, assign, transfer and set over unto the said party of the second part, his heirs and assigns, all of their right, title, estate and interest in and to the estate of said Peter N. Jenson, deceased, save and excepting therefrom their interest in said estate in and to the real property situate in Butte County, State of Idaho, save and excepting therefrom their interest in and to the livestock belonging to said estate and now in the hands of the executor thereof at Baker, Lemhi County, Idaho, and the said parties of the first part do hereby authorize, instruct and direct the Probate Court of Lemhi County, Idaho, to distribute the estate hereby conveyed and assigned to said FRANK RUSSEL HARTVIGSON, the party of the second part.

Together with all the tenements, hereditaments and appurtenances thereunto belonging, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to said premises, and every part and parcel thereof.

TO HAVE AND TO HOLD All and singular the said premises with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

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

Witness the signatures of Hannah Andrews & Oliver Jenson, sometimes known as Oliver A. Jenson

Geo. D. Preston,
Witness

Ida Jenson (SEAL)
Clyde Jenson (SEAL)
Vernon Jenson (SEAL)
Donald S. Jenson (SEAL)
Merlin Jenson (SEAL)
Hannah Andrews (SEAL)
Oliver A. Jenson (SEAL)
Oliver Jenson

STATE OF UTAH)
COUNTY OF CACHE) ss.

On this 15th day of November, in the year 1939, before me, the subscribed, a Notary Public in and for said County and State, personally appeared Hannah Andrews and Oliver Jenson, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Geo. D. Preston
Notary Public Residence: Logan Utah
Com. ex. 2-15-41

(SEAL)
STATE OF IDAHO)
COUNTY OF ONEIDA) ss.

On this 11th day of October, in the year 1939, before me, the subscribed, a Notary Public in and for said County and State, personally appeared Ida Jenson, Clyde Jenson, Vernon Jenson, Donald S. Jenson, Merlin Jenson, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

T. E. Ray
Notary Public for Idaho;
Residence: Malad, Idaho.

(SEAL)

Documentary stamp \$.50 canceled 11/21/39

Recorded at the request of Frank Russell Hartvigson November 21, 1939 at 15 minutes past 3 o'clock P. M., in Book 35 of Deeds page 77 Records of Lemhi County, Idaho

W. W. Simmonds
County Recorder

By Margaret Shoup Deputy

Fee: \$1.80

(Optional)					
Recorded	☐	Platted	☐	Key Punched	☐
Microfilmed	☐	Deed Card	☐	Master File	☐
Indexed	☐	Compared	☐	Abstracted	☐
				To Treasurer	☐

QUITCLAIM DEED

THIS INDENTURE, Made this 4th day of January
in the year of our Lord one thousand nine hundred and eighty-four between

EUNICE E. HARTVIGSON, a widow,

of

County of

State of _____, the party _____ of the first part, and EUNICE E. HARTVIGSON CO.,
A Colorado General Partnership, comprised of Eunice E. Hartvigson, Zenas R. Hartvigson,
and Sharon C. Hartvigson, as general partners, of 746 King, Denver, CO 80204

State of Colorado, the party _____ of the second part.

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

TEN DOLLARS (\$10.00) and other good and valuable considerations----- DOLLARS,
lawful money of the United States of America, to her _____ in hand paid by the said part Y _____ of
the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release
and forever QUITCLAIM, unto the said party _____ of the second part, and to its heirs and
assigns and successors that certain lot _____ piece _____ or parcel _____ of land, situate, _____ and being in
_____ County of Lemhi _____ State of Idaho, bounded and particularly
described as follows, to-wit:

Township 20 North, Range 23 East, Boise Meridian

Section 3: N1/2SE1/4 LESS that part lying South and West of State
Highway No. 28, formerly railroad right-of-way; SW1/4NE1/4;
SE1/4SE1/4; and that part of the SW1/4SE1/4 lying North
and East of said Highway No. 28.

LESS AND EXCEPTING THE FOLLOWING PARCEL:

A parcel of land located in the NE1/4SE1/4 Section 3, T. 20 N.,
R. 23 E.B.M., Lemhi County, Idaho, more particularly described as
follows:

Commencing at the East 1/4 corner of said Section 3, from which the
South 1/4 corner of Section 2 bears S. 45°00' E., a distance of 683.61
feet on a bearing of S. 38°41'06" W. to the REAL POINT OF BEGINNING.

From this REAL POINT OF BEGINNING, a distance of 365.00 feet on a
bearing of N. 79°37'40" W.; thence S. 44°46'33" E. 572.97 feet;
thence N. 36°48'28" E. 228.71 feet; thence N. 48°59'13" W. 240.62 feet
to the REAL POINT OF BEGINNING, said parcel contains 2.00 acres.

Location of above described property _____

House No. _____

Street _____

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name _____

Address _____

City & State _____

108726

State of Idaho }
County of Lemhi } ss.

Recorded at the request of

Fred H. Snook

July 29 19 68

at 46 minutes past 10 o'clock

A. M. in P. M. of Deeds

Records of Lemhi
County, Idaho

Eleanor Aldous

County Recorder

By *Marguerite Butler*
Deputy

Fee: \$2.40

INDEXED

PRO

ST

COUNTY OF

IN THE

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FINAL

Filed

ALSO:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Fr. SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Fr. N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 3,
Township 20, North Range 23, E.B.M.;

EXCEPTING THE FOLLOWING: All of the land in the SW corner
of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3, Township 20 North, Range 23,
East Boise Meridian, lying South and West of Highway 28 in
Lemhi County, Idaho, containing 1 acre, more or less.

IN THE PROBATE COURT, COUNTY OF LEMHI, STATE OF IDAHO

I, Irvin C. Robertson, Judge and Ex-Officio Clerk of the aforesaid
Court, do hereby certify that the within or hereunto annexed
instrument is a full, true and correct copy of the original *Here*
on file

Attendant in this Court. File No. *393* of *Probate*
Records, Lemhi County, State of Idaho.

IN WITNESS THEREOF I have this *29th* day of *July* 196*8*,
hereunto set my hand and affixed the seal of this Court.

Irvin C. Robertson
Probate Judge

and any other property not now known or discovered,
which may belong to the said estate or to which the said estate may have any interest, be and the same is
hereby distributed as follows, to-wit: to

EUNICE E. HARTVIGSON.

Done in open Court this 29th day of July, 1968

(SEAL)

Irvin C. Robertson

Probate Judge.

that the estimated expense of closing the estate will amount to **nothing**

, leaving a

residue of **all property listed in inventory & appraisalment**; and it appearing that all claims and debts against the said decedent, and all State, County and Municipal taxes legally levied on the personal property of said estate, and all transfer and estate taxes that have attached to or accrued against the said estate, and all debts, expenses and charges of administration have been fully paid and discharged, and that said estate is ready for distribution and in conditions to be closed;

And it further appearing to the Court that the said **F. R. Hartvigson**

died **in** testate, in the County of **Lamhi**, State of **Idaho**
on the **8th** day of **September**, A.D. 19**63**, leaving surviving

Eunice E. Hartvigson, surviving widow
Lois J. Richins, a daughter
Zenas R. Hartvigson, a son
C. LeVern Hartvigson, a son
Carolyn M. Jones, a daughter
Leon Hartvigson, a son

That the said **Eunice E. Hartvigson, the surviving widow, is**

entitled to **all** the residue of said estate

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the residue of said estate of

F. R. Hartvigson, deceased, hereinafter particularly

described and now remaining in the hands of said **administratrix**
described as follows, to-wit:

Certain real and personal property in Lamhi County, Idaho, to wit:

22 head of mixed cows and heifers; 1 Hereford bull; 3 head of horses; 25 head of ewes; 1 Hampshire purebred buck; 1 Duroc sow and 2 Duroc gilts; and, miscellaneous farm machinery and equipment.

IN THE PROBATE COURT

OF

LEMMI

COUNTY, STATE OF IDAHO

IN THE MATTER OF THE ESTATE OF

F. R. HARTVIGSON,

Deceased.

DECREE OF SETTLEMENT OF FINAL
ACCOUNT AND FINAL DISTRIBUTION

Marion E. Hartvigson the **administratrix**

of the estate of **F. R. Hartvigson**, deceased,

having on the **17th** day of **July**, **1963**, rendered and presented for

settlement and filed in this Court **her** final account and report of **her** administration of said estate, which account was for a final settlement, and having with said account filed a petition for the final distribution of the estate;

And the said account and petition this day coming on regularly to be heard, and proof having been made to the Satisfaction of the Court that notice of the day appointed for the settlement of said account and hearing of said petition had been duly given as required by law and the order of this Court, and no exception or objection in writing to said account or petition having been filed or made; the said **administratrix**

appearing by

her attorney, **Fred H. Snook**

And it appearing to the Court after having fully examined the said account and the vouchers filed herein and heard the testimony in support thereof, that said account is in all respects true and correct;

that the residue of money in the hands of the **administratrix** at the time of filing

said account was **nothing; and,** ;

that the sum of **\$561.00** has been expended by

administratrix as necessary charges,

debts, claims and expenses of administration, the vouchers whereof have been presented and filed; and that said account is in all respects true and correct and entitled to be settled, allowed and approved, and the Court having duly considered all the matters aforesaid;

IT IS ORDERED AND DECREED, That the said final account be and the same hereby is in all respects as the same was rendered and presented for settlement, approved, allowed and settled;

And it further appearing that since the rendition of said final account there has been received by said **administratrix**

the sum of **nothing**

and that there has been disbursed by **said administratrix**

nothing;
the sum of ~~nothing~~
the vouchers whereof, together with a statement of said receipts and disbursements, is now reported and filed, the said statement, receipts and disbursements are settled, allowed and approved, and it further appearing

No. Filed , 19

, Clerk.

Recorded in Book

, Page

return to:

T. MICHAEL CARRINGTON
Attorney & Counselor at Law
Suite 204, 3201 So. Tamarac Dr.
Denver, Colorado 80231

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 party of the second part, and to its heirs and assigns

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Eunice E. Hartvigson [Seal]
EUNICE E. HARTVIGSON [Seal]

[Seal]

[Seal]

STATE OF ^{MONTANA} IDAHO

County of Jefferson

On this 2nd

day of

January

in the year 1984, before me

Barbara Sunderland

a Notary Public

in and for said State, personally appeared EUNICE E. HARTVIGSON

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

Barbara Sunderland
Notary Public for the State of ^{Idaho} ~~Idaho~~ Montana
Residing at *Whitehall, Mont.*

No. 170658

QUITCLAIM DEED

Dated

19

STATE OF IDAHO,

County of Lemhi

I hereby certify that this instrument was filed

for record at request of Petersen, Moss, Olsen

Mcacham, & Carr, Attorneys

at - 0 - minutes past 3

o'clock P.M., this 3rd day

of February, A.D. 1984

in my office, and duly recorded in Book

of DEEDS

Alberta Weiderrick

Ex-Officio Recorder.

By *Barbara Sunderland* Deputy.

Fees, \$ 4.00 pd.

Mail to T. Michael Carrington, Attorney
Suite 204, 3201 So. Tamarac Drive
Denver, Colorado 80231

STEVENS COMPANY, BOISE