

RECEIVED
NOV 19 2004
DEPARTMENT OF
WATER RESOURCES

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 ~~74-2159~~ 74-15633

Date Received 11/19/2004

Receipt Number CO 75867

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

1. Name of Claimant(s) McFarland Livestock Company, Inc. Phone (208)768-2711

Mailing Address c/o Tex J. Kauer, PO Box 50, Lemhi, ID Zip 83465

2. Date of Priority (Only (1) per claim) June 30, 1913

3. Source of water supply (a) Mill Creek

which is tributary to (b) Lemhi River

4.a. Location of existing point of diversion is:

Township 16N Range 24E. Section 15, ___ 1/4 of NW 1/4 of SE 1/4, Govt. Lot ____,
County of Lemhi

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township ___ Range ___ Section __, ___ 1/4 of ___ 1/4 of ___ 1/4, Govt. Lot ___ B.M., County of _____
ending point is: Township ___ Range ___ Section __, ___ 1/4 of ___ 1/4 of ___ 1/4 Govt. Lot ___ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged
and the depth of each well. Headgate and ditch to pond.

6. Water is claimed for the following purposes: (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 03/15 to 11/15 amount 2.2 or _____

7. Total quantity claimed (a) 2.2 (cfs) and/or (b) ___ (acre feet)

8. Total consumptive use claimed is ___ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

Permissible place of use:

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
16N	25E	4												0.8					0.8	
		5									5.5				26.7	1.3	17.7	26.7	34.6	112.5
		8	33.8	37.1				9.4												80.3
		9																		0.6

Total number of acres irrigated 113.6 plus 24.6 enlargement of 194.2 total

11. In which county(ies) are lands listed above as place of use located? Lemhi
12. Do you own the property listed above as place of use? Yes X No
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
74-1506, water from springs in SWNW of Section 8, T.16N., R.25E., wastewater and 74-7305 or None ()
(New SRBA claims have been filed for the springs and waste water)

14. Remarks:

This right was a subject of the 1982 Lamhi Adjudication Decree for 113.6 acres; in 1984, claimant modified the system (an accomplished change in place of use under I.C. 42-1425) and enlarged the irrigated acreage by 24.6 under I.C. 42-1426.

15. Basis of Claim (Check one) Beneficial Use Posted Notice Permit Decree X License
If applicable provide IDWR Water Right Number
Court Case Number Decree Date
Plaintiff vs Defendant

16. Signature(s)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Date
 Date

For Organizations: I do solemnly swear or affirm that I am President of of

McFarland Livestock Company, Inc., that I have signed the foregoing document in the space below as

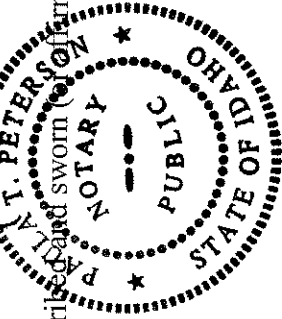
President (Organization) of McFarland Livestock Company, Inc. and that the statements contained in the foregoing document are true and correct.

Last Name McFarland Livestock Company, Inc. Ident. Number 74-2159

Signature of Authorized Agent Tex J. Kauer President
Title and Organization McFarland Livestock Company, Inc. Date 11, 15, 04

State of Idaho)
County of Laramie) SS.

Subscribed and sworn (affirmed) before me this 15th day of November, 2004 at PTO



Notary Public Paula G. Peterson
Residing at Leadore, ID
My Commission Expires 1-24-2006

17. Notice of Appearance:

Notice is hereby given that TEX J. KAUER will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Tex J. Kauer
Address PO Box 50150 Idaho Falls, ID 83405
Date 11/16/04

Bottom
120 acres

Instrument No. 70471

WARRANTY DEED

THIS INDENTURE, Made this 25th day of January, in the year of our Lord one thousand nine hundred and fifty-four, between RALPH S. MOSS and VETA MOSS, husband and wife, of Moore, County of Butte, State of Idaho, the parties of the first part, and T. L. McFARLAND, a married man, of the County of Lemhi, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of THREE THOUSAND TWO HUNDRED SEVENTY-NINE and 75/100 DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in the County of Lemhi, State of Idaho, to-wit:

The Southeast Quarter of the Southwest quarter (SE1/4SW1/4) and the West half of the Southeast quarter (W1/2SE1/4) of Section Five (5), Township Sixteen (16) North, Range Twenty-five (25) East of the Boise Meridian.

Together with all water rights, ditches and ditch rights appurtenant thereto or used in connection therewith.

Documentary Stamps \$3.85	Cancelled 1/25/53	R.S.M.
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TOGETHER, With all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, 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 the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all 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 PRESENCE OF
 Ralph S. Moss (Seal)
 Veta Moss (Seal)

STATE OF IDAHO,)
) ss.
 COUNTY OF LEMHI)

On this 25th day of January in the year 1954, before me the undersigned, a Notary Public in and for said State, personally appeared RALPH S. MOSS and VETA MOSS, 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.

(SEAL)
 C. Walker Lyon
 Notary Public for the State of Idaho
 Residing at Salmon, Idaho

STATE OF IDAHO,)
)
 COUNTY OF LEMHI)

I hereby certify that this instrument was filed for record at request of C. Walker Lyon at 24 minutes past 1 o'clock P.M., this 5th day of March, A.D. 1954 in my office, and duly entered in Book 44 of Deeds at page 354.

W. W. Simmonds
 Ex-Officio Recorder
 By *Spal. Redington* Deputy

Fee, \$1.50 Paid

Bottom 120 Acres Meyers to Moss Book 44 page 353

RECORDED NO. 19410

WARRANTY DEED

THIS INDENTURE, Made this 5th day of August in the year of our Lord one thousand nine hundred and fifty, between GILBERT O. MYERS and MAE MYERS, husband and wife, of Leshore, County of Lemhi State of Idaho, the parties of the first part, and RALPH S. MOSS and VETA MOSS, husband and wife, of Higby, County of Jefferson State of Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of TEN and No/100 (and other valuable consideration) DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipts whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in County of Lemhi, State of Idaho, to-wit:

The Southeast Quarter of the Southwest Quarter, Southeast Quarter of Southwest quarter and Lot 7 of section 6, Township 16, North, Range 25 East of the Boise Meridian; the East half of the Southeast quarter of Section 1, the Southeast quarter of the Southeast quarter, the West half of the Southeast quarter of Section 5, Township 16, North, Range 25 East of the Boise Meridian.

Together with all water and water rights, ditches and ditch rights, and springs thereto belonging or in anywise appertaining.

Documentary Stamps \$7.70	Cancelled	Gom
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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; and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part.

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

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 PRESENCE OF
Gilbert O. Myers (Seal)
Mae Myers (Seal)

STATE OF IDAHO,)
COUNTY OF LEMHI) ss.

On this 5th day of August in the year 1950, before me the undersigned, a Notary Public in and for said State, personally appeared Gilbert O. Myers and Mae Myers, husband & wife 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.

(SEAL)
F. W. Moultrie
Notary Public for the State of Idaho
residing at Salmon, Idaho

STATE OF IDAHO,)
County of Lemhi,) ss.

I hereby certify that this instrument was filed for record at request of C. Walker Lyon at 23 minutes past 1 o'clock P.M., this 5th day of March, A.D. 1954 in my office, and duly entered in Book 44 of Deeds at page 353.

W. W. Simmonds
Ex-Officio Recorder
BY *Paul H. Haddington*
Deputy

Fee, \$1.50 Paid

Bottoms
1200000000

Wallace to Meyers

Book 44 p35

STATE OF IDAHO,)
County of Lemhi,) ss.

On this 13th day of October in the year 1950, before me the undersigned, a Notary Public in and for said State, personally appeared Tony Drnjevic, Matt Drnjevic and Josephine Benson 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.

(SEAL)
STATE OF IDAHO,)

Frederick Hughes Snook
Notary Public for Idaho, residing at Salmon, Idaho.

County of Lemhi,) ss.

I hereby certify that this instrument was filed for record at request of Mrs. Frank Hudlow at 20 minutes past 11 o'clock A. M., this 30th day of December, A. D. 1952 in my office, and duly entered in Book 44 of Deeds at page 34-35.

Fee, \$2.00 Paid

W. W. Simmonds
Ex-Officio Recorder
By *Spencer H. Huntington*
Deputy

Instrument No. 76468

WARRANTY DEED

THIS INSTRUMENT, Made this 22nd day of January in the year of our Lord one thousand nine hundred and forty-six between CHARLES M. WALLACE and CLARA R. WALLACE, husband and wife of County of Lemhi, State of Idaho the parties of the first part, and GILBERT O. MYERS and MAE MYERS, husband and wife of County of Lemhi, State of Idaho the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of TEN and No/100 DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in County of Lemhi, State of Idaho, to wit:

The Southeast Quarter of the Southwest Quarter, (S1/4SW1/4), and Lot 7, or Section 6, Township 16 North, Range 25 East of the Boise Meridian; the East half of the Southeast Quarter (E1/2SE1/4) of Section 1, The Southeast Quarter of the Southwest Quarter (SW1/4), The West Half of the Southeast Quarter (W1/2SE1/4), of Section 5, Township 16 North, Range 24 East of the Boise Meridian.

Together with all water and water rights, ditches and ditch rights;

Together with all grazing rights of whatsoever kind or nature, including Forest Service and Taylor Grazing rights, used in connection with, or appurtenant to said above described premises.

Documentary Stamps \$5.60

Cancelled 1-22-52 C. H. W.

TOGETHER, With all and sin ular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, 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 the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said part of the first part, and their heirs, and against all 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 hand and seals the day and year first above written.

signed, sealed and delivered in presence of

Charles M. Wallace (SEAL)
Clara R. Wallace (SEAL)

STATE OF IDAHO,)
County of Lemhi,) ss.

On this 22nd day of January in the year 1946, before me the undersigned, a Notary Public in and for said State, personally appeared Charles M. Wallace and Clara R. Wallace 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.

Kada Kavlic
Notary Public for the State of Idaho,
residing at Salmon, Idaho
(SEAL)

STATE OF IDAHO,)
County of Lemhi,) ss.

I hereby certify that this instrument was filed for record at request of Charles Remdon at 45 minutes past 10 o'clock A. M., this 5th day of January A. D. 1953 in my office, and duly recorded in Book 44 of Deeds at page 35.

Fees, \$1.50 Paid

W. W. Simmonds
Ex-Officio Recorder
By *Spencer H. Huntington*
Deputy

KNOW ALL MEN BY THESE PRESENTS, that THE UNION CENTRAL LIFE INSURANCE COMPANY, a corporation organized under the laws of Ohio, with its principal office in the city of Cincinnati, State of Ohio, in consideration of One Thousand Two Hundred & No/100 (\$1,200.00) DOLLARS, to it paid by Charles Wallace, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm to the said Charles Wallace the following described real estate, situated in the County of Lemhi and State of Idaho, to-wit:

The West Half (W $\frac{1}{2}$) of the southeast quarter (SE $\frac{1}{4}$) and the Southeast quarter (SE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section five (5) Township sixteen (16), North of Range twenty-five (25) East of the Boise Meridian, containing one hundred twenty (120) acres more or less of land;

Together with all the waters of certain springs arising on and near said land; Together with all the improvement, privileges and appurtenances thereunto belonging and all ditch and water rights of every nature, however evidenced, used on said land and belonging to the same; and being the same premises conveyed to The Union Central Life Insurance Company by Deed dated October 7, 1930 and recorded in Book 29 on pages 565 & 566 of the deed records of Lemhi County, Idaho;

TOGETHER WITH all the improvements, privileges and appurtenances thereunto belonging and all reservoir rights, ditch and water rights of every nature, however evidenced, with all rights of way, ditches, pumping sites, machinery or other physical properties now owned by the grantor and used on or for conveyance of water to or attaching or belonging to said land or to the said grantor for use thereon, and the said THE UNION CENTRAL LIFE INSURANCE COMPANY does here covenant with the said Charles Wallace that the said premises are free and clear from all incumbrances by, from, through, or under the said grantor and that it will forever warrant and defend the same, with the appurtenances, unto the said Charles Wallace against the lawful claims of all persons, claiming by, from, through, or under the grantor herein, except as against all rights under the existing tenancies or rights of parties in possession, all leases, rent contracts; rights of way and easements of every character now existing on, over, under or across said land; the grantee assumes and agrees to pay all taxes and assessments

IN WITNESS WHEREOF, the said THE UNION CENTRAL LIFE INSURANCE COMPANY HAS hereunto caused its name to be subscribed and its corporate seal to be affixed, this fifth day of November 1936.

THE UNION CENTRAL LIFE INSURANCE COMPANY,

By Chas. Hommeyer

Chas. Hommeyer Vice-President.

By W. C. Dunkhorst

W. C. Dunkhorst Assistant Treasurer.

(SEAL)

Revenue Stamps \$1.50

Cancelled U C L I Co 11/27/36

STATE OF OHIO }
COUNTY OF HAMILTON }

SS

On this fifth day of November in the year 1936 before me, Wm. H. Bardes, a Notary Public within and for the aforesaid County, personally appeared Chas. Hommeyer, and W. C. Dunkhorst, known to me to be the Vice-President and Assistant Treasurer, respectively, of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

My commission expires:

Jan. 22, 1937

(SEAL)

Wm H Bardes
Notary Public in and for Hamilton
County, Ohio
(Wm. H. Bardes)
Residing at Cincinnati, Ohio.

STATE OF IDAHO

County of Lemhi

I, the undersigned, County Recorder, within and for said County, do hereby certify that this instrument was filed for record in my office, at the request of J. W. Herndon on the 27th. day of November A. D., 1936 at 2:50 o'clock P. M., and was duly recorded in Book 32 of Deeds on Page 474.

Fee: \$1.50

County Recorder.

Book 29 p 565 + 566
Bos, 29-1-1929 Manary to the Bank.

INSTRUMENT NO. 37777

SHERIFF'S DEED ON FORECLOSURE.

THIS INDENTURE, made this 7th day of October, in the year of our Lord one thousand and Nine Hundred Thirty, between T. J. STROUD, Sheriff, of the County of Lemhi, State of Idaho, party of the first part, and THE UNION CENTRAL LIFE INSURANCE COMPANY of Cincinnati, Ohio, a corporation, party of the second part, WITNESSETH:

WHEREAS, in and by a certain judgment or decree made and entered by the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi, on the 29th day of July, 1929, in a certain action then pending in said Court, wherein The Union Central Life Insurance Company, a corporation, was plaintiff, and Percy W. Manary and Jane Doe Manary, his wife, whose true name is to this plaintiff unknown and James H. Wright, were defendants, in which said decree it was, among other things, ordered, adjudged and decreed that all and singular the mortgaged premises described in the judgment or decree should be sold at public auction by the Sheriff of the said County of Lemhi, in the manner required by law and according to the course and practice of said court; that any party to the action might become a purchaser at said sale; that said Sheriff should issue the usual certificate and deed to the purchaser or purchasers, as required by law, and,

WHEREAS, an execution in foreclosure was duly issued out of the above entitled Court on the 31st day of July, 1929, which execution was delivered to said sheriff, whereby he was, among other things, commanded that the said property therein described should be sold and the said decree carried out in full; and

WHEREAS, the said Sheriff did, on the 29th day of August, 1929, after due public notice had been given as required by the laws of this State and the course and practice of said Court, duly sell at public auction in the said County of Lemhi, agreeable to said judgment or decree and execution in foreclosure, and the provisions of law, the premises in said decree and execution mentioned, at which sale the premises in said judgment or decree, and hereinafter described, were fairly struck off to the said The Union Central Life Insurance Company, a corporation, party of the second part hereto, for the sum of \$1075.38, it being the highest bidder and that being the highest bid for the same; and,

WHEREAS, the said purchaser thereupon paid the said sheriff his fees and disbursements on said sale and directed that the balance thereof be applied in satisfaction of said judgment obtained by it; and,

WHEREAS, the said sheriff thereupon made and issued the usual certificate in duplicate of said sale, in due form of law, and delivered one thereof to the purchaser, The Union Central Life Insurance Company, a corporation, and caused the other to be filed in the office of the County Recorder of the County of Lemhi; and,

WHEREAS, more than twelve months have elapsed since the date of said sale and no redemption has been made of the premises so sold, as aforesaid, by or on behalf of said judgment debtors, Percy W. Manary and Jane Doe Manary, his wife, whose true name is to this plaintiff unknown, and James H. Wright, or by or on behalf of any other person;

NOW, THIS INDENTURE WITNESSETH: That the said party of the first part, as Sheriff, in order to carry into effect the sale so made in pursuance to said judgment or decree, and in conformity to the statute in such case made and provided, and also in consideration of the premises and the sum of \$1075.38, so bid and paid to him by said purchaser, as aforesaid the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part, and to its successors and assigns, forever, all those certain lots, pieces or parcels of land, situate, lying and being in the County of Lemhi, State of Idaho, and bounded and particularly described as follows, to wit:

The West Half ($\frac{1}{2}$) of the southeast quarter ($SE\frac{1}{4}$) and the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Five (5), Township sixteen (16), North of Range twenty five (25) East of the Boise Meridian, containing one hundred twenty (120) acres of land;

Together with all the waters of certain springs arising on and near said land;

Together with all the improvements, privileges and appurtenances thereunto belonging and all ditch and water rights of every nature, however evidenced, used on said land and belonging to the same;

Together with the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also the estate, right, title or interest, property, possession, claim and demand, whatsoever, as well in law as in equity of the said party of the first part and the said defendants, Percy W. Manary and Jane Doe Manary, his wife, whose true name is to this plaintiff unknown, and James H. Wright, of, in and to the said premises, and each part and parcel thereof.

TO HAVE AND TO HOLD, all and singular the said premises hereby conveyed, or intended so to be, together with the appurtenances, unto the said party of the second part, and to its successors and assigns, to its own proper use and benefit and behoof forever.

IN WITNESS WHEREOF, the said party of the first part to these presents has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of:

T. J. Stroud,
Sheriff of Lemhi County, State of Idaho.

STATE OF IDAHO,)
) ss.
COUNTY OF LEMHI.)

On this 23rd day of December, in the year 1930, before me W.W. Simmonds, a Clerk of the District Court, in and for said County, personally appeared T.J. Stroud, known to me to be the Sheriff of the County of Lemhi, State of Idaho, and the party who executed the foregoing instrument, and he duly acknowledged to me that he, as such Sheriff, 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.

(SEAL)

W. W. Simmonds,
Clerk of the District Court.

Recorded at the request of J. A. Herndon, December 30th, 1930, at 5 minutes past 9 o'clock A.M., in Book 29 of Deeds, pages 565 & 566, Records of Lemhi County, Idaho.

Fee: 2.20

County Recorder.

Instrument No. 37791.

THIS INDENTURE, Made this 29th day of December, in the year of our Lord one thousand nine hundred and thirty between MINNEAPOLIS-MOLINE POWER IMPLEMENT COMPANY, (a corporation under the laws of the State of Delaware) party of the first part, and STEPHEN A. MAHAFFEY, of the County of Lemhi and State of Idaho, party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of (\$1.00) One Dollar and other good and valuable consideration to us in hand paid by the said part... of the second part, the receipt whereof is hereby acknowledged, does by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the said party of the second part, and to his heirs and assigns, FOREVER, all the following described parcel of land situate in the County of Lemhi and State of Idaho, and known and described as follows, to wit:

North Half of Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$), Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Section Eighteen (18), Township Sixteen (16), North of Range Twenty-six (26), East of Boise Meridian.

TO HAVE AND TO HOLD THE SAME, Together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, unto the said party of the second part, his heirs and assigns, FOREVER. And the said Minneapolis-Moline Power Implement Company, a corporation, under the laws of the State of Delaware, party of the first part, for itself and its successors, does covenant with the said party of the second part, his heirs and assigns, that it has not made, done, executed or suffered any act or thing whatsoever, whereby the above described premises or any part thereof now or at any time hereafter shall or may be imperilled, charged or incumbered in any manner whatsoever; and the title to the above granted premises against all persons lawfully claiming the same from, through or under the said party of the first part, the said party of the first part will FOREVER WAHRANT AND DEFEND. Except taxes for years subsequent to Nineteen Hundred and Thirty and assessments for special improvements not yet in default.

IN TESTIMONY WHEREOF, The said party of the first part has caused these presents to be executed in its corporate name by its President and its Secretary, and its corporate seal to be hereunto affixed the day and the year first above written.

Signed, Sealed and Delivered in
Presence of: H. S. Holm
Florence Peterson

MINNEAPOLIS-MOLINE POWER IMPLEMENT COMPANY
By W. C. MacFarlane, Its President.
W. C. Rich, Its Secretary.

STATE OF MINNESOTA,)
COUNTY OF HENNEPIN.) ss.

On this 29th day of December, A.D. 1930, before me, a Notary Public within and for said County, personally appeared W. C. MacFarlane, and W. C. Rich, to me personally known, who, being each by me duly sworn did say that they are respectively the President and Secretary of Minneapolis-Moline Power Implement Company, the corporation named in the foregoing instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and said W. C. MacFarlane and W. C. Rich acknowledged said instrument to be the free act and deed of said corporation.

(Seal)

H. S. Holm,
H. S. Holm, Notary Public, Hennepin County,
Minn. My Commission Expires January 27, 1934.

OFFICE OF COUNTY RECORDER
STATE OF IDAHO,
COUNTY OF LEMHI.

I hereby certify that the within Deed was filed in this office for record on the 3rd day of January, A. D. 1931, at 9 o'clock A.M., at request of Cit. Nat'l Bank, and was duly recorded in Book 29 of Deeds, page 566.

Fee: 2.00

County Recorder.

328 Book W p 328

Manary Bottom 120 acres

Instrument No. 14760.

Hailey 09490.

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant Percy W. Manary, according to the provisions of the Act of Congress of April 24, 1820, entitled "An Act making further provision for the sale of the Public Lands" and the acts supplemental thereto, for the west half of the southeast quarter and the south east quarter of the southwest quarter of Section five in Township sixteen north of Range twenty-five east of the Boise Meridian, Idaho, containing one hundred twenty 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 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, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the 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 claimant and to the heirs and assigns of the said claimant 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 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, Woodrow Wilson 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 Eleventh day of May, in the year of our Lord one thousand nine hundred and fourteen and of the Independence of the United States the one hundred and thirty-eighth.

Seal.

By the President: Woodrow Wilson,

By H. K. Gullick, Assistant, Secretary

L. O. C. Lamer.

Recorder of the General Land Office.

RECORDED: Patent Number 404601.

Recorded at the request of W. C. Smith Aug. 1st, 1914, at 1 minutes past 1 o'clock P. M., in Book W of Deeds, page 328, Records of Lemhi County, Idaho.

[Signature]
County Recorder.

By *[Signature]*

Deputy.