

Notes

11-6-03 A.H. sent letter to Clamshell. BT

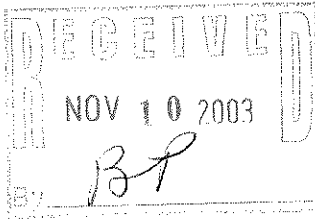
11-21-03 See memo of Andy's conversation. BT

11-24-03 Received letter from Clamshell's attorney. BT

12-3-03 email from A.H. BT

12/16/03 rec'd letter & copies of warrants, deed
from Justin Olson, attorney at law.

12/17/03 Forwarded information to Vicki Musie.



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

November 6, 2003

Casey W. Reed
1051 Reid Road
Firth, ID 83236

Re: Claim No. 27-4Y

Dear Mr. Reed:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 27 in the Snake River Basin Adjudication.

In order to make a complete and accurate recommendation of your water rights, each element of the water right must be proven. At this time, the Department does not have proof of ownership for your claim number referenced above. Please submit deed and proof of your ownership of the water right referenced above to the attention of Vicky Music, IDWR, 1301 N. Orchard, Boise, ID, 83706 Please submit your proof by **November 30, 2003.**

If you have questions regarding this request, please contact Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources at 208-547-3993 or you can contact me directly at 208-327-7900.

Very truly yours,

SUSAN HAMLIN NYGARD
Deputy Attorney General
Idaho Department of Water Resources

cc: Cindy Bird

file in
27-4Y
27-4C

11-21-03 10:45am. returned Justin
Alsen's call 785-4700; attorney's office.

ref: Letter from Susan Hamilton on evidence
of ownership on 27-4.

Subject: Justin's Uncle filed on 27-4Y
because they went to El. Falls and
Ron Carlson told them that this
water goes with the piece he
purchased. Purchased mid-80's.

27-14C, 27-10390 & 10398 were filed
also based on 27-4 by Justin's
grandfather.

Tels Just - originally homesteaded
this property. (family).

Justin:

It's his understanding that Fox & Whitten
filed on a lot of water and was going
to build a ditch to convey the water
but never followed through.

Extended the deadline date to Dec. 29, 2003.

BLASER, SORESENSEN & HANSEN, *Chartered*

Attorneys at Law
(208) 785-4700
FAX No. 785-7080

Stephen J. Blaser
Murray Jim Sorensen
Scott H. Hansen
Justin B. Oleson

285 N.W. Main
MAILING ADDRESS:
P.O. Box 1047
Blackfoot, Idaho 83221

November 24, 2003

Department of Water Resources
Attn: Cindy E. Bird
15 W. Center Street
Soda Springs, ID 83276
SENT VIA FAX: 208-547-3939

RE: Casey Reid
Claim No. 27-4Y

Dear Ms. Bird:

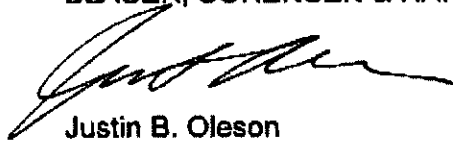
Casey Reid has contacted me in regards to proving this claim. This claim should be valid. I am in the process of tracking down documentation to substantiate the claim.

Please allow us time to get the information to you. If you need a specific date, please let me know.

If you have any questions, don't hesitate to contact me.

Yours very truly,

BLASER, SORESENSEN & HANSEN, Chrt.



Justin B. Oleson
Attorney at Law

JBO/kd
cc: Casey Reid

U
Bird, Cindy

From: Music, Vicky
Sent: Wednesday, December 03, 2003 3:45 PM
To: 'bsh@ida.net'
Cc: Bird, Cindy
Subject: To Justin Oleson re SRBA claim nos. 27-14, 27-4079, 27-4y, 10390, 10398

Justin -

This e-mail is in response to our conversations of the past few weeks re the water rights/ SRBA claims referenced above. Attached is an e-mail with scanned documents. The first 2 pages are from the Stevens Decree [IDWR decree # 27-C] regarding decreed rights 27-4 and 27-14. I have also included 2 pages from the land list in the Stevens case with information about the places of use of the 2 decreed rights 27-14 and 27-4.

Re 27-4y, 27-10390, 27-10398 - [you indicated you thought this last right should be 10389]:

27-4Y-this right is in the name of Casey Reid and was formed from a split from 27-4J
27-13090 - this right is in the name of Marlene and Wallace Reid and was formed from a split from 27-4J
27-10398 - this right is in the name of Marlene and Wallace Reid and was formed from a split from 27-4K
27-10389 - this right is in the name of Fred Vincent and was formed from a split from 27-4K

Re 27-4079:

Our database indicates that this was a statutory claim not a decreed right [not decreed in the Stevens decree]. Making a statutory claim was an old method of claiming a water right which does not mean that the right was proven to be valid or awarded in any way by IDWR or its predecessor. This method of claiming of right is not longer used, though the statutory claim is used to provided information to substantiate an SRBA claim. That is all the information our database contains - I doubt that Cindy has additional information because the purpose of the letters we sent our was to obtain more information regarding claims.

Please call if you have questions regarding this e-mail.



Vicky, will these
work?

Vicky L. Music
Office of the Attorney General
Paralegal - IDWR
(208) 327-7928

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You.

BLASER, SORENSEN & HANSEN, *Chartered*

Attorneys at Law
(208) 785-4700
FAX No. 785-7080

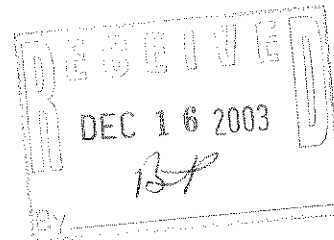
Stephen J. Blaser
Murray Jim Sorensen
Scott H. Hansen
Justin B. Oleson

285 N.W. Main
MAILING ADDRESS:
P.O. Box 1047
Blackfoot, Idaho 83221

December 12, 2003

Department of Water Resources
Attn: Cindy E. Bird
15 W. Center Street
Soda Springs, ID 83276

RE: Casey and Carol Reid
Claim No. 27-4Y



Dear Ms. Bird:

Enclosed is a Special Warranty Deed and Bill of Sale wherein Casey and Carol purchased property located in Sections 1, 2, 11, and 12, Township 2, South Range 37 EBM in 1990. At the time of the purchase, they also purchased the Decreed Water Rights numbers 27-0001, 27-0002, 27-003A, 27-0005 and 27-10191 according to the Deed.

Also enclosed is a copy of a Notice of Change of Water Right Ownership. This was filled out at the time the property was purchased at the Department of Water Resources in Idaho Falls. At the time this was filled out, the Department of Water Resources indicated to both Casey and Paul and also on the form, that 27-10191 was an incorrect number and the number should be 27-0004X. The Department of Water Resources indicated that on the Notice of Change. This may have even then been a mistake by the Department of Water Resources, in that your records show it as 4Y.

The right 27-0004Y does make sense as this property was initially owned by Darrell Cook and your records indicate that 4Y is a split from 4J. In 1981, Wallace Reid purchased portions of Section 2 and 11 from Darrell Cook and at that time received 57 inches of water as Decreed Water Right Number 27-0004, which was transferred by Application for Transfer of Water Right Number 1561, approved December 17, 1968 by the State Reclamation Engineer, State of Idaho, Department of Reclamation, which is indicated in Wallace's deed from Darrell Cook. Your records indicate that Wallace's right to 27-10390 derives from a split from 27-0004J.

Therefore apparently, as your records indicate, when both Wallace and Casey purchased adjacent properties from Darrell Cook, the rights they received were from the Application for Transfer of Water Right Number 1561.

December 11, 2003
Page 2

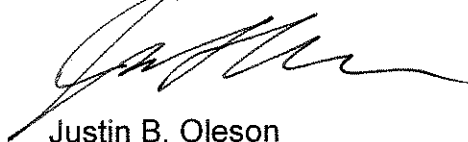
Portions of the property that Casey purchased from Darrell Cook were initially homesteaded by Presto Burrell and his daughter, Margeret Burrell who received the patents on portions of the property. Darrell Cook had initially purchased part of this property from W. C. Cannon in 1956.

Enclosed are copies of the deed Casey received from Travelers, i.e., Darrell Cook, the Note of Change of Water Right Ownership, and the Deed from Cook to Wallace Reid, showing the original transfer application.

Hopefully those deeds and other documentation are enough evidence to prove this claim. If you need anything else, please don't hesitate to contact me.

Yours very truly,

BLASER, SORENSEN & HANSEN, Chrt.

A handwritten signature in black ink, appearing to read "Justin B. Oleson", written over a horizontal line.

Justin B. Oleson
Attorney at Law

JBO/prh/03-1587

enclosure

cc: Casey and Carol Reid



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DEC 16 2003

DATE OF CLOSING: 2/15/1998

LEGAL DESCRIPTION OF PROPERTY: Township 2 South Range 37 East BT
Section 1, 2, 11, 12, 1/4 of 1/4 of 1/4 Govt. Lot East, BM.
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:

27-001 27002 27-0003A 27-005 27-006 00004X

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

Blair St. River - Decree Date Aug 1 1891
Darrell L. Cook and Traveler's Insurance
831 N. 1100 E., Shelley, ID

[] New Owner/Claimant
(Purchaser):

Casey W. Reid and Paul Reid

[] New Mailing Address:

1051 Reid Rd. 875 Reid Rd.
Firth, ID 83236 Firth, ID 83236

[] New Telephone Number:

(208) 785-3798 and (208) 785-1494

[] 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:

Casey Reid 60%
Paul Reid 40%

[] 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)

Casey Reid Carol A. Reid Date 12/20/92
Paul E. Reid Date 12/20/92

[] Signature of Former
Owner/Claimant(s):

Paul E. Reid Darrell L. Cook Date 12/20/92
Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

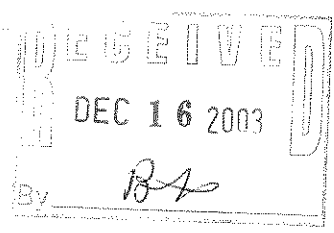
Claim Numbers of Split, if any:

NOTE: Casey Reid wants the former owner's
w. rights to be split between him and
and his brother, Paul, as indicated above.
Jo 3-19-93 3-30-93 - Dave C. spoke to
Casey Reid & told me I don't need to send
40 letter to them. we'll send letter to Darrell
Cook. Jo

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

DP 28937

388853
387822



SPECIAL WARRANTY DEED AND BILL OF SALE

THIS INDENTURE, made this 15th day of February, 1990, between THE TRAVELERS INSURANCE COMPANY, a Connecticut corporation, the Grantor, and CASEY W. REID and CAROL W. REID, husband and wife, and PAUL E. REID and BILLIE A. REID, husband and wife, the Grantees,

W I T N E S S E T H:

That the said Grantor, for and in consideration of the payment to it of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, by the said Grantees, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantees, and to their successors and assigns forever, the real estate situate in the County of Bingham, State of Idaho, described in Exhibit A, attached hereto and made a part hereof, and does hereby sell, assign and transfer to the Grantees the irrigation equipment and appurtenances and additions thereto and replacements thereof, located on the real property hereinbefore described on the date of delivery of this instrument, which personal property is more particularly described as follows:

IRRIGATION EQUIPMENT

- 1 - 250 H.P. G.E. Electric Motor, Serial No. EEJ507110
- 1 - 250 H.P. Layne & Bowler VTP, Serial No. 22354
- 1 - 200 H.P. G.E. Electric Motor, Serial No. DAJ421182

13.0

1 - 200 H.P. Layne & Bowler, VTP, Serial No. D10480

1 - 1,030 ft. Mel Brown Center Pivot

2 - 940 ft. Mel Brown Center Pivots

1 - 760 ft. Mel Brown Center Pivot

18 - 1/4-mile 3" and 4" Portable Aluminum Handlines

Approximately 16,000 ft. of 8" to 24" Buried Steel and PVC Mainlines (Two buried mainlines from pumps to pivots and handline fields).

ALL IRRIGATION EQUIPMENT AND APPURTENANCES THERETO TRANSFERRED BY THIS INSTRUMENT ARE SOLD BY THE GRANTOR AND ACCEPTED BY THE GRANTEEES IN THEIR PRESENT CONDITION, AND THE GRANTOR HAS NO OBLIGATION TO REPAIR, MODIFY OR REPLACE ANY OF THE IRRIGATION EQUIPMENT.

Said described property is conveyed subject to (1) all taxes and assessments for the year 1990 and subsequent years, (2) all reservations in patents or deeds in the chain of title, (3) all easements and rights of way visible on the property or appearing of record in the office of the County Recorder of Bingham County, Idaho, (4) all covenants and restrictions appearing of record in the office of said Recorder, and (5) all items listed as exceptions in Commitment for Title Insurance No. 28737 issued by First American Title Insurance Company on December 14, 1989, as shown in the copy of Schedule B-Section 2 thereof which is attached hereto and made a part hereof.

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 Grantor.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with the appurtenances unto the Grantees and to their successors and assigns forever.

Grantor warrants to the Grantees, and their successors in title, that Grantor has not created or permitted to be created any lien, charge or encumbrance against said real estate which is not shown or referred to herein, and Grantor covenants that it will defend said premises to the extent of the warranties made herein against the lawful claims of all persons.

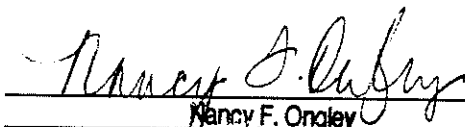
IN WITNESS WHEREOF, the said Grantor has hereunto caused its corporate name to be subscribed by its officers first thereunto duly authorized by its Board of Directors, all as of the day and year herein first above written.

THE TRAVELERS INSURANCE COMPANY
A Connecticut corporation

By


Roberta F. Fennelly
Assistant Director

ATTEST:


Nancy F. Ongley
Assistant Secretary



GRANTEES' CURRENT MAILING ADDRESSES:

Casey W. Reid and Carol A. Reid
1051 Reid Road
Firth, Idaho 83236

Paul E. Reid and Billie A. Reid
875 Reid Road
Firth, Idaho 83236

STATE OF CONNECTICUT)
) ss.
COUNTY OF HARTFORD)

On this 15th day of February, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERTA F. FENNELLY and NANCY F. OUSLEY, known to me to be the ASSISTANT DIRECTOR and ASSISTANT SECRETARY, respectively, of THE TRAVELERS INSURANCE COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged to me that such corporation 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.

Stanley M. Haddock
Notary Public for the State of Connecticut
Residing at Bristol, Connecticut
My commission expires: 3-31-91

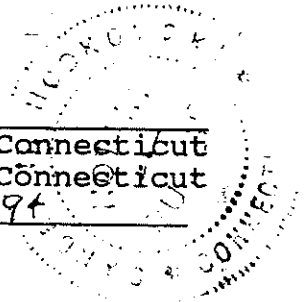


EXHIBIT A

TRACT 1 A:

Part of Sections 1, 2, 11, and 12, Township 2 South, Range 37 E.B.M., Bingham County, Idaho described as follows:

Beginning at a point on the S. line of Section 2 that is S. 89°35'22" E. 2549.54 feet along the Section line from the NW corner of Section 11, Township 2 South, Range 37 E.B.M., said point being on the S. line of a County Road and running thence along said W. line the following four (4) courses; N. 20°14'52" E. 92.49 feet; N. 8°17'59" E. 287.66 feet; N. 2°06'02" W. 915.87 feet; and N. 2°33'06" W. 1259.01 feet to a point on the S. right of way line of the Presto Bench Road; thence S. 89°39'41" E. 1436.23 feet along said right of way line to a point of curve; thence 733.47 feet along said curve concave to the S. (Curve Data-Delta=14°50'25", Radius=2831.79 feet; Chord Bearing S. 82°14'32" E. 731.42 feet) along said right of way line; thence S. 74°56'42" E. 593.36 feet along said right of way to the W. line of Section 1, Township 2 South, Range 37 E.B.M.; thence S. 74°56'42" E. 769.10 feet along said right of way to a point in the center of a field road; thence S. 1°04'57" W. 2108.21 feet along the center line of an existing field road to the S. line of said Section 1; thence S. 1°04'57" W. 1193.88 feet along said center line; thence E. 18.00 feet; thence S. 1°09'58" W. 221.26 feet; thence S. 01°09'58" W. 517.20 feet; thence N. 77°30'25" W. 571.67 feet; thence N. 77°51'13" W. 1435.23 feet; thence N. 60°25'18" W. 777.48 feet; thence N. 64°12'55" W. 905.69 feet; thence N. 15°28'48" E. 66.44 feet; thence N. 71°14'08" W. 206.60 feet thence N. 20°14'52" E. 663.61 feet to the point of beginning.

TOGETHER WITH a 30 foot wide easement 15 feet on each side of the following described centerline: Beginning at a point that is N. 89°35'22" W. 4314.30 feet along the section line and S. 2895.15 feet from the NE corner of said Section 12; and running thence N. 20°21'37" E. 576.45 feet; thence N. 00°57'24" E. 1161.50 feet to the end of easement for irrigation pumps and mainlines.

EXCEPTING THEREFROM: the County road right of way along the W. side of the above described property.

ALSO EXCEPTING THEREFROM any portion lying within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 2.

TRACT 2 B:

Part of Sections 1 and 12, Township 2 South, Range 37 E.B.M., Bingham County, Idaho, described as:

Beginning at the SE corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 2 South, Range 37 E.B.M., said point being N. 89°35'22" W. 1316.94 feet along the Section line from the SE corner of said Section 1, and running thence N. 89°35'22" W. 47.78 feet to an existing fence corner; thence S. 0°30'27" W. 1272.44 feet along an existing fence line; thence S. 55°27'55" W. 266.87 feet; thence N. 85°04'59" W. 1227.20 feet; thence N. 85°10'36" W. 369.06 feet to a point on a non-tangent curve; thence 1609.12 feet along said curve concave to the N. (Curve Data-Delta=113°52'52", Radius=809.58 feet Chord bearing N. 85°10'36" W. 1357.02 feet); thence N. 85°10'39" W. 31.31 feet; thence W. 18.00 feet to the center line of an existing field road; thence N. 1°04'57" E. 1193.88 feet along said center line to the S. line of said Section 1; thence N. 1°04'57" E. 2108.21 feet along said center line to a point in the Southerly right of way line of the Presto Bench Road said point being 33 feet from the center line of said road; thence S. 74°56'42" E. 3085.13 feet along said right of way line to a point of curve; thence 243.58 feet along said curve concave to the S. (Curve Data-Delta=4°33'56", Radius =3056.79 feet, Chord Bearing S. 70°47'45" E. 243.51 feet) along said curve to the E. line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 1; thence S. 0°02'18" W. 1249.66 feet along said 1/16th line to the point of beginning.

TOGETHER WITH a 30 foot wide easement 15 feet on each side of the following described centerline: Beginning at a point that is N. 89°35'22" W. 4814.30 feet along the section line and S. 2895.15 feet from the NE corner of said Section 12; and running thence N. 20°21'37" E. 576.45 feet; thence N. 00°57'24" E. 1161.50 feet to the end of easement for irrigation pumps and mainlines.

EXCEPTING THEREFROM: an undivided one-half interest in a strip of land extending South from the County Road in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 1, 30 feet wide adjacent to and West of the East line of the W $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 1 to the North line of Lot 1 of said Section 12.

AND, together with all and singular the rights, interests and privileges therein, fixtures thereon and appurtenances thereunto belonging or in anywise appertaining, whether now or hereafter acquired, which shall include, without limiting the generality of the foregoing, the following:

All of the rents, issues and profits, including but not limited to all rents, royalties, bonuses and benefits under any existing or future oil, gas or mineral or other leases; all easements and rights of way; all rights of homestead, and all contingent rights in and to said premises;

All water, water rights, whether riparian, appropriative or otherwise and whether or not appurtenant, all ditch rights, and pipeline easements or irrigation system easements and any permits, licenses, certificates or shares of stock evidencing any such water or ditch rights, including, without limitation, Eastern Idaho Water Co. Stock Certificate No. 1655, and Decreed Water Rights Numbers 27-0001, 27-0002, 27-0003A, 27-0005 and 27-10191, decreed from Blackfoot River with decree date of August 1, 1891;

AND BY QUITCLAIM ONLY, all of the interest of the Grantor of, in and to the minerals and mineral rights on, in or under said described real property.

REVISED
SCHEDULE B - Section 2

EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART I:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes for 1990 are an accruing lien, not yet due or payable until the fourth Monday of November, 1990. (Taxes for 1989 in the original amounts of \$323.44, Receipt No. 05420.01; \$1,592.40, Receipt No. 05422.01; \$623.44, Receipt No. 05477.01; \$790.78, Receipt No. 05479.05; \$1,474.64, Receipt No. 05420.02; \$477.24, Receipt No. 05479.04, and prior years, are paid in full.)
8. Power line easement granted to Utah Power & Light Co. over said lands, as disclosed by Deed recorded January 31, 1947, in Book 72 of Deeds, Page 145, records of said County.
9. Power line easement granted to Utah Power & Light Co. over said lands, as disclosed by Deed recorded April 6, 1956, as Instrument No. 47224, records of said County.

(continued)

WARRANTY DEED

293732

For Value Received

DARRELL L. COOK and AFTON C. COOK, husband and wife

the grantors do hereby grant, bargain, sell, and convey unto

WALLACE R. REID and MARLENE REID, husband and wife

the grantees at their present address

Route L, Box 100, Firth, Idaho 83236

the following described premises, to-wit:

Portions of Sections 2 and 11, T. 2 S., R. 37 E.B.M., Bingham County, Idaho, described as:

Beginning at a point that is S. 89°35'22" E. 2549.54 feet along the Section line from the NW corner of said Section 11, thence S. 20°14'52" W. 663.61 feet along the Westerly edge of a road, thence leaving said road S. 71°14'08" E. 206.60 feet; thence S. 15°28'48" W. 66.44 feet; thence S. 64°12'55" E. 187.57 feet; thence S. 00°41'57" W. 1271.94 feet to the meander line of the right bank of the Blackfoot River; thence S. 89°26'18" W. 1320 feet along said meander line, thence along a fence line N. 00°41'57" E. 630.25 feet; thence N. 00°13'25" E. 516.43 feet; thence N. 00°34'19" E. 2267.22 feet; thence S. 89°38'39" E. 1225.39 feet; thence along a fence line S. 02°06'02" E. 915.87 feet; thence S. 08°17'59" W. 287.66 feet; thence S. 20°14'52" W. 92.49 feet to the point of beginning.

EXCEPTING THEREFROM a 30 foot wide easement 15 feet on each side of the following described centerline: Part of Section 12, Township 2 South, Range 37 E. B. M.

Beginning at a point that is N. 89°35'22" W. 4814.30 feet along the sectionline and south 2895.15 feet from the NE corner of said Section 12; and running thence N. 20°21'37" E. 576.45 feet; thence N. 00°57'24" E. 1161.50 feet to the end of easement for irrigation pumps and mainlines.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining including all water and water rights, together with 57 inches of water of decreed Water Right No. 27-0004 as transferred by Application for Transfer of Water Right No. 1561, approved December 17, 1968, by the State Reclamation Engineer, State of Idaho, Department of Reclamation, ALSO INCLUDING, but not limited to the following described sprinkler equipment: 130 pieces of 3" McDowell handpipe, 40 pieces of 4" McDowell

(Continued on Attached Page)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all mortgages except as hereinabove set forth and that they will warrant and defend the same unto the said Grantee and his heirs and assigns forever.

Darrell L. Cook
DARRELL L. COOK

Afton C. Cook
AFTON C. COOK

IN AND FOR THE COUNTY OF Bingham
On this 1st day of August, 1981,
before me, a notary public in and for said State, personally
appeared

BINGHAM COUNTY CLERK

12.5

ATTACHMENT

<u>Priority</u>	<u>Original Name</u>	<u>Amount C.F.S.</u>	<u>Use</u>
10-1-1885 27-0002	James Drew ✓	.12 (6 inches)	E $\frac{1}{2}$ NE $\frac{1}{4}$, Lot 5, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 16 and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 3, Sec 17, T. 2 S., R 37 E.B.M.
6-1-1885 27-0004	A. Whitten & Susan Whitten ✓	3.5 (175 in.)	Same as above
5-1-1885 27-0008	Robert Millen ✓	1.0 (50 in)	Same as above
7-10-1889 (Snake River Decree)	Blackfoot Irrigation Company <i>withdrawn (see letter dated 11-20-68 P.R.H.)</i>	1.5 (75 in) (1 $\frac{1}{2}$ Shares)	Same as above
3-1-1876 27-0005	Presto Burrell ✓	2.0 (100 in.)	Lot 4, Sec. 12 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 1 2, 3 Sec. 11, T. 2 S., R 37 E.B.M.
4-1-1882 27-0001	Levi Warren ✓	1.0 (50 in.)	Lots 1,2,3, Sec. 12, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1, T. 2 S., R 37 E.B.M.

Note: All of said water except that of the Blackfoot Irrigation Company was decreed by the District Court of Bingham County, State of Idaho, in an action wherein Fred S. Stevens, et al, were Plaintiffs and Eastern Idaho Water Company, et al, were Defendants, dated August 1, 1891 and entered in Judgment Book 1, at pages 107 to 116 of the records of said Court.