

15 West Center
Soda Springs, ID 83276
Phone (208) 547-3993
FAX (208) 547-3939

Idaho Department of Water Resources

Fax

To: Vicky Music

From: Barbara Payne

Fax: 327-5400

Pages: 33

Phone:

Date: 11/10/2003

Re: Paul Reid 27-4 Claim

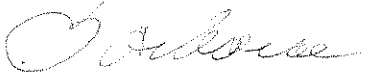
CC:

Hi Vicky,

Cindy wanted me to FAX to you the papers we received from Paul Reid this morning. There is a 29 page Abstract of Title, a USA patten that I copied on two sheets. The original was on legal size paper and I doubt that the fax is setup to handle multiple size documents. Hopefully, the two sheets can be taped together on your end.

I have also included a copy out of the Water Records book and a portion of Township 2S , Range 37E plat indicating apparent owners at the time it was prepared.

If you don not get these documents, please let me know and I will snail mail them to your office.
Thanks,



Barbara

*Second
set*

No.1

11455

tion

Abstract of Title

PREPARED BY

ingham
Title & Trust Co.

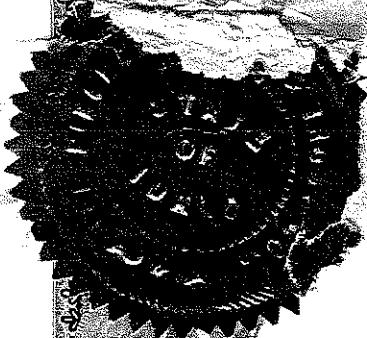
TO THE
FOLLOWING DESCRIBED REAL ESTATE

North-half of the Southeast
Quarter of Section Nine, in
Township Two South of Range
Thirty-seven East of the Boise
Meridian in Idaho.

LOAN NO. 28726

73393
Wm. Ditchell
Blackfoot

1-16-18 Sec 20



The Plat of this abstract
is the last sheet of the
abstract, following the
certificate.



U. S. PATENT

The United States of America

TO

Emma Just

Dated-June 8th, 1889-

~~Consideration-Full Payment-~~

Recorded-July 22d, 1891 at-

3:15 P.M., in Book "H" of Deeds at-

Page 443 of the Records of Bingham County, Idaho-

D. Tyler, Recorder of
the General Land Office.

By the President: Benjamin Harrison
By M. McKean, Secretary.
(United States Seal Attached)

DESCRIPTION and REMARKS

The party of the second part has made full payment, 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:

N $\frac{1}{2}$ of the SE $\frac{1}{4}$ and N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 9 Township 2 South of Range 37 E.B.M., in Idaho Ter'y, containing 160 acres, according to the Official Plat of the Survey of the said Land returned to the general Land Office by the Surveyor General.

To Have and To Hold unto the party of the second part, his heirs and assigns forever, subject to any vested and accrued water rights, for mining, agricultural, manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts; and also subject to the right of the proprietor of a vein or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

IN THE PROBATE COURT OF BINGHAM COUNTY, STATE OF IDAHO

In the Matter of the Estate :
of :
Nels A. Just, Deceased. :

PETITION

Of James Just recites that Nels A. Just died March 28th, 1912; that he was a resident of Bingham County, Idaho and left both real and personal property in Bingham, Fremont and Oneida Counties Idaho and in Salt Lake County, Utah; that the next of kin of said deceased are Emma Just, his widow, aged 62 years; James Just, his son, aged 40 years, Francis Just, his son aged 35 years; Agnes J. Reed, his daughter aged 25 years, Virginia Just aged 10 years, Katie Just aged 8 years and Treo Just, aged 5 years, daughters of Charles Just, deceased, son of Nels A. Just, deceased; that no will can be found; that Emma Just does not wish to act as administratrix and has requested in writing that petitioner be appointed; Wherefore petitioner prays that letters of administration of said estate be issued him. Dated April 29th, 1912. Written request of Emma Just hereto attached. Filed April 29th, 1912.

ORDER

Appoints Saturday, May 11th, 1912 at 10 A.M., at the Court room of this Court as the time and place for hearing the above petition. Sealed. Dated and filed April 29th, 1912.

AFFIDAVIT

Of J.H. Andersen recites that he posted three notices of the above order in Bingham County, Idaho as directed by law. Copy of notices as posted hereto attached. Subscribed and sworn to before J.T. Carruth, Clerk of District Court, April 29th, 1912. Sealed. Filed April 29, 1912.

ORDER

Recites that the above petition coming on regularly to be heard and it appearing to the satisfaction of this Court that due notice of said hearing has been given and the evidence being fully understood: It is ordered

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that letters of administration of the estate of Nels A. Just, deceased issue to James Just upon his taking oath and filing a bond in the sum of \$20,000.00. Sealed. Dated and filed May 11th, 1912.

BOND

Of James Just in the sum of \$20,000.00 with L.M. Capps, S.J. Rich, V.R. Pugmire and Lewis Rockwood, as sureties, all of whom qualify. Subscribed and sworn to before Geo. F. Gagon, a Notary Public of Bingham County, Idaho, May 11th, 1912. Sealed. Filed and approved May 13th, 1912.

LETTERS

Of Administration issued to James Just as Administrator of the Estate of Nels A. Just, deceased, May 11th, 1912. Sealed.

Oath of James Just hereto attached. Subscribed and sworn to before Geo. F. Gagon, a Notary Public of Bingham County, Idaho, May 11th, 1912. Sealed. All filed May 13th, 1912.

ORDER

Appointing appraisers appoints Prescott Burrell, C.L. Hare and H.K. Williams as appraisers of said estate. Sealed. Dated and filed May 13th, 1912.

INVENTORY

And Appraisement shows the personal estate estimated \$22,942.60, and real property in Utah of \$1800.00, in Oneida County of \$250.00, in Fremont County of \$6800.00 and of \$1600.00; also ~~N¹~~ of the ~~SE¹~~ of Section 9 in township 2 south of range 37 E.B.M., Bingham County, Idaho, together with other property in Bingham County, Idaho, all valued at \$19,300.00. Subscribed and sworn to before M.E. Wilkinson, a Notary Public of Bingham County, Idaho, May 27th, 1912. Sealed. Filed September 17th, 1912.

ORDER

Directs that notice to creditors be published in The Blackfoot Optimist, a newspaper published in this

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County once each week for four successive weeks. Sealed.
Dated and filed May 16th, 1912.

AFFIDAVIT

Of Karl P. Brown, recites that he is the manager of The Blackfoot Optimist and that he published the above ordered notice to creditors in said newspaper for five consecutive weeks; first publication having been made May 16th, 1912. Copy as published hereto attached. Subscribed and sworn to before Geo. F. Gagon, a Notary Public, January 31st, 1913. Sealed. Filed February 1st, 1913.

DECREE

Recites that it is hereby ordered, adjudged and decreed that due and legal notice to creditors of said Nels A. Just, deceased, has been given and the same is established of record. Sealed. Dated and filed February 1st, 1913.

PETITION

Of James Just recites that the personal estate is insufficient to pay the outstanding debts against deceased and expenses of administration: Wherefore petitioner prays for an order directing the sale of all the personal property and all of the real property in Fremont and Oneida Counties, Idaho. Filed December 26th, 1912.

ORDER

Of notice of hearing the above petition filed December 26th, 1912. Affidavit of publishing notice of said hearing. Filed February 1st, 1913. Order of sale filed February 1st, 1913. Return of sale filed March 1st, 1913. Order for hearing return of sale filed March 1st, 1913. Affidavit of posting notice of hearing return of sale filed March 1st, 1913. Order confirming sale filed March 12th, 1913; also return of sale of real estate filed April 1st, 1913; order of hearing return of sale filed April 1st, 1913; affidavit of posting notices of hearing return of sale filed April 1st, 1913; order confirming sale of real estate, filed April 12th, 1913.

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FINAL

Account of James A. Just, administrator of said estate filed April 21st, 1913.

ORDER

Appointing day for hearing final account filed April 21st, 1913.

AFFIDAVIT

Of Posting notices for hearing of final account filed April 21st, 1913.

DECREE

Allowing and approving final account of said administrator filed May 3rd, 1913.

PETITION

Of administrator recites that more than one year has elapsed since the appointment of petitioner as administrator and more than ten months have expired since the first publication of notice to creditors; that the final account of administrator has been settled; that all debts of deceased and estate and all expenses of administration and taxes have been paid and the estate is now in a condition to be closed; that the whole of said estate is community property and that Emma Just, widow of said Nels A. Just, deceased, is entitled to the whole of the residue of said estate. Wherefore petitioner prays that the administration of said estate be brought to a close and that he be discharged as such administrator; That the residue of said estate consists of certain personal property and certain real property in Oneida County, Idaho; also the N¹/₂ of the SE¹/₄ of section 9 in township 2 south of range 37 E.B.M., Bingham County, Idaho, together with other land in Bingham County, Idaho. Dated and filed May 19th, 1913.

ORDER

Appoints Saturday May 31st, 1913 at 10 A.M., at the Court room of this Court as the time and place for hearing the above petition. Sealed. Dated and filed May 20th, 1913.

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AFFIDAVIT

Of L.Ivan Jensen recites that he posted three notices in Bingham County, Idaho, of the above ordered hearing on May 20th, 1913. Copy of notices as posted hereto attached. Subscribed and sworn to before Geo. F.Gagon, a Notary Public, May 20th, 1913. Sealed. Filed May 20th, 1913.

DECREE

Of Distribution recites that the above petition coming on regularly to be heard, due and legal notice thereof having been given and it further appearing that all claims against said estate are fully paid, that the final account of administrator has been confirmed by this Court and that the residue of said estate, hereinafter particularly described, is now ready for distribution and said estate is in a condition to be closed; that the whole of said estate is community property, that the said Emma Just, surviving widow of said deceased, is entitled to the whole of the residue of said estate.

It is hereby ordered, adjudged and decreed that the residue of said estate of Nels A. Just, deceased, be and the same is hereby distributed to Emma Just, the widow of said deceased.

The following is a particular description of the real property referred to in this decree and of which distribution is ordered. The N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of section 9 in township 2 south of range 37 E.B.M., Bingham County, Idaho, together with other land in Bingham County, Idaho, also together with certain real property in Oneida County, Idaho.

Dated May 31st, 1913.

(Seal)

L. Ivan Jensen,
Probate Judge.

Filed May 31st, 1913.

IN THE PROBATE COURT OF BINGHAM COUNTY, STATE OF IDAHO.

In the Matter of the Estate :
of Nels A. Just, Deceased. : Decree of Distribution.

James Just, administrator of the estate of Nels A. Just, deceased, having on May 20th, 1913, filed his petition praying for an order finally distributing said estate; said matter coming on to be heard this May 31st, 1913, notice thereof having been given; said administrator appearing by his counsel and it further appearing that all claims against said estate are fully paid, that final account of administrator has been made and confirmed by this Court; that all taxes, including inheritance or transfer tax due from said estate have been paid;

That the residue of said estate consisting of the property hereinafter described is now ready for distribution and that said estate is now in a condition to be closed; That the whole of said estate is community property, it having been acquired by said deceased after his marriage;

That said Nels A. Just died intestate in the City and County of Salt Lake, leaving surviving him, Emma Just, his widow, James Just, Francis Just, and Agnes J. Reid, and also the heirs of Charles Just, deceased, a son of the said Nels A. Just, deceased, to-wit: Virginia Just, Katie Just and Treo Just, minors, and his only descendants.

That since the rendition of his final account, the sum of \$156.95 has been expended by him as necessary expenses of administration, the vouchers whereof, together with a statement of said disbursements are now presented and filed and the payments are approved by this Court and the estimated expenses of closing said estate will amount to the sum of \$19.45; that Emma Just, surviving widow of deceased is entitled to the whole of the residue of said estate.

It is hereby ordered, adjudged and decreed that the residue of said estate of Nels A. Just, deceased, hereinafter described and now in hands of administrator and any other property now known or discovered which may belong to said estate and in which said estate may have any interest, be and the same is hereby distributed as follows: The whole of said residue to Emma Just, widow of deceased. The following is a description of the residue of said estate, of which distribution is ordered, adjudged and decreed as aforesaid, to-wit:

An undivided one half interest in and to Lots 37, 38, 39 and 40 in Block 4, of Riverside Addition to the Town of American Falls Oneida County, Idaho. The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the Lots 1, 2, 3 and 4 in Section 10, and the Lot 4 of Section 11 all in Township 2 South of Range 37 E.B.M., in Idaho. The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19 and the Lot 1 of Section 16, all in Township 2 South of Range 37 E.B.M., in Bingham County. Together with certain personal property.

Dated at Blackfoot, Idaho, this 31st day of May, 1913.
E. Ivan Jensen, Probate Judge.

(OVER)

WARRANTY DEED

Emma Just, a widow

TO

Virginia Emma Just, Katie
May Just and Eliza Treo
Just, Minors,

Dated-August 6th, 1913-

Consideration- \$ 1.00-

Recorded-September 15th, 1913 at-

2:15 P.M., in Book "24" of Deeds at-

Page 513 of the records of Bingham County, Idaho-

Witness-

Geo.F.Gagon-

Emma Just, (Seal)

Acknowledged by Emma Just, a widow, September-
15th, 1913, before Geo.F.Gagon, a Notary-
Public of Bingham County, Idaho. Sealed.-
Commission expires December 20, 1915.

DESCRIPTION and REMARKS

The party of the first part does hereby grant, bargain, sell, convey and confirm unto the parties of the second part and to their heirs and assigns forever, all the following described property in Bingham County, Idaho.

The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of section 9 in township 2 south of range 37 E.B.M. Also beginning at a point 330 feet south of the northeast corner of the above described tract of land running thence east 289 feet, thence south 990 feet, thence west 289 feet, thence north 990 feet, to the point of beginning, together with all ditches, ditch rights of way, water and water rights thereto belonging or in anywise appertaining.

To Have and To Hold in the quiet and peaceable possession of the said second parties, their heirs and assigns forever; and the said first party will warrant and forever defend.

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5.17

WARRANTY DEED

Emma Just, a widow

TO

Bertha M. Patterson

Dated-August 6th, 1913-

Consideration- \$ 1.00-

Recorded-September 15th, 1913 at-

2:20 P.M., in Book "24" of Deeds at-

Page 514 of the records of Bingham County, Idaho-

Witness-

Geo. F. Gagon-

Emma Just (Seal)

Acknowledged by Emma Just, a widow, September-
15th, 1913, before Geo. F. Gagon, Notary Pub-
lic of Bingham County, Idaho. Sealed.-
Commission expires December 20, 1915.

DESCRIPTION and REMARKS

The party of the first part does hereby grant, bargain, sell, convey and confirm unto the party of the second part and to her heirs and assigns forever, all the following described property in Bingham County, Idaho.

The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of section 9 in township 2 south of range 37 E.B.M., excepting therefrom the following: Commencing at a point 330 feet south of the northwest corner of the above described tract of land running thence east 289 feet; thence south 990 feet; thence west 289 feet; thence north 990 feet to the point of beginning, together with all ditches, ditch rights of way, water and water rights thereto belonging or in anywise appertaining.

To Have and To Hold in the quiet and peaceable possession of the said second party, her heirs and assigns forever; and the said first party will warrant and forever defend.

WARRANTY DEED

Bertha Patterson, and
James G. Patterson, her husband

TO

Virginia Emma Just, Katie
May Just and Eliza Treo
Just, Minors

Dated-December 27th, 1913-

Consideration- \$ 1650.00-

Recorded-December 27th, 1913 at-

11:40 A.M., in Book "25" of Deeds at-

Page 10 of the records of Bingham County, Idaho-

Witness-

Geo. F. Gagon-

Bertha Patterson (Seal)

James G. Patterson (Seal)

Acknowledged by Bertha Patterson and James G.-
Patterson, her husband, December 27th, 1913-
before Geo. F. Gagon, a Notary Public of-
Bingham County, Idaho. Sealed. Com-
mission expires December 20, 1913.

DESCRIPTION and REMARKS

The parties of the first part do hereby grant, bargain, sell, convey and confirm unto the parties of the second part and to their heirs and assigns forever, all the following described property in Bingham County, Idaho.

The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of section 9, in township 2 South of Range 37 E.B.M., excepting therefrom the following: commencing at a point 330 feet South of the Northwest corner of the above-described tract of land, running thence East 289 feet; thence South 990 feet; thence West 289 feet; thence north 990 feet to the point of beginning, together with all ditches, ditch rights of way, water and water rights thereto belonging or in anywise appertaining.

To Have and To Hold in the quiet and peaceable possession of the said second parties, their heirs and assigns forever; and the said first parties will warrant and forever defend.

WARRANTY DEED

TO

Bertha Patterson

Virginia Emma Just,
a single person

Dated-December 9th, 1919-

Consideration - \$ 1.00-

Recorded-December 11th, 1919 at-

1:55 P.M., in Book "40" of Deeds at-

Page 211 of the records of Bingham County, Idaho-

Virginia Emma Just, (Seal)

Witness-

L. Ivan Jensen-

Acknowledged by Virginia Emma Just, a single-
person, December 9th, 1919, before L. Ivan-
Jensen, a Notary Public of Idaho, Resid-
ing at Shelley, Idaho. Sealed. Com-
mission expires June 16, 1923.

DESCRIPTION and REMARKS

The party of the first part does hereby grant, bargain, sell, convey
and confirm unto the party of the second part, and to her heirs and
assigns forever, all the following described property in Bingham
County, Idaho.

An undivided one-third interest in and to the following described
lands, to-wit: The $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 9, in Township 2 South of
Range 37 E.B.M. Together with the water right for the irrigation of
said land appertaining thereto.

To Have and To Hold in the quiet and peaceable possession of
the said second party, her heirs and assigns forever, and the said
first party will warrant and forever defend.

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ER.

FORMATION OF IRRIGATION DISTRICT

In the Matter of the Organization of :
the Presto Bench Irrigation District :

Virginia F. Brown, her husband

Virginia F. Brown, formerly Virginia Brown

The Board of County Commissioners of Bingham County, having heretofore ordered an election to be held for the purpose of determining whether or not said district should be organized and for the election of directors of said district, and the judges of election having forwarded results of said election and the same having been cancelled by this board, and it further appearing that at said election 29 votes were registered "Irrigation District, Yes" and none voted "Irrigation District No". And further Geo.E.Tolmie received 28 votes; Isaac Sorenson received 21 votes; E.A.Brown received 29 votes, E.A.Edwards received 8 votes; R.F.Wilkie received 1 vote, and it is declared that Geo.E.Tolmie, Isaac Sorenson and E.A.Brown were duly elected as directors of said district.

The lands included in said district are described as follows: The N $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 9, in Township 2 South of Range 37 E.B.M., together with other lands in Bingham County, Idaho.

It is thereupon ordered by this Board that the Territory hereinbefore described shall be and the same is organized into an irrigation district under the name and style of the "Presto Bench Irrigation District," and that Geo.E.Tolmie, Isaac Sorenson and E.A.Brown are duly elected the first directors of said Irrigation District, and this order be entered on the minutes of this board and a certified copy filed for record in the Office of the County Recorder of Bingham County, Idaho, being the County in which all of said lands are situated.

Dated and entered this 28th day of June, 1920.

Certificate of F.M.Fisher, Clerk of Board County Commissioners certifies that the above is a full, true and correct copy.
Sealed.

Recorded-June 29th, 1920 at-
11:10 A.M., in Book "E" of-
Miscellaneous at page 36 of-
the Records of Bingham-
County, Idaho.

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QUITCLAIM DEED

Bertha Patterson, and
J. G. Patterson, her husband

TO

Virginia Emma Just Fowers,
formerly Virginia Emma
Just.

Dated-August 21st, 1922-

Consideration- \$ 1.00-

Recorded-August 21st, 1922 at-

3:45 P.M., in Book "35" of Deeds at-

Page 469 of the records of Bingham County, Idaho-

Witness-

Goldie White-

Bertha M. Patterson (Seal)

J. G. Patterson (Seal)

Acknowledged by Bertha M. Patterson and J. G. -
Patterson, her husband, August 21st, 1922, -
before Goldie White, a Notary Public of -
Idaho, residing at Shelley, Idaho. -
Sealed. Commission expires March-
26, 1923.

DESCRIPTION and REMARKS

The parties of the first part do demise, release and forever
quitclaim unto the party of the second part and to her heirs and as-
signs forever, all the following described property in Bingham County,
Idaho.

An undivided one-third interest in and to the following described
lands, to-wit: The N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 9 in Township 2 South
of Range 37 E.B.M., together with the water rights appertaining there-
to.

To Have and To Hold unto the party of the second part and to her
heirs and assigns forever.

No I. R. S. attached.

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6.17

MORTGAGE

Wm. Fowers, Jr., and Virginia
Emma Just Fowers, his wife,
TO Claude Ferguson

Dated-May 7th, 1927-
Consideration- \$1134.00-
Recorded-May 10th, 1927 at-
3:40 P.M., in Book "57" of Mortgages at-
Page 343 of the records of Bingham County, Idaho-

Witness- H.S. Harker-
Wm. Fowers, Jr., (Seal)
Virginia Emma Just Fowers (Seal)

Acknowledged by Wm. Fowers, Jr., and Virginia-
Emma Just Fowers, his wife, May 7th, 1927-
before L. Ivan Jensen, a Notary Public-
of Idaho, residing at Shelley, Idaho-
Sealed.

DESCRIPTION and REMARKS

The parties of the first part do hereby grant, bargain, sell and convey unto the party of the second part, all the following described property in Bingham County, Idaho, to-wit:

An undivided one-third interest in and to the following described lands, to-wit: The $N\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 9 in Township 2 South of Range 37 E.B.M., together with the water right for the irrigation of said land appertaining thereto.

This conveyance is executed to secure the payment of one certain note of even date for \$1134.00, payable to said mortgagee or order at Idaho Falls, Idaho, after date, with interest until paid at the rate therein specified.

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6.27

TAXES

1926-Taxes are one-half paid on the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 9 in Township 2 South of Range 37 E.B.M., in Idaho, and the balance will become delinquent June 27th, 1927.

1927-Taxes are a lien upon the above described property, but are not due or payable until November 28th, 1927.

1926-1927 Irrigation Assessments are a lien upon the above described property. No delinquency is reported to the County Auditor and Recorder for record until after the fourth Monday of July of the year following the assessment.

Note; The above 1926 Taxes and Irrigation Assessments are fully paid and cancelled of record.

Abstracter



The NE¹ of the SE¹ of Section 9, in Township 2 South of Range 37 E.B.M., in Idaho.

Further, that the United States District Court has held no session within Bingham County.

Witness our hand and seal this 18th day of
May, 1927 at 12:00 M

The Bingham
Teller & Trust Co.
By _____ Trustee

RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That a certain mortgage, executed on the 7th day of May, 1927, which was duly recorded in the records of Bingham County, in the State of Idaho, the 10th day of May, 1927, in book "57" of Mortgages at page 343, which was given to secure the sum of \$1134.00 and interest, which is from Wm. Fowers Jr. and Virginia Emma Just Fowers, to Claude Ferguson, is hereby released and satisfied in full-

IN WITNESS WHEREOF, These presents are signed and sealed this 28th day of May, 1927-

Claude Ferguson

State of Idaho :
County of Bonneville: ss.

On this 28 day of May, in the year 1927 before me, the undersigned, a notary public in and for said State, personally appeared Claude Ferguson, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.L. Shattuck, Notary Public
Residing at Idaho Falls, Idaho.
My commission expires Aug. 19, 1929

Recorded October 11th-
1927 at 9:37 a.m., in-
book "U" of Releases at-
page 425 of the records-
of Bingham County, Idaho.

TAXES

⊕ ⊖ ⊗ ⊛

1926- Taxes are delinquent on N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 9 in Township 2 South of Range 37 E.B. M., Bingham County, Idaho, and were sold to Bingham County for.....\$46.67
Interest to be added.

.....

Note- The above 1926 taxes are fully paid and cancelled of record.

Abstracter.

Certificate of Abstracter

STATE OF IDAHO, } ss.
COUNTY OF BINGHAM. }

The Bingham Title & Trust Co., Abstracter of titles in and for the said county does hereby certify that the foregoing abstract, consisting of pages 18 to 19 inclusive, sets forth a true and correct abstract of all that appears of record in the office of the County Recorder of said Bingham County, which in any way affects the title to the

N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 9 in Township 2 South of Range 37 E.B.M., in Bingham County, Idaho.

From and after May 18th, 1927 at 12 M.

Further, that there are no taxes due and unpaid; that there are no Irrigation District or "Carey Act" land or other special assessments due and unpaid; that there are no judgments or liens of record in the office of the County Recorder or in any Court of record of said Bingham County, which are a lien against the lands above described except as herein shown.

From and after May 18th, 1927 at 12 M.

Further, that the United States District Court has held no session within Bingham County.

This certificate is made to
at the request of

Witness our hand and seal this

11th

day of

October, 1927

at 9:38 A. M

The Bingham
Title & Trust Co.
By *[Signature]*
Trustee

WARRANTY DEED

Virginia Emma Just Fowers,
formerly Virginia Emma Just,
and William Fowers, Jr., her
husband, and Katie May Just
Christensen, formerly Katie
May Just and William A. Chris-
tensen, her husband, and Eliza
Treo Just Breitweiser, formerly
Eliza Treo Just and Edron E.
Breitweiser, her husband

TO

William Twitchell Sr.

Dated- November 5th, 1927-

Consideration- \$ 4000.00-

Recorded- January 19th, 1928 at-

11.50 a.m., in book "52" of Deeds at-

Page 37 of the records of Bingham County, Idaho-

Witness,

Donald R. Good-
Bertha Sterling-
I. Worth Stimits-

Virginia Emma Just Fowers (Seal)
Wm. Fowers Jr. (Seal)
Katie May Just Christensen (Seal)
William A. Christensen (Seal)
Eliza Treo Just Breitweiser (Seal)
Edron E. Breitweiser (Seal)

Acknowledged by Virginia Emma Just Fowers, William Fowers-
Jr., Katie May Just Christensen, Eliza Treo Just Breit-
weiser and Edron E. Breitweiser, November 5th, 1927-
before Donald R. Good a Notary Public of Idaho-
residing at Blackfoot, Idaho. Sealed-
Commission expires January 29th, 1928-

Acknowledged by William A. Christensen November 7th, 1927-
before I. Worth Stimits a Notary Public of Colorado-
Residing at Colorado Springs, Colorado. Sealed-
Commission expires January 19th, 1928-

DESCRIPTION and REMARKS

The parties of the first part herein, do hereby grant, bargain,
sell, convey and confirm unto the party of the second part and to his
heirs and assigns forever; all the following described property in
Bingham County, Idaho-

The N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of section 9 in township 2 south of range 37 E.
B.M., together with all water rights, ditch rights of way thereunto be-
longing or in any wise appertaining-

To Have and To Hold unto the parties of the second part and to his
heirs and assigns forever; and the first parties will warrant and for-
ever defend.

6.29

TAXES

1927- Taxes are one-half paid on the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 9 in Township 2 South of Range 37 E.B.M., Bingham County Idaho, and the balance will become delinquent June 25th, 1928

1928- Taxes are a lien upon the above described property, but are not due or payable until November 26th, 1928

1927-Irrigation Assessment are a lien & upon the above described property. No delinquency is reported to the County Auditor and Recorder for record until after the Fourth Monday of July of the year following the assessment.

STATE OF IDAHO, } ss.
COUNTY OF BINGHAM. }

The NE of the SE of Section 9 in Township 2
South of Range 37 E.B.M., in Bingham County, Idaho.

Further, that there are no taxes due and unpaid; that there are no Irrigation District or "Carey Act" land or other special assessments due and unpaid; that there are no judgments or liens of record in the office of the County Recorder or in any Court of record of said Bingham County, which are a lien against the lands above described except as herein shown.

Further, that the United States District Court has held no session within Bingham County.

William Twitchell Sr.
William Twitchell Jr.

19th day of

at 11:51 AM

The Bingham
Title & Trust Co.
By *M. J. Bingham*
Trustee

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR BINGHAM COUNTY.

Fred S. Stevens, et al
Plaintiffs.

-VS-

Eastern Idaho Water Co., et al.
Defendants.

~~~~~  
This cause having been heretofore tried by the Court with-  
out a jury and the Court having made its findings of fact and  
conclusions of law.

It is Now Ordered, Adjudged and Decreed that  
the following parties are entitled to divert from the Black-  
foot River the amount of water herein indicated and the right  
of each party dates from the time hereinafter stated and set  
opposite each name, to-wit:  
Among others is that of-

|                                            |            |
|--------------------------------------------|------------|
| N.A. Just and Emma Just, August 1st, 1871, | 200 inches |
| N.A. Just and Emma Just, April 1st, 1885   | 100 inches |

It is further ordered, adjudged and decreed, that all parties  
to this action shall have the right to use the waters of the  
several streams named in this decree for domestic purposes.  
Done in open Court this August 1st, A.D. 1891.

Chas. Cabb  
Judge Pro. Tem.

Recorded- in Judgment Book  
"1" at pages 107-116 of the-  
Records of Bingham County, Idaho-

Note:

The foregoing decreed 300 inches of water is owned by  
R.E. Reid, James Just and William Twitchell, and is conveyed  
from the Blackfoot River to their different lands by a ditch  
owned by the above named parties.

Abstracter.

25

## MORTGAGE

\*\*\*

William Twitchell, Sr.,  
a widower.

TO

The Federal Land Bank,  
a corporation.

\*\*\*\*\*

Dated- February 1st, 1928-

Consideration- \$3800.00-

Recorded- February 9, 1928 at-

11:05 A.M., in Book "59" of Mortgages at-

Page 81 of the Records of Bingham County, Idaho-

William Twitchell, Sr.

Acknowledged- by William Twitchell, Sr., a widower,  
Feb. 8, 1928, before Louis Felt, a Notary Public  
Of Idaho, residing at Blackfoot, Idaho. Sealed.  
Commission expires Jan. 27, 1930.

## DESCRIPTION and REMARKS

The first parties do hereby grant, bargain, sell, convey and warrant unto the second party, all the following described property in Bingham County, Idaho, to-wit:

The N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 9 in Township 2 South, Range 37 E.B.M., together with all waters and water rights of every kind and description.

This conveyance is executed to secure one note of even date herewith, for \$3800.00 due 34 $\frac{1}{2}$  years, unless matured sooner on account of extra payments, with interest at 5 $\frac{1}{2}$ % per annum, payable semi-annually, Payable at Spokane, Washington.

It is expressly stipulated and agreed that any time after five years from date hereof the second party, if water supply or drainage is no longer adequate shall be entitled to call upon the first parties to reduce balance due on loan to 50% of the value of the determined security or request said first parties to give additional security, and if said first parties shall within 60 days after receiving written notice fail to meet such requirements, the bank may after four months written notice declare the note due and be entitled to foreclose this mortgage.

The mortgagors, in order to qualify as borrowers from the mortgagee, have become, or are about to become, the owners of stock in a National Farm Loan Association, and hereby covenants and agree from themselves, their heirs and assigns, that any

CERTIFICATE

(On Continuation of Abstract)

State of Idaho, :  
County of Bingham :ss.  
:

The Bingham Title & Trust Co., abstracter of titles in and for the said County, does hereby certify that the foregoing abstract of title, consisting of Sheets numbered from 1 to 23 both inclusive, comprises a true abstract of all conveyances, deeds, trust deeds, land contracts, mortgages, leases, mechanics' and other liens, attachments, notices of levy of execution, suits pending, tax sales, tax deeds, probate proceedings, special proceedings, bankruptcy and insolvency proceedings, unsatisfied judgments in State Courts and Federal Courts holding terms in the said County; transcriptions of judgments, and any other matters not herein specified, of record in the public offices, which are offices of record, in the County of Bingham, and State of Idaho, prior to the 9th day of February 19 28, at 5:00 P.M. affecting the title to or constituting liens upon the following described real estate in said County, to-wit: The NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 9 in Township 2 South, Range 37 E.B.M.,

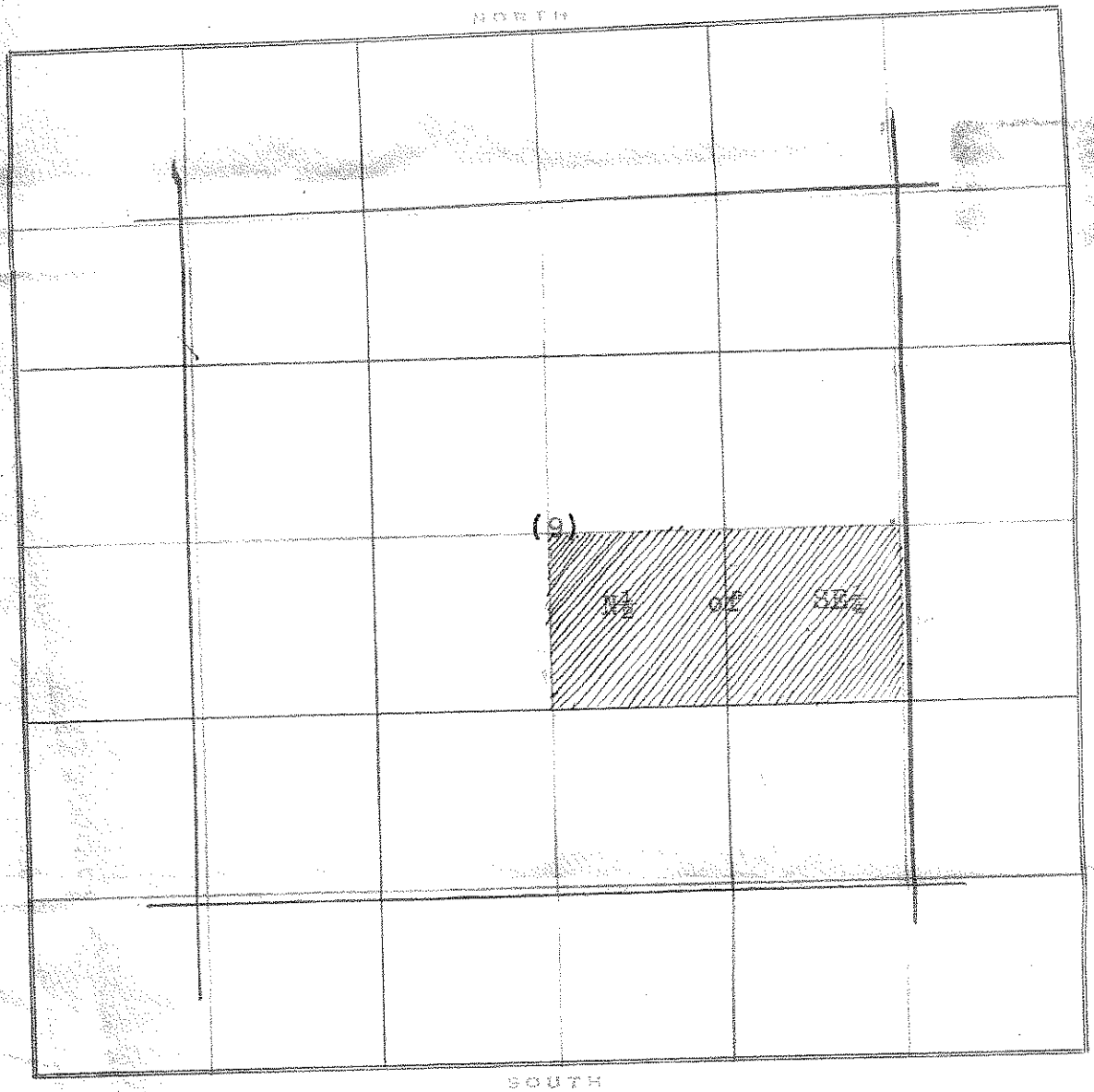
Further, that there are no taxes due and unpaid: that there are no Irrigating District or "Cary Act" Land, or other Special Assessments due and unpaid which are a lien against the lands above described, except as herein shown.

This certificate is made for and at the request of The Federal Land Bank of Spokane, this 9th day of February, 19 28 at 5:00 P.M.

*The Bingham*  
*Title & Trust Co.*  
By *[Signature]* Trustee

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TOWNSHIP 2 South of RANGE 37 E.3.1 in Idaho-



SCALE: 20 CHAINS TO THE INCH

Book #443

# The United States of America:

Desert Lands.

Certificate No. 122

To all to Whom these Presents shall Come—Greeting:

WHEREAS, Emmal Just, of Bingham County, Idaho Territory,

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Blackfoot, Idaho Territory, whereby it appears that full payment has been made by the said Emmal Just

according to the provisions of the Act of Congress of the 24th of April, 1830, entitled "An Act making further provisions for the Sale of the Public Lands," and the acts supplemental thereto, for the

North half of the South East quarter and the North half of the South West quarter of Section nine in Township Two South of Range thirty seven East of the Boise Meridian in Idaho Territory, containing One hundred and sixty acres.

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

NOW, KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have Given and Granted, and by these presents do Give and Grant, unto the said Emmal Just

and to her heirs, the said Tract above described.

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said Emmal Just

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

IN TESTIMONY WHEREOF, I, Benjamin Harrison, 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 eight day of July, in the year of our Lord one thousand eight hundred and eighty nine, and of the Independence of the United States the one hundred and thirtieth

BY THE PRESIDENT: Benjamin Harrison  
By M. M. Hagan Secretary.

Recorded Vol. 1 Page 356  
Filed for Record at 3 15 o'clock P. M. July 22 at idaho A. D. 18 91, and recorded at the request of M. Potter

29

Book 443

## The United States of America:

Desert Lands

Certificate No. 123

To all to Whom these Presents shall Come—Greeting:

WHEREAS, *Emmal Just* of Bingham County, Idaho Territory

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at *Blackfoot Idaho Territory* whereby it appears that full payment has been made by the said *Emmal Just*

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provisions for the Sale of the Public Lands," and the acts supplemental thereto, for the

North half of the South East quarter and the North half of the South West quarter of Section nine in Township Two South of Range thirty seven East of the T. 12th Meridian in Idaho Territory, containing One hundred and sixty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said *Emmal Just*

NOW, KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have Given and Granted, and by these presents do Give and Grant, unto the said *Emmal Just*

and to *her* heirs, the said Tract above described.

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said *Emmal Just* and to *her* heirs and assigns, forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right

Desert Lands  
Certificate No. 122

To all to Whom these Presents shall Come—Greeting:

WHEREAS, Emina Just of Bingham County, Idaho  
Territory

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Blackfoot Idaho Territory whereby it appears that full payment has been made by the said Emina Just

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provisions for the Sale of the Public Lands;" and the acts supplemental thereto, for the

North half of the South East quarter and the North  
half of the South West quarter of Section nine in Township  
Two South of Range thirty seven East of the Boise Mer-  
idian in Idaho Territory, containing One hundred and  
sixty acres.

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

NOW, KNOW YE, That the United States of America, in consideration of the premises, and in conformity  
with the several Acts of Congress in such case made and provided, have Given and Granted, and by these  
presents do Give and Grant, unto the said Emina Just

and to her heirs, the said Tract above described.

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances,  
of whatsoever nature, thereunto belonging, unto the said Emina Just

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

IN TESTIMONY WHEREOF, I, Benjamin Harrison 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 eight  
day of June, in the year of our Lord one thousand eight hundred  
and eighty nine, and of the Independence of the United States  
the one hundred and thirtynine

BY THE PRESIDENT: Benjamin Harrison

By M. M. St. Louis Secretary.

Recorded Vol. 1 Page 355

Filed for Record at 3 15 o'clock P. M. July 22 at idaho Recorder of the General Land Office.  
At At O. A. A. A. M. P. A. A.