

from Chase
To Dahlke

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REAL ESTATE MORTGAGE

THIS INDENTURE, made this 28th day of February, in the year of our Lord One Thousand Nine Hundred Sixty Two, between WILMER L. DAHLKE and BONNIE JEAN DAHLKE, husband and wife, of Pocatello, Bannock County, Idaho, parties of the first part, and AMOS B. CHASE and CAROL D. CHASE, husband and wife, of Pocatello, Bannock County, Idaho, the parties of the second part:

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of TWENTY FIVE THOUSAND NINE HUNDRED FIFTY SIX AND 24/100 DOLLARS (\$25,956.24), 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, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns forever, all that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, and more particularly described as follows, to-wit:

Lots 1 and 2, Southwest Quarter Northeast Quarter, West Half Southeast Quarter, Southwest Quarter, Section 1, Township 8 South, Range 36 East, Boise Meridian;
North Half Southeast Quarter, Southeast Quarter Southeast Quarter, Section 2;

Also, beginning at the Northeast corner of the Southwest Quarter of the Southeast Quarter of Section 2, and running thence South 52 rods; thence West 80 rods; thence North 52 rods; thence East 80 rods to the place of beginning, all in Township 8 South, Range 36 East, Boise Meridian. . .

TOGETHER with any and all water, water rights, irrigation ditches belonging or in anywise appertaining thereto, and especially including an undivided one-half interest in and to a right to use the water of Rock Creek in said Bannock County, to the extent or amount of 10 cubic feet per second acquired under and by virtue of that certain Water Application dated June 18, 1902 which is found of record in Book 2 of Water Locations at Page 137 of the Records of Bannock County, Idaho; also, the right to the use of the water of the certain unnamed stream in Bannock County, to the extent or amount of 3 cubic feet per second of time acquired by the predecessors of the grantors, under and by virtue of that certain notice of Water Application dated June 27, 1902 and which is found of record in Book 2 of Water Locations at Page 183 of the Records of Bannock County, Idaho.

TOGETHER with an undivided one-half interest in and to that certain spring located near the easterly boundary line of the SE 1/4 of Section 2, Township 8 South, Range 36 East, Boise Meridian, together with the water system, including water line and storage tank which was originally installed for the Onyx School.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

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Domestic
Source

The length of said proposed canal or conduit is about five miles.

That it is intended to complete the works for the diversion and use of said water as aforesaid within Three Years.

A copy of this notice was duly posted at or near the point of intended diversion on the 25th day of June 1902.

Witness my hand at Pocatello County of Bannock State of Idaho, this 25th day of June 1902.

Appropriator and Claimant. (J.B.Evans,
State of Utah,)
(SS.
County of Salt Lake.)

J.B.Evans being first duly sworn, deposes and says that he is of lawful age and that he is the appropriator and claimant of the Water Right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 12.20 o'clock noon M., the 25th day of June 1902.

J.B.Evans,
Subscribed and Sworn to before me this 27th day of June, 1902.
F.F.Clayton,
Notary Public.
(SEAL) Recorded at request of J.B.Evans, at 4.30 o'clock P.M. July 9th, 1902.
By E.G.Gallet, J.S.Campbell,
Deputy. Fee 80¢ Recorder.
Notice of Water Appropriation.

STATE OF IDAHO,)
(SS.
Bannock County.)

TO ALL CONCERNED:--

Notice is hereby given,--That Eathen F.Cutler, Sr., of McCammon, of the County of Bannock and State of Idaho, hereby claims the use of the waters of that certain un-named stream, and all its tributaries, here flowing to the extent or amount of three (3) cubic feet per second of time, to be diverted at a point on said stream near the south-east corner of the north-west quarter of the south-east quarter of Section 1 in Township 8 South of Range 36 E.B.M., at which said point a copy of this notice is posted.

It is intended to use the waters above described for agricultural and domestic purposes upon the north half of the south-west quarter of Section 1 and the north half of the south-east quarter of Section 2 in Township 8 South of Range 36 East of the Boise Meridian in Idaho, and containing 160 acres.

Said waters are intended to be diverted by means of a ditch about one and one-fourth miles in length running from the above described point of diversion in a general westerly direction, and distributed over the lands above described. The ditch having its terminus in the north-west quarter of the south-east quarter of Section 2 above described.

The works for the diversion and use of the water above described will be fully completed and in use within one (1) year from the date of this notice.

Witness the hand of Claimant at McCammon, Bannock County, Idaho, this 27th day of June, A.D., 1902.

STATE OF IDAHO,)
(SS.
Bannock County.)

Eathen F.Cutler, Sr.,
Claimant.

Eathen F.Cutler, Sr., being first duly sworn according to law deposes and says that he is of lawful age and the claimant of the water right mentioned in the foregoing notice and whose name is subscribed thereto; that the statements in said notice contained are true and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at the point of diversion therein described on the 27th day of June, A.D., 1902, at 5.05 o'clock P.M.

Subscribed and sworn to before me this 30 day of June, A.D. 1902, by the said Eathen F. Cutler, Sr.,

J.H.Stinger,
Justice of the Peace.

RECORDED at request of Bannock Abst.Co. at 2.10 o'clock P.M. July 10th, 1902.
By E.G.Gallet, J.S.Campbell,
Deputy. Fee 80¢ Recorder.
NOTICE OF WATER APPROPRIATION.

STATE OF IDAHO,)
(SS.
Bannock County.)

TO ALL CONCERNED:-- Notice is hereby given:-- That Daniel Swinehart, of Pocatello, of the County of Bannock and State of Idaho hereby claims the use of the waters of the Portneuf River, here flowing to the extent or amount of three hundred (300) cubic feet per second of time, to be diverted at a point on said stream in the westerly portion of the north-east quarter of the north-east quarter of Section 20 in Township 6 South of Range 34 E.B.M., at which said point a copy of this notice is posted.

It is intended to use said waters for power, agricultural and domestic purposes upon lands in Township 6 South of Range 34 East of the Boise Meridian.

Said waters are intended to be diverted and conducted to, upon and over the lands above described by means of a dam constructed at the above described point of diversion and ditches leading therefrom.