

CAPTION

No. 9194

Abstract of Title

SECURITY TITLE COMPANY

GOODING, IDAHO

To the following described Real Estate, situated in

Southwest Quarter of the Northeast Quarter
(SW $\frac{1}{4}$ NE $\frac{1}{4}$),

Southeast Quarter of the Northwest Quarter
(SE $\frac{1}{4}$ NW $\frac{1}{4}$),

Northeast Quarter of the Southwest Quarter
(NE $\frac{1}{4}$ SW $\frac{1}{4}$) and

The South Half of the Southwest Quarter
(S $\frac{1}{2}$ SW $\frac{1}{4}$) and

Northwest Quarter of the Southeast Quarter
(NW $\frac{1}{4}$ SE $\frac{1}{4}$)

Section Twenty three (23)

Northwest Quarter (NW $\frac{1}{4}$)

Section Twenty six (26)
Township Three (3) South
Range Fifteen (15)
East Boise Meridian.

Subject to existing rights of way.

LOAN NO. 84806
3 ABSTRACT 5
TITLE POLICY
THE FEDERAL LAND BANK
OF SPOKANE

APPLICATION NO. B9712
APPLICANT Forest Runway
STATE 14-60

FLB 1

Entry No. 1
Eugene Chaumell

-to-

J. W. S. Emerson.

QUITCLAIM DEED.

Dated, May 4, 1901

Recorded, May 4, 1901, 4 PM

Book 2 Deeds Page 601 Lincoln Co.

Book B Deeds Page 268 Gooding Co.

Consideration \$500.00

The first party hereto in consideration of \$500.00 do hereby remise, release and quitclaim unto the second party hereto the following real estate in Lincoln County, Idaho:

All his water rights described as follows 200 inches of the waters of Thorn Creek in Lincoln County, Idaho and 200 inches of the waters of Schooler Creek in said County and State with all dams and ditches used in conveying said waters, such location of water right being of record or by appropriation.

Together with the tenements, hereditaments and appurtenances thereunto belonging, the reversions, remainders, rents, issues and profits thereof.

Acknowledged: May 4, 1901, by Eugene Chaumell, before W. J. Smith, Justice of the Peace, Lincoln County, Idaho.

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Entry No. 2
Eugene Chaumell

-to-

J. W. S. Emerson.

QUITCLAIM DEED.

Dated, May 4, 1901

Recorded, May 4, 1901, 4 PM

Book 2 Deeds Page 602 Lincoln Co.

Book B Deeds Page 269 Gooding Co.

Consideration \$2500.00

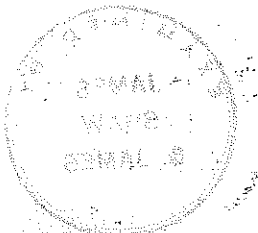
The first party hereto in consideration of \$2500.00 does hereby remise, release and quitclaim unto the second party hereto the following parcel of land in Lincoln County, Idaho:

All his right, title and interest to ascertain possessory right to public lands situate on Thorn Creek in Lincoln County, Idaho together with all improvements thereon such as buildings and fences.

Together with the tenements, hereditaments and appurtenances thereunto belonging, the reversions, remainders, rents, issues and profits thereof.

Acknowledged: May 4, 1901, by Eugene Chaumell, before W. J. Smith, Justice of the Peace, Lincoln County, Idaho.

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Entry No. 3
J. W. S. Emerson

-to-

The Public.

POSSESSORY CLAIM.

Dated - -

Recorded, May 8, 1901, 3 PM

Book 1 Possessory Claims Page 33
Lincoln Co.

Book A Mining Locations Notices
Page 364 Gooding Co.

Notice is hereby given that the undersigned has located and taken into his possession the following described unsurveyed lands to wit:

Situate in Thorn Creek Valley in Lincoln County, Idaho and being at South East Corner marked by a post upon which is written: May 3rd 1901 South East Corner of Desert Claim located by J. W. S. Emerson and running thence 160 rods westerly to a post upon which is written May 3rd, 1901 South West Corner of desert claim located by J. W. S. Emerson; thence Northerly 240 rods to a post upon which is written, May 3rd, 1901 North West corner of Desert Claim located by J. W. S. Emerson, thence Easterly 80 rods to a post upon which is written May 3rd, 1901 North East corner of desert claim located by J. W. S. Emerson, thence southerly 160 rods to a post upon which is written May 3, 1901, Angle post of desert claim located by J. W. S. Emerson; thence Easterly 80 rods to a post upon which is written May 3rd, 1901. North East Sub corner of desert claim, located by J. W. S. Emerson; thence Southerly 80 rods to point of beginning. This instrument is intended as a notice in compliance with Sec. 4554 of Chapter IV of the Revised Statutes of Idaho.

Signed: J. W. S. Emerson

Affidavit by J. W. S. Emerson, that on May 3, 1901 he located not more than 160 acres of unsurveyed Govt. lands in Lincoln County, Idaho as described in a written notice filed May 6, 1901, in the office of the County Recorder of said County:

That he does not hold any other claim under the provisions of Chapter IV of the Revised Statutes of Idaho and to the best of his information and belief no part of said lands is claimed under any existing adverse title. All in compliance with chapter 4 of the Revised Statutes of Idaho entitled Possessory Actions for Public Lands under which aforesaid chapter affiant now holds.

Subscribed and sworn to, May 6, 1901, before W. J. Smith, Justice of the Peace, Lincoln County, Idaho.

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Entry No. 4
J. W. S. Emerson

-to-

F.R. Gooding.

QUITCLAIM DEED.

Dated, March 5, 1903

Recorded, March 9, 1903, 4 PM

Book 4 Deeds Page 55 Lincoln Co.

Book A Deeds Page 127 Gooding Co.

Consideration \$1.00

The first party for and in consideration of \$1.00 does hereby remise, release and quitclaim unto the second party hereto, all his right, title and interest of whatever nature or description or estate in and to the following land situated in Thorn Creek Valley, in Lincoln County, Idaho and described as follows:

At the south east corner marked by a post upon which is written "May 3rd, 1901 south east corner of desert claim, located by J. W.S. Emerson" and running thence 160 rods westerly to a post upon which is written "May 3rd, 1901, southwest corner of desert claim, located by J. W. S. Emerson" running thence northerly 240 rods to a post upon which is written "May 3rd 1901 north west corner of desert claim, located by J. W. S. Emerson", running thence easterly 80 rods to a post upon which is written "May 3rd, 1901, north east corner of desert claim, located by J. W. S. Emerson" running thence southerly 160 rods to an angle post, upon which is written "May 3rd, 1901 angle post of desert claim, located by J. W. S. Emerson," running thence easterly 80 rods to a post upon which is written "May 3rd 1901 north east sub-corner of desert claim, located by J. W. S. Emerson", running thence southerly 80 rods to point of beginning; together with all houses, stables, corrals water-rights, ditches, fences and improvements of whatever nature situate or erected or made upon said tract of ground above described; with the appurtenances.

Acknowledged: March 5, 1903, by J. W.S. Emerson, before Edw. A. Walters, Notary Public, Lincoln County, Idaho (Seal)

Entry No. 5
The United States of America

-to- ✓

Thomas H. Gooding.

PATENT.

Dated, September 26, 1906
Recorded, June 23, 1911, 4 PM
Book 2 Patents Page 162 Lincoln Co.
Book A Patents Page 205 Gooding Co.

Whereas, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Hailey Idaho, whereby it appears that, pursuant to the Act of Congress approved May 20, 1862, and the Acts supplemental thereto, the claim of Thomas H. Gooding assignee by mesne conveyance of Samuel C. Sill has been established and duly consummated, in conformity to law, for the

North West Quarter of the Southeast Quarter and the Southwest Quarter of the Northeast Quarter of Section twenty three in Township three South of Range fifteen East of Boise Meridian in Idaho, containing eighty acres.

Therefore, there is therefore granted by the United States unto the said Thomas H. Gooding; the tract of land above described; subject to any vested and accrued water rights and rights to ditches and reservoirs used in connection with such water rights as may be recognized by the local customs, laws and decisions of Courts and also subject to the rights 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 and there is reserved from the lands hereby granted a right of way for ditches or canals constructed by the authority of United States.

By the President: T. Roosevelt

By F. M. McKean, Secretary

(Seal) C. H. Brush, Recorder of the General Land Office.

Entry No. 6
The United States of America

-to-

Thomas H. Gooding.

PATENT.

Dated, April 10, 1907
Recorded, June 23, 1911, 4 PM
Book 2 Patents Page 163 Lincoln Co.
Book A Patents Page 206 Gooding Co.

Whereas, there has been deposited in the General Land office of the United States a Certificate of the Register of the Land Office at Hailey Idaho whereby it appears that, pursuant to the Act of Congress approved May 20, 1862 and the acts supplemental thereto, the claim of Thomas H. Gooding Assignee by mesne conveyances of John Robertson has been established and duly consummated, in conformity to law, for the

South West Quarter of the Southwest Quarter of Section Twenty three in Township Three South of Range fifteen East of Boise Meridian in Idaho containing forty acres.

Therefore there is, therefore granted by the United States unto the said Thomas H. Gooding, the tract of land above described; subject to any vested and accrued water rights for mining and rights to ditches and reservoirs used in connection with such water rights as may be recognized 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

Entry No. 6 cont.

or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of United States

By the President: T. Roosevelt

By F. M. McKean, Secretary

(Seal) H. W. Sanford, Recorder of the General Land Office.

Entry No. 7

The United States of America

PATENT.

Dated, September 26, 1906

Recorded, June 23, 1911, 4 PM

Book 2 Patents Page 164 Lincoln Co.

Book A Patents Page 207 Gooding Co.

-to-

Thomas H. Gooding.

Whereas, there has been deposited in the General Land Office of the United States a certificate of the Register of the Land Office at Halley, Idaho whereby it appears that, pursuant to the Act of Congress approved May 20, 1862, and the Acts supplemental thereto, the claim of Thomas H. Gooding Assignee by mesne conveyance of Lewis N. Ketter has been established and duly consummated in conformity to law, for the

East half of the South West Quarter of Section Twenty three in Township Three South of Range Fifteen East of Boise Meridian in Idaho, containing eighty acres.

Therefore, there is therefore granted by the United States unto the said Thomas H. Gooding the tract of land above described; subject to any vested and accrued water rights and rights to ditches and reservoirs used in connection with such water rights as may be recognized by the local customs, laws and decisions of Courts and also subject to the rights 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 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.

By the President: T. Roosevelt

By F. M. McKean, Secretary

(Seal) C. H. Brush, Recorder of the General Land Office



Entry No. 11

In the District Court of the Fourth Judicial District of the State of Idaho, In and For the County of Lincoln.

F. R. Gooding, Plaintiff,

-vs-

Maneual Alfonso, J. H. Bishop,
F. B. Bishop, Al L. Bishop and
C. A. Schmidt. Defendants.

MINUTE ENTRY AND DECREE.

Filed November 22, 1912 in the
Office of the Recorder of Lincoln
County, Idaho and recorded in
Book 2 Judgments Page 66 Lincoln Co.
Book A Judgments Page 298 Gooding Co.

MINUTE ENTRY.

Now on this 21st day of November, 1912, by order of court this cause being duly transferred from Lincoln County, Idaho, to Hailey, Blaine County, Idaho, in said district for hearing at Chambers before the Honorable Edward A. Walters, Senior Judge, of said district

This cause duly came on for hearing before the said court at Chambers, plaintiff present by W. G. Bissell, his attorney, and defendants appearing neither in person or by attorney, whereupon upon motion of the plaintiff the said cause was dismissed as to J. H. Bishop and the Court, after having examined the service as to Maneual Alfonso, A.L. Bishop, F. P. Bishop and C. A. Schmidt finds, that the said defendants were duly and legally personally served with summons herein on April 8, 1912, and that the said defendants and each of them have failed to appear answer or demurrer in this action, but that they have made default herein and that the said defendants, by their failure to answer, demurrer or appear herein, have thereby waived the making of Findings of Fact and Conclusions of Law, by the Court.

Signed: Edward A. Walters, Dist. Judge

DECREE.

It is therefore, ordered, adjudged and decreed, that the plaintiff is entitled to a first and prior right to the use of 220 inches of water from that stream, brook, creek or natural water course commonly known as Thorn Creek, which said stream, brook, creek or natural water course as aforesaid in the course of its meandering runs in a Northerly direction from the lands hereinafter described and evidently through Sections 26 to 23, 14, 12 and 1, of Township 3, of Range 15 East, Boise Meridian, in Lincoln County, Idaho, for use for domestic purposes and for the purpose of irrigating the following decreed lands, to wit:

The $W\frac{1}{2}$ of the $NW\frac{1}{4}$, of Section 26,

the $SW\frac{1}{4}$ of the $SW\frac{1}{4}$, $E\frac{1}{2}$ of the $SW\frac{1}{4}$, $NW\frac{1}{4}$ of the $SE\frac{1}{4}$ and $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ and the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 23, Township 3 S., of Range 15 East, Boise Meridian, in Lincoln County, Idaho, and that the said plaintiff's priority to the use of such water shall date from the first day of June, 1887; that the rights of the said defendants and each of them be and hereby are declared to be junior and inferior to the rights of the plaintiff and that the title of the plaintiff to 220 inches of water from the stream, brook, creek or natural water course aforesaid be and hereby is quieted in him and adjudged to be appurtenant to the lands aforesaid, and that the said defendants and all persons claiming or to claim under them be, and hereby are forever barred from claiming a priority as against this plaintiff; that the plaintiff do have and recover of and from the defendants, Maneual Alfonso, F. P. Bishop, A. L. Bishop and C. A. Schmidt

Entry No. 11 cont.

his costs of suit herein made and expended.

Signed: Edward A. Walters, District Judge.

Entry No. 12

Frank R. Gooding and Amanda J.
Gooding, husband and wife

-to-

The Gooding Live Stock Company,
a corporation.

WARRANTY DEED.

Dated, September 22, 1914

Recorded, October 6, 1914, 10:35 AM

Book 1 Deeds Page 379

Consideration \$1.00 & Other

The first parties hereto in consideration of \$1.00 and other valuable consideration do hereby grant, bargain, sell, convey and confirm unto the second party hereto the following real estate in Gooding County, Idaho:

The South East Quarter (SE $\frac{1}{4}$) of the North West Quarter (NW $\frac{1}{4}$) and the South West Quarter (SW $\frac{1}{4}$) of the North East Quarter (NE $\frac{1}{4}$) and the North East Quarter (NE $\frac{1}{4}$) of the South West Quarter (SW $\frac{1}{4}$) and the North West Quarter (NW $\frac{1}{4}$) of the South East Quarter (SE $\frac{1}{4}$) and the South Half (S $\frac{1}{2}$) of the South West Quarter (SW $\frac{1}{2}$) of Section Twenty-three (23) and the West Half (W $\frac{1}{2}$) of the North West Quarter (NW $\frac{1}{2}$) of Section Twenty-six (26) all in Township Three (3) South of Range Fifteen (15) E.B.M. also lots Sixty (60) Eighty (80), Eighty-eight (88) Eighty-nine (89) and Ninety-six (96) of South Gooding Acreage as shown by the plat thereon now on file in the office of the County Recorder of Gooding County, Idaho.

Together with the tenements, hereditaments and appurtenances thereunto belonging, the reversions, 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 first parties.

Covenants: Regular Warranty.

Acknowledged: September 22, 1914, by Frank R. Gooding and Amanda J. Gooding, husband and wife before John Thomas, Notary Public, State of Idaho (N.P. Seal) (Signed: Jno. Thomas, Notary Public)

