

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

Idaho Department of
Water Resources

Fax

To:	Candice McHugh	From:	Cindy Bird
Fax:	327-5400	Pages:	26
Phone:		Date:	1/26/2004
Re:	29-4016	CC:	

Hi Candice,

The attached twenty-four sheets are documents submitted by Chesterfield Land and Livestock for evidence of priority on the above referenced claim. I am sending you a copy of the documents to you in the mail because some of the documents are hard to read and I don't know how well they will fax.

Thanks.

Cindy

Documents included:

1. Notice of claim 27-4016
2. POU map submitted by claimants.
3. Notice of water right claim by William J. Rawling, hand written.
4. Notice of Water Right by William J. Rawlings, typed.
5. Homestead Certificate 3172, William James Rawlings.
6. Book 4-Page 539-40-42 copy.
7. Instrument No. 14777.
8. Deed Record No. 3.
9. Instrument No. 5975, Desert Lands Certificate No. 1321.
10. Warranty Deed: Williamson to Austin.
11. Warranty Deed: Inga Rademacher to Williamson.
12. Deed Record: William James Rawlins to Traynor.

FAXED
1-26-04
CB

13. Hand written interpretation of the above Deed of Record.
14. Homestead document 2194.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Chesterfield Land & Livestock Company
c/o Delmo Smith, President (name of claimant)
of Bancroft, Idaho 83217, claims a right to the diversion and beneficial use of

(mailing address)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water)
Graves Creek, tributary to, Blackfoot River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Amount 5.94 Use irrig. Period of Use: From May 1 To Nov. 1
Amount .06 cfs Use stock Period of Use: From May 1 To Nov. 1
Amount _____ Use _____ (both dates inclusive)

- (3) Total quantity of water claimed: 6.0 cubic feet per second, or _____ acre feet
per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) June 17, 1879

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

W ½ W ½ Sec. 4 Twp. 5 S., R. 39 E., B. M. County of Caribou
Additional points of diversion: T. 5 S., R. 39 E.: NE ¼, W ½ SE ¼, N ½ SW ¼ Sec. 8;
NW ¼, E ½ SW ¼ Sec. 9; E ½ NW ¼, NE ¼ SW ¼, NW ¼ SE ¼ Sec. 35.

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Numerous portable diversion dams and numerous ditches are used to flood irrigate lands adjoining Graves Creek in the areas set forth in (6) A.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE ¼				NW ¼				SE ¼				SW ¼				TOTAL			
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
SS. 39E.		4																				
SS. 39E.		8	X		X	X		X	X													
"	"	9																				
"	"	35						X	X													
"	"	4				X																
"	"	8	25																		150	
"	"	9				25															50	
							20	20	20	10							10				100	

Total No. of acres 300

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

For stockwatering an average of 3,000 head of range cattle

- (7) If you are claiming water as a member of an organization, list name of organization:
Chesterfield Land & Livestock Company

- Copy -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that
Bancroft, Idaho 83217
(Name of Claimant)

(Mailing Address) (Zip Code)
Telephone No.

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) June 17, 1879

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Graves Creek tributary to Blackfoot River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
		Use	Period of Use From	(Mo., Day)	(Mo., Day)
Quantity	5.94 cfs	Irrigation	May 1	May 1	To Nov 1
Quantity	0.06 cfs	Stockwater	May 1	May 1	To Nov 1
Quantity		Use	Period of Use From		To
Quantity		Use	Period of Use From		To
Quantity	6.00 cfs	Use	Period of Use From		To
(4)		TOTAL QUANTITY USED.			

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼, NW ¼, Sec. 4 Twp. 5S Rge. 39E B.M., County of Caribou
Additional points of diversion: see x'ed locations in item 6.A.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Numerous portable diversion dams and numerous ditches are used to flood irrigate lands adjoining Graves Creek in the areas set forth in 6.A.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NEX				NW¼				SW¼				SE¼				TOTAL
			NEX	NW¼	SW¼	SE¼	NEX	NW¼	SW¼	SE¼	NEX	NW¼	SW¼	SE¼	NEX	NW¼	SW¼	SE¼	
5S	39E	4						X	X			X	X						
		8	X			X						X	X				X	X	
		9						X	X	X		X		X			X	X	
		35				X		X		X	X						X		
		4							30	40			40	40					150
		8	25																50
		9						20	20	20	10				10				100

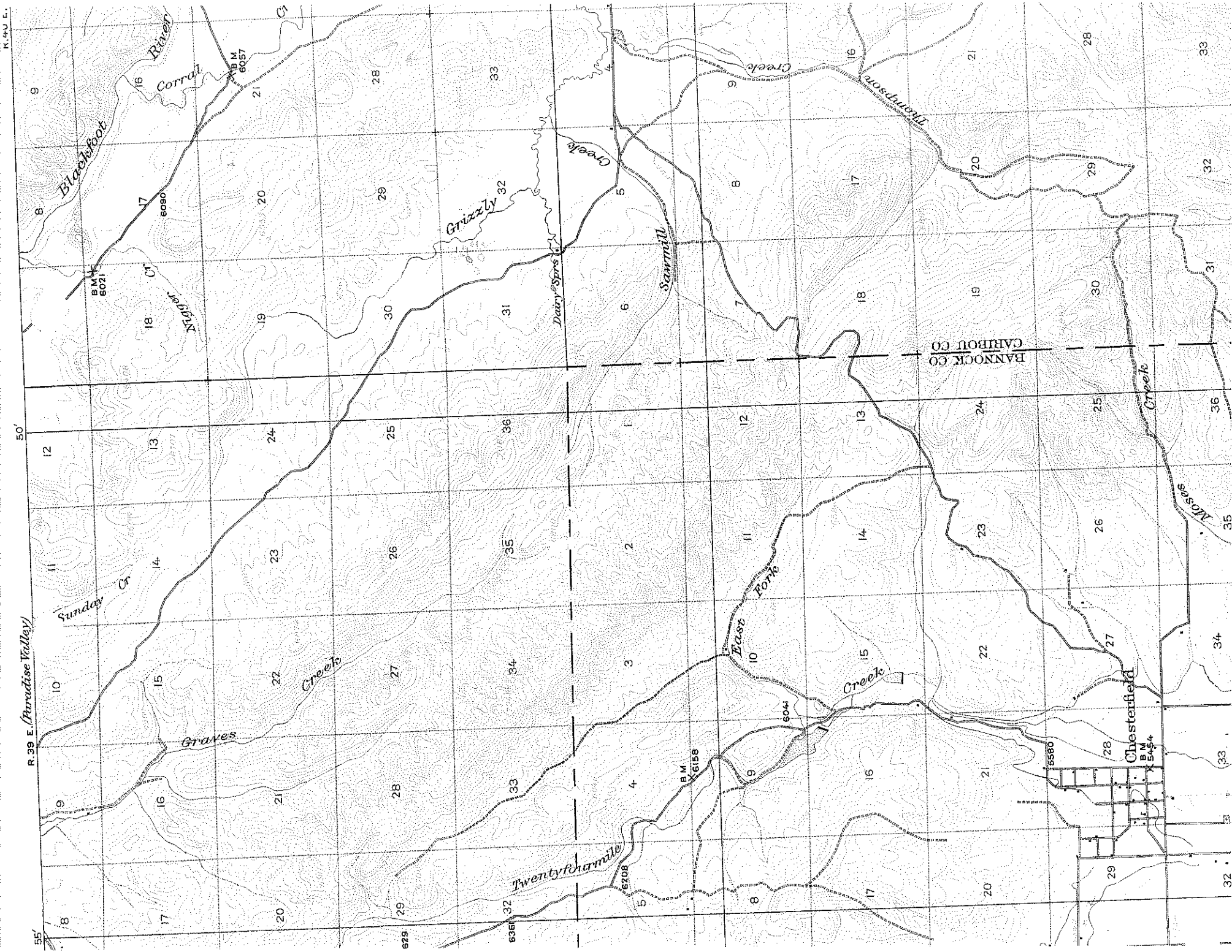
No. of acres 300

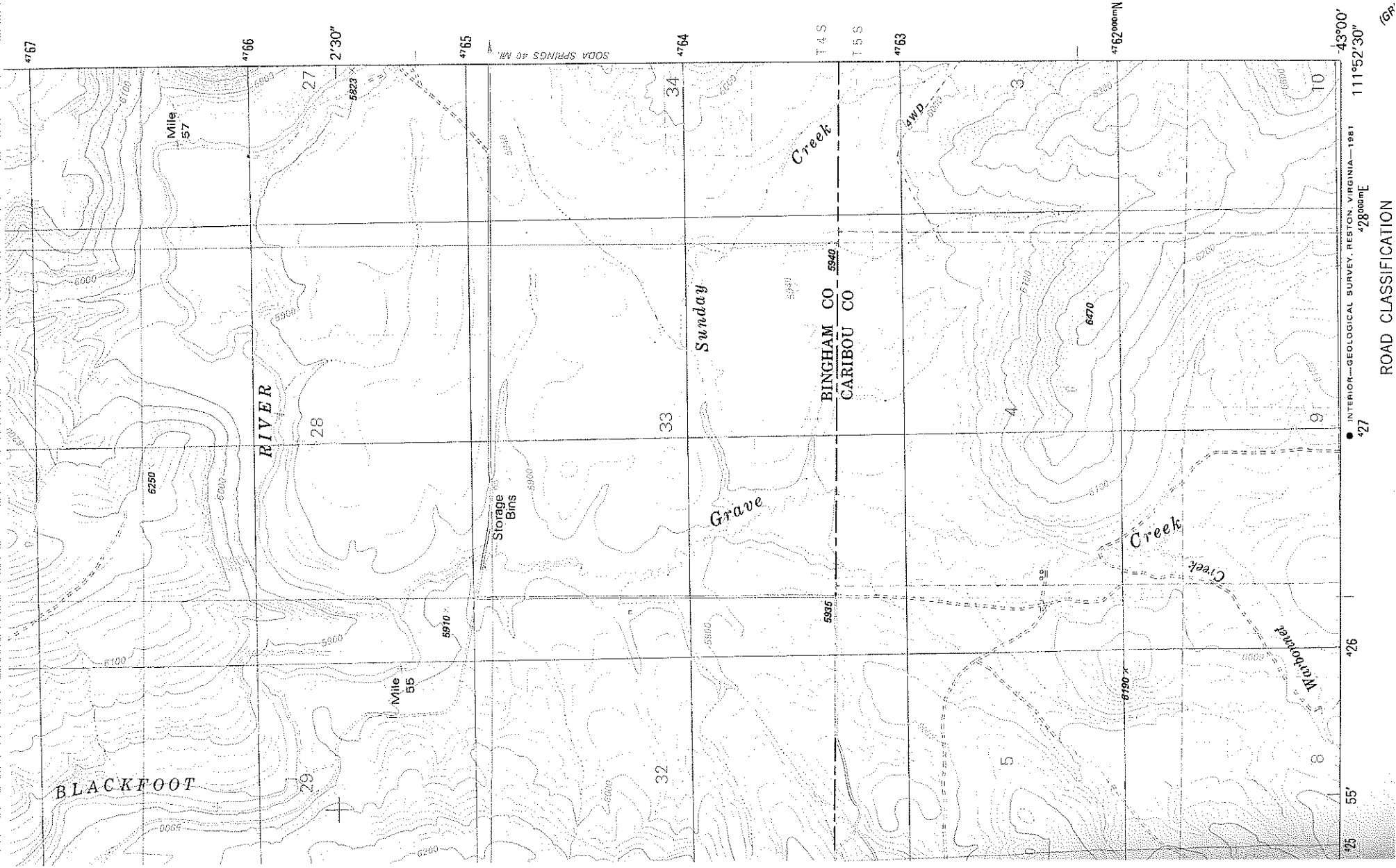
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water used for stockwatering an average of \$3,000 head of range cattle.

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: Chesterfield Land & Livestock Company

MICROFILMED





All Those Certain lots, pieces or parcels of Land, situated, lying and being in the County of Bannock and state of Idaho Granted and more particularly described as follows to wit:

The west half of the South west quarter, The Southwest quarter of the North west quarter and the lot numbered four (4) of Section Four (4) In Township five (5) South of Range Thirty nine (39) East of the Boise meridian in Idaho, and containing One Hundred Fifty nine and seventy two one hundredths (159.72) acres, according to the official plat of the Survey of the said Lands returned to the General Land office by the Surveyor General, Together with all water rights There-un-to belonging or in any wise appertaining, being that Certain water right acquired by the grantor herein 'William James Rawling' by a notice of appropriation dated "1" August 3rd 1896, recorded in Book "1" of water Locations at page 555 of the records of Bannock County, Idaho

THE UNITED STATES OF AMERICA.

Homestead Certificate No. 317 }
Application 6576 } To all to whom These Presents shall Come—Greeting:

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Blackfoot, Idaho whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of William James Hastings

has been established and duly consummated, in conformity to law, for the West half of the South West quarter; the South West quarter of the North West quarter; and the lot numbered four of Section four, in Township 16 N., Range 10 E., of Base Meridian in Idaho, containing one hundred and fifty nine acres and seventy two hundredths of an acre.

sec 4

TSS R 39 E 160

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW, KNOW YE, That there is, therefore, granted by the United States unto the said William James Hastings the tract of land above described:

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said William James Hastings and to his heirs and assigns, forever; subject to any vested and accrued water rights for mining, agriculture, 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. And they are required from the lands hereby granted, a right of way thereon to access or ingress, connected by the authority of the United States.

IN TESTIMONY WHEREOF, I, William M. McKim 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 twenty seventh day of February in the year of our Lord one thousand eight hundred and one, and of the Independence of the United States the one hundred and twenty-fifth.

BY THE PRESIDENT: William M. McKim Secretary.

Recorded Vol. 46 Page 326 By W. M. McKim Secretary.

Filed for Record at Blackfoot, Idaho M., February 5th A. D. 1881 and recorded at the request of Wm. James Hastings

By J. D. Campbell Deputy. Recorder J. D. Campbell

Bannock County
Patent record No 1 (book)
Page 219

1861-1862

W 1/2 SW }
SW NW }
L-4 }

ceived.

March April 2, 1904.

Recorded at the request of Bannock Abstract Co., Aug 20th, 1909 at 3.16 P. M. E.G. Gallet, Recorder. By W. A. Hyde Deputy Fee 40 cts.

Transcribed from Bannock County Records, Deed Record No. 17, page 439.

Instrument No. 14777.

This Indenture, made the 2nd day of April, A. D. 1904 at the City of Pocatello, County of Bannock and State of Idaho, by and between L. Ruebelman, the duly appointed, qualified and acting administrator of the estate of James K. Traynor, deceased, the party of the first part, and Inga Rademacher of the County of Bannock and State of Idaho the party of the second part, witnesseth: That whereas, on the 12th day of January, A. 1904, the Probate Court of the County of Bannock and State of Idaho, made an order of sale authorizing the said party of the first part to sell certain real estate belonging to said estate and which is situated in the said bannock County and State of Idaho, and specified and particularly described in said order of sale, reference to which is hereby made. And Whereas, under and by virtue of the said order of sale, said party of the first part on the 1st day of March, A.D. 1904, sold said real estate subject to confirmation by said Probate Court to said party of the second part, for the sum of Two thousand dollars. And whereas, said court did on the 30th day of March A. D. 1904 make an order confirming said sale and directing conveyances to be executed to the said party of the second part, a certified copy of which order of confirmation was recorded in the office of the County Recorder of Bannock County, in said State, on the 30th day of March, A.D. 1904 at 2.45 o'clock P. M. in Book 1 of Miscellaneous Records, page 446, and which said order of confirmation now on file and of record in said Probate Court and which said record thereof in said Recorder's office are hereby referred to. Now, therefore, the said L. Ruebelman, administrator of the estate of James K. Traynor, deceased, the party of the

thereof in said Recorder's office are hereby referred to. Now, therefore, the said L. Ruebelman, administrator of the estate of James K. Traynor, deceased, the party of the first part, pursuant to the order last aforesaid of the said Probate Court, for and in consideration of the said sum of two Thousand Dollars to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents, does grant, bargain, sell, and convey unto the said party of the second part, her heirs and assigns forever all the right, title, interest and estate of the said James K. Traynor, deceased, at the time of his death, and also all the right, title and interest that the said estate, by operation of law, or otherwise may have acquired, other than or in addition to that of the said intestate at the time of his death, in and to all that certain real property situated in said Bannock County, State of Idaho, and particularly described as follows, to-wit The W. $\frac{1}{2}$ of the S.W. $\frac{1}{4}$ and the S.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ and lot 4 of Sec 4, Township 5 S. of Range 39 E of Boise Meridian, and the N. $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ and the S.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Sec 9, and the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Sec 8, Township 5 S of Range 39 E.B.M. To have and to hold all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, her heirs and assigns forever. In Witness Whereof, the said party of the first part, administrator as aforesaid, has hereunto set his hand and seal the day and year first above written.

L. Ruebelmann
Administrator of the Estate of James K. Traynor, Deceased.

STATE OF IDAHO COUNTY OF BANNOCK) SS On this 4th day of September in the year One Thousand nine hundred and nine, before me, Earle C. White, a notary public in and for the said Bannock County, State of Idaho, personally appeared L. Ruebelman, known to me to be the person whose name is subscribed to the within instrument, as the administrator of the

T55 R39E
W $\frac{1}{2}$ SW $\frac{1}{4}$ } sec 4
SW NW }
L-4

N2 NW sec 9
SE NW
NE NE sec 8

second party, both of Pocatello, Bannock County Idaho, Witnesseth: That whereas, on the 12th day of January, 1904, the Probate Court of Bannock County, Idaho, in the above Estate, made an order of sale authorizing the Administrator, to sell certain lands and appurtenances belonging to James K. Traynor, deceased; And whereas, under and by virtue of said order of sale and due compliance with law therein, and directions in said order for private sale, said Inga Rademacher was the highest and best bidder for all of said lands, water rights, improvements and appurtenances of every kind for the sum set out in the deed therefor and approved by this Court: And whereas, said Court directed conveyance of said premises, in accordance with said sale, the first party hereto under the order of the Court made March 30, 1904, in said cause, executed his deed to said Inga Rademacher, conveying The north half of the northwest quarter and the southeast quarter of the northwest quarter of Section 9 and the northeast quarter of the northeast quarter of Section 8; also the west half of the southwest quarter and the southwest quarter of the northwest quarter and Lot 4 Sec. 4, all in Township 5 South of Range 39 E. B. M. And whereas, on August 3, 1896, William James Rawling located for the benefit of said lands 40 cubic feet of waters of Grave Creek, being all the waters of said Grave Creek, for use upon said lands, record of which location is found on page 555 of record Book 1, of Water Location Records of Bannock County, Idaho, and thereafter transferred by deed of date of September 17, 1900, to said James K. Traynor, as shown by the record thereof of Book 8 of Deeds, at page 529, records of Bannock County, Idaho. And whereas, though understood as a part thereof and intended by all parties, to said sale and deed, said deed failed, in terms, to mention and set out and describe said water right as a part of said deed and conveyance and as going with said lands. Now, therefore, under said sale

8-3, 1896

N $\frac{1}{2}$ NW Sec 9.
SE NW
NE NE Sec 8.

X W $\frac{1}{2}$ SW } Sec. 4.
SW NW }
L-4
T 55, R 39 E.

40 c. f. Grave
Creek

the deed therefor and approved by this Court: And whereas, said Court directed conveyance of said premises, in accordance with said sale, the first party hereto under the order of the Court made March 30, 1904, in said cause, executed his deed to said Inga Rademacher, conveying The north half of the northwest quarter and the southeast quarter of the northwest quarter of Section 9 and the northeast quarter of the northeast quarter of Section 8; also the west half of the southwest quarter and the southwest quarter of the northwest quarter and Lot 4 Sec. 4, all in Township 5 South of Range 39 E. B. M.

And whereas, on August 3, 1896, William James Rawling located for the benefit of said lands 40 cubic feet of waters of Grave Creek, being all the waters of said Grave Creek, for use upon said lands, record of which location is found on page 555 of record Book 1, of Water Location Records of Bannock County, Idaho, and thereafter transferred by deed of date of September 17, 1900, to said James K. Traynor, as shown by the record thereof of Book 8 of Deeds, at page 529, records of Bannock County, Idaho. And whereas, though understood as a part thereof and intended by all parties, to said sale and deed, said deed failed, in terms, to mention and set out and describe said water right as a part of said deed and conveyance and as going with said lands. Now, therefore, under said sale and sale agreement, and under said order of the Court for executing conveyances to said purchaser, and for the purpose of completing said conveyances fuller and in all its terms, and under further order of said Court, made the 25th day of September, 1906, for the purpose herein and a part of and for same consideration included in the said purchase price in said deed to the above lands set out and confirmed, the receipt of which is acknowledged, as a part and in consideration hereof, the first party, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto said Inga Rademacher the second party and to her heirs and assigns forever.

and under further order of said Court, made the 25th day of September, 1906, for the purpose herein and a part of and for same consideration included in the said purchase price in said deed to the above lands set out and confirmed, the receipt of which is acknowledged, as a part and in consideration hereof, the first party, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto said Inga Rademacher the second party and to her heirs and assigns forever, all the right, title, interest and estate of said James K. Traynor, deceased, at the time of his death, and also all the right, title and interest that said estate has acquired by operation of law or otherwise, in addition to that of said intestate at the time of his death, of, in and to said 40 cubic feet of the waters of said Grave Creek as located and recorded on said page 555 of Book 1, Water Location Records of Bannock County Idaho and conveyed to said intestate by said deed of date of September 17, 1900, as recorded in Book 8, at page 529 of Deeds, records of Bannock County Idaho, and at all times used upon and with said lands heretofore conveyed and herein set out and described, together with all rights, privileges, occupations, and uses thereof in all particulars. To have and to hold all and singular the above described water rights and privileges unto said party of the second part, her heirs and assigns forever. In witness whereof, said party of the first part as Administrator, as aforesaid, has hereunto set his hand and seal the day and year in this instrument first above written. L. Ruebelmann (SEAL).

STATE OF IDAHO, COUNTY OF BANNOCK: ss. On this the 27th day of September, 1906, before me C. A. Boyd, a Notary Public, in and for Bannock County, Idaho, personally appeared L. Ruebelmann, known to me to be the person whose name is subscribed to the foregoing

BOOK 4 - Page 539-40-41 Carbon

IN THE MATTER OF:

AFFIDAVIT

Water Right-Priority Date)

State of Idaho)

County of Bingham

Clyde Twitchell _____ being first duly sworn,

deposes and says: Starting in 1917 to the present, I have spent

time in the Graves Creek and Grizzley Creek areas, including

time I spent as the water master for Blackfoot River District

number 27. In 1927 I rode with Roughie Howell from our ranch

at Mr. Putnam, crossed Graves Creek and camped at Grizzley

Creek. I saw the Austin Sheep Company diverting waters from

Graves Creek and Warbonnet Creek, to flood irrigate their meadows

T 5 S, R 39 E, Sections 4 and 9. Various methods, including dirt,

rock and manure dams were used to divert water to several

ditches on both sides of Graves Creek and the north side of

Subscribed and sworn to before me this 18th day of July, 2003.

Byde Switell
(Signature)

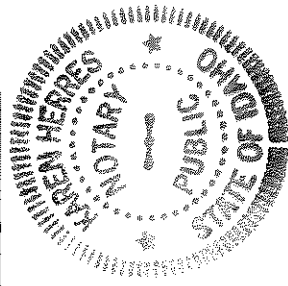
Signature)

Karen Thomas
(Notary Public)

(Notary Public)

Residing at Bingham County

My Commission Expires 02-23-2004



7-12-1909.

This Indenture, Made the
thousand nine hundred and nine

Jane Williamson and C. M. Williamson her husband of Pocastello
of the County of Bannock and State of Idaho

of the County of Salt Lake and State of Utah

WITNESSETH: That the said part
Forty eight hundred

lawful money of the United States of America, to
whereof is hereby acknowledged, do

the second part, and to his heirs and assigns forever, all the
and being in the County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

The west half (1/2) of the Southwest quarter (1/4) the south west quarter (1/4) of the north

west quarter (1/4) and lot four (4) all in Section four (4) Also the north half (1/2) of the north

of the northwest quarter (1/4) and the southeast quarter (1/4) of the northeast quarter (1/4) of Section

of section nine (9), and the northeast quarter (1/4) of the northeast quarter (1/4) of the lot numbered

eight (8) in township five (5) South, range thirty nine (39) E B M also the lot numbered

three (3) and the southeast quarter (1/4) of the northwest quarter (1/4) of Section four (4)

in township five (5) South Range thirty nine (39) E B M containing 39.68 acres according

to the official plat of the survey of said lands returned to the Genral Land Office by

the Surveyor General. Also the following described real estate situted in Bingham County

State of Idaho to-wit; The unsurvey south half (1/2) of the southwest quarter of section

thirty three (33) in township four (4) South, range thirty nine (39) E B M containing

eighty (80) Acres. Together with all ditches, dams water and water rights belonging

or appertaining to any or all of said lands.

Total 480

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and

the rents, issues and profits thereof

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident,

unto the said part of the second part, and to his heirs and assigns forever, and the said part of the first part and

the heirs, and the said premises in a quiet and peaceable possession of the said part of the second part, his heirs

and assigns, against the said part of the first part and their heirs, and against all and every person and persons whomsoever,

lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand s and seal s the day

and year first above written.

Signed, Sealed and Delivered in the Presence of

Earle C White
Maude M Kelly

STATE OF IDAHO,
County of Bannock } ss.

I DO HEREBY CERTIFY THAT, On this 12th day of July in the year of 19 09

before me, Earle C White
C M Williamson and Jane Williamson his wife

known to me to be the person whose name they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at in this certificate first above written.

12th day of July

in the year of our Lord one

Jane Williamson her husband of Pocastello

of the County of Bannock and State of Idaho

of the County of Salt Lake and State of Utah

WITNESSETH: That the said part

Forty eight hundred

lawful money of the United States of America, to

whereof is hereby acknowledged, do

the second part, and to his heirs and assigns forever, all the

and being in the County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

The west half (1/2) of the Southwest quarter (1/4) the south west quarter (1/4) of the north

west quarter (1/4) and lot four (4) all in Section four (4) Also the north half (1/2) of the north

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eighty (80) Acres. Together with all ditches, dams water and water rights belonging

or appertaining to any or all of said lands.

Total 480

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and

the rents, issues and profits thereof

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident,

unto the said part of the second part, and to his heirs and assigns forever, and the said part of the first part and

the heirs, and the said premises in a quiet and peaceable possession of the said part of the second part, his heirs

and assigns, against the said part of the first part and their heirs, and against all and every person and persons whomsoever,

lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand s and seal s the day

and year first above written.

Signed, Sealed and Delivered in the Presence of

Earle C White
Maude M Kelly

12th day of July

in the year of our Lord one

Jane Williamson her husband of Pocastello

of the County of Bannock and State of Idaho

of the County of Salt Lake and State of Utah

WITNESSETH: That the said part

Forty eight hundred

lawful money of the United States of America, to

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The west half (1/2) of the Southwest quarter (1/4) the south west quarter (1/4) of the north

west quarter (1/4) and lot four (4) all in Section four (4) Also the north half (1/2) of the north

of the northwest quarter (1/4) and the southeast quarter (1/4) of the northeast quarter (1/4) of Section

of section nine (9), and the northeast quarter (1/4) of the northeast quarter (1/4) of the lot numbered

eight (8) in township five (5) South, range thirty nine (39) E B M also the lot numbered

three (3) and the southeast quarter (1/4) of the northwest quarter (1/4) of Section four (4)

in township five (5) South Range thirty nine (39) E B M containing 39.68 acres according

to the official plat of the survey of said lands returned to the Genral Land Office by

the Surveyor General. Also the following described real estate situted in Bingham County

State of Idaho to-wit; The unsurvey south half (1/2) of the southwest quarter of section

thirty three (33) in township four (4) South, range thirty nine (39) E B M containing

eighty (80) Acres. Together with all ditches, dams water and water rights belonging

or appertaining to any or all of said lands.

Total 480

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and

the rents, issues and profits thereof

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident,

unto the said part of the second part, and to his heirs and assigns forever, and the said part of the first part and

the heirs, and the said premises in a quiet and peaceable possession of the said part of the second part, his heirs

and assigns, against the said part of the first part and their heirs, and against all and every person and persons whomsoever,

lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand s and seal s the day

and year first above written.

Signed, Sealed and Delivered in the Presence of

Earle C White
Maude M Kelly

417

No. 2194

Blackfoot 018131.

THE UNITED STATES OF AMERICA

1921

TO ALL TO WHOM THESE PRESENTS SHALL COME GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant JANE WILLIAMSON, Assignee of INGA O. RADEMACHER, formerly INGA O. TRAYNOR, according to the provisions of the Act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of desert lands in certain States and Territories, as amended by the Act of March 3, 1891, for

the Lot three and the southeast quarter of the northwest quarter of Section four in Township five south and the Lots three and four of Section thirty-three in Township four south all in Range thirty-nine east of the Boise Meridian, Idaho, containing one hundred fifty-six and sixty-eight-hundredths acres,

L-3, SENW
Sec 4, TSS
L-3 & 4 Sec 33
T4S, R31E.

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in

said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all the phosphate in the lands so patented and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions of and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat., 509).

IN TESTIMONY WHEREOF, I, WARREN G. HARDING, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the ELEVENTH day of April in the year of our Lord one thousand nine hundred and Twenty-One and of the Independence of the United States the one hundred and Forty-Fifth.

By the President: Warren G. Harding,

SEAL

By M. P. LeRoy, Secretary,

RECORDED: Patent Number 802691

L. Q. C. Lamar, Recorder of the General
Land Office.

Recorded at the request of Guy Stevens, May 7, 1921, at 3:32 P. M.

By Julia S. Stevens Deputy.

F. M. Fisher, Recorder.

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CO

fo:

No.

12300

WARRANTY DEED

Graves Creek

7-7-1909

BOOK No. 2

GEO. D. BARRETT & CO. ST. LOUIS 1714

This Indenture, Made the 7th

day of July

In the year of our Lord 1909

Thousand Nine Hundred and nine

Inga O Rademacher (formerly Inga O. Traynor) and August Rademacher, her husband of pocatello

of the County of Bannock

and State of Idaho

the part ies of the first part, and

Jane Williamson of Pocatello

Bannock

and State of Idaho

of the County of

WITNESSETH, That the said part ies

the part Y of the second part,

One of the first part, for and in consideration of the sum of One

lawful money of the United States of America, to them in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged,

do by these presents grant, sell, bargain and convey and confirm unto the said part Y of the second part, and to his heirs and assigns forever, all the one certain lot^s, piece^s or parcel^s of land situate, lying and being in the County of Bannock and State of Idaho, and bounded and described as follows, to-wit:

The lot numbered three (3) and the southeast quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) of section four (4) in Township five (5) South range thirty nine (39) E. B. M. containing 79.96 acres. Also the unsurveyed south half ($\frac{1}{2}$) of the southwest quarter ($\frac{1}{4}$) of section thirty three (33) in township four (4) south range thirty nine (39) E. B. M. and containing eighty (80) acres, the same lying and being in Bingham County, State of Idaho

Together with all ditches, dams, water and water rights belonging to either of said tracts of land, or in anywise appertaining thereto and particularly to the waters of Grave Creek.

L-3, SENW Sec 4, T5S R39E.

S $\frac{1}{2}$ SW Sec. 33, T4S, R39E

80.0

79.96

159.96

160"

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

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said part Y..... of the second part, and to her..... heirs and assigns forever, and the said parties..... of the first part, and their..... heirs, and the said premises in a quiet and peaceable possession of the said part Y..... of the second part, their..... heirs and assigns, against the said part ies..... of the first part and their..... heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.....

IN WITNESS WHEREOF, The said part ies..... of the first part have hereunto set their..... hand^s and seal^s..... the day and year first above written.

Signed, Sealed and Delivered in the Presence of
Earle C. White
A. E. Zener

Inga O. Rademacher (SEAL.)
August Rademacher (SEAL.)
(SEAL.)
(SEAL.)

STATE OF IDAHO,
County of Bannock } ss.

I DO HEREBY CERTIFY, That on this 7th day of July in the year of 1909., before me,
Earle C. White a Notary Public

Inga O. Rademacher and August Rademacher, her husband, in and for said County and State, personally appeared

known to me to be the person^s whose name^s are subscribed to the within and foregoing instrument, and acknowledged to me that Y..... executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at..... first above written.
[SEAL.] The day and year.....

My commission expires..... Earle C. White. Notary Public.

Recorded at the request of John W. Jones, Nov 20, 1914, 2 p. m.

Instrument No.5975.
Desert Lands)
Certificate No.1321)

THE UNITED STATES OF AMERICA.

TO ALL TO WHOM THESE PRESENTS SHALL COME -- GREETING:

WHEREAS, The Heirs of James K. Traynor, of Bannock County, Idaho, has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Blackfoot, Idaho, whereby it appears that full payment has been made by the said Heirs of James K. Traynor 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 The North half of the North West quarter and the South East quarter of the North West quarter of Section Nine and the North East quarter of the North East quarter of section eight in Township five South of Range Thirty Nine East of Boise Meridian in Idaho, containing one hundred and sixty acres, according to the Official Plat of the Survey of the said Lands returned to the General Land Office by the Surveyor General, which said tract has been purchased by the said Heirs of James K. Traynor. 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 Heirs of James K. Traynor and to their 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 Heirs of James K. Traynor, and to their 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

12-29-1905

T-S, R39E.

N $\frac{1}{2}$ NW Sec 9.
SE NW

NENE Sec 8
160 acres

PATENT RECORD No. 1

REGISTER PRINTING & PUBLISHING CO., IDAHO FALLS

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, Theodore Roosevelt, 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 twenty sixth day of June in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty ninth.

(SEAL) BY THE PRESIDENT: T.Roosevelt, By F.M.McKean, Secretary.

Recorded Idaho Vol.60, Page 159. C.H.Brush, Recorder of the General Land Office.

Filed for record at 3:40 O'clock P.M., Dec.29", A.D.,1905, and recorded at the request of Inga Rodemacher. E.G.Gallet, Recorder, By D.N.Campbell, Deputy. Fee \$1.25.

Transcribed from Bannock County Records, Patent Record No.4, Page 375.

Instrument No.6643.

Unsettled Lands
Certificate No.1230)

THE UNITED STATES OF AMERICA.

TO ALL TO WHOM THESE PRESENTS SHALL COME -- GREETING:

WHEREAS, Isaac R. Wilson of Bingham County, Idaho, has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Blackfoot, Idaho, whereby it appears that full payment has been made by the said Isaac R. Wilson 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 west half of section eight in township nine South of Range forty six East of Boise Meridian in Idaho, containing three hundred and twenty acres, according to the

DEED RECORD No. 3

Sept. 17, 1900.

PRIVATE PRINTING & PUBLISHING, BOISE, IDAHO, U.S.A.

line hundred (1900) between William James Rawling and Helen F. Rawling, his wife, of Chesterfield, County of Bannock, State of Idaho, the parties of the first part, and James C. Traynor, of Pocatello, County of Bannock, State of Idaho, the party of the second part, WITNESSETH: That the said parties of the first part for and in consideration of the sum of One thousand, five hundred (\$1500.00) Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey and confirm unto the said party of the second part and to his heirs and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Bannock and State of Idaho, bounded and more particularly described as follows, to wit: The west half, of the south west quarter, the south west quarter of the north west quarter, and the lot numbered four (4) of Section Four (4) in Township Five (5) South of Range Thirty nine (39) East of the Boise Meridian in Idaho, and containing one hundred fifty nine and seventy two one-hundredths (159.72) acres, according to the official plat of the survey of the said lands returned to the General Land Office by the Surveyor General. Together with all water, rights thereunto belonging or in any wise appertaining, being that certain water right acquired by the grantor herein (William James Rawling) by a notice of appropriation dated August 3rd, 1896, recorded in Book "1" of Water Locations at page 555 of the records of Bannock County, Idaho. 1.50 J. R. stamps affixed cut & cancelled Sep. 17, 1900 W.J.R.

Together with all and singular, the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents issues and profits thereto. TO HAVE AND TO HOLD all and singular, the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant, and by these presents forever defend. IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written. Signed, sealed and delivered in the presence of
 Fred G. Caldwell.

William James Rawling (Seal)
 Helen F. Rawling (Seal).

STATE OF IDAHO, COUNTY OF BANNOCK: ss. On this seventeenth day of September in the year 1900, before me, Fred G. Caldwell, a Notary Public in and for said County, personally appeared William James Rawling known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same, and on this seventeenth day of September in the year 1900, before me, the officer above described, personally appeared Helen F. Rawling, known to me to be the person whose name is subscribed to the within instrument, described as a married woman; and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such execution. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(L.S.) Fred G. Caldwell, Notary Public. Commission expires Nov. 7th, 1900.

Recorded at the request of Bannock Abstract Co. this 17th day of September, A.D. 1900, at 20 minutes past 3 o'clock P.M. J.S. Campbell, Recorder, By D.M. Campbell, Deputy. Transcribed from Bannock County Records, Deed Record No. 8, Page 529.

DEED RECORD.

THIS INSTRUMENT, Made the 12th day of October in the year of our Lord one thousand nine, between William Clemens (unmarried) of Soda Springs, Idaho, the party of the first

F55A39E

W 1/2 SW 1/4 } sec 4
 SW 1/4 }
 L-4

8-3-1896

Source of water required.

State of Idaho,
Bannock County } ss

To all concerned. Notice is hereby given.

1st. That William J. Rawling, of Cheekfield, Bannock County, State of Idaho, hereby claims the waters of Grave Creek, here flowing, to the extent of forty (40) cubic feet per second.
2nd. It is intended to divert said water at or near the point where this notice is posted, and more definitely located as follows: At a point, said creek about three miles above the point where said Grave Creek flows into the Blackfoot River and about one and one-half miles south of the lands hereinafter described.
3rd. Said water is claimed for agricultural and domestic purposes. The place of intended use is the lands hereinafter described.

4th. Said water is divided by means of a dam and two ditches, one on each side of said dam, ditches cut at the above described point of diversion and running thence in a northerly direction to the lands hereinafter described and each of said ditches being three (3) feet wide on the

the general course of each of said ditches is northerly.

The length of each of said ditches is about one and one-half miles.

It is intended to use said waters for irrigating the lands now claimed by claimant situated in the Northern part of said Bannock County and about twelve miles north of Cheekfield the same being enclosed by a fence and embracing one hundred thirty acres of the unreserved lands of the United States of America. The same being situated in town ship five (5) north of range forty (40) East of Price Meridian in Idaho.

5th. It is intended to have the works for the diversion and use of said waters as aforesaid completed within one (1) year.

Witness my hand this third day of August, A. D. 1896

William J. Rawling, Claimant.

State of Idaho }
Bannock County } ss

William C. Rawling, Claimant.

second party th of Pocatello, Bannock County Idaho, Wi seth: That whereas, on the 12th day of January, 1904, the Probate Court of Bannock County, Idaho, in the above Estate, made an order of sale authorizing the Administrator, to sell certain lands and appurtenances belonging to James K. Traynor, deceased; And whereas, under and by virtue of said order of sale and due compliance with law therein, and directions in said order for private sale, said Inga Rademacher was the highest and best bidder for all of said lands, water rights, improvements and appurtenances of every kind for the sum set out in the deed therefor and approved by this Court: And whereas, said Court directed conveyance of said premises, in accordance with said sale, the first party hereto under the order of the Court made March 30, 1904, in said cause, executed his deed to said Inga Rademacher, conveying The north half of the northwest quarter and the southeast quarter of the northwest quarter of Section 9 and the northeast quarter of the northeast quarter of Section 8; also the west half of the southwest quarter and the southwest quarter of the northwest quarter and Lot 4 Sec. 4, all in Township 5 South of Range 39 E. B. M. And whereas, on August 3, 1896, William James Rawling located for the benefit of said lands 40 cubic feet of waters of Grave Creek, being all the waters of said Grave Creek, for use upon said lands, record of which location is found on page 555 of record Book 1, of Water Location Records of Bannock County, Idaho, and thereafter transferred by deed of date of September 17, 1900, to said James K. Traynor, as shown by the record thereof of Book 8 of Deeds, at page 529, records of Bannock County, Idaho. And whereas, though understood as a part thereof and intended by all parties, to said sale and deed, said deed failed, in terms, to mention and set out and describe said water right as a part of said deed and conveyance and as going with said lands. Now, therefore, under said sale and sale agreement, and under said order of the Court for executing conveyances to said purchaser, and for the purpose of completing said conveyances fuller and in all its terms, and under further order of said Court, made the 25th day of September, 1906, for the purpose herein and a part of and for same consideration included in the said purchase price in said deed to the above lands set out and confirmed, the receipt of which is acknowledged, as a part and in consideration hereof, the first party, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto said Inga Rademacher the second party and to her heirs and assigns forever, all the right, title, interest and estate of said James K. Traynor, deceased, at the time of his death, and also all the right, title and interest that said estate has acquired by operation of law or otherwise, in addition to that of said intestate at the time of his death, of, in and to said 40 cubic feet of the waters of said Grave Creek as located and recorded on said page 555 of Book 1, Water Location Records of Bannock County Idaho and conveyed to said intestate by said deed of date of September 17, 1900, as recorded in Book 8, at page 529 of Deeds, records of Bannock County Idaho, and at all times used upon and with said lands heretofore conveyed and herein set out and described, together with all rights, privileges, occupations, and uses thereof in all particulars. To have and to hold all and singular the above described water rights and privileges unto said party of the second part, her heirs and assigns forever. In witness whereof, said party of the first part as Administrator, as aforesaid, has hereunto set his hand and seal the day and year in this instrument first above written. L. Rubelmann (SEAL). STATE OF IDAHO, COUNTY OF BANNOCK: ss. On this the 27th day of September, 1906, before me C. A. Boyd, a Notary Public, in and for Bannock County, Idaho, personally appeared L. Rubelmann, known to me to be the person whose name is subscribed to the foregoing

Book 4 - Page 537-40-41 Carbon
12. 1906. 12-2-06

NOTICE OF WATER RIGHT.

K COUNTY) SS To all Concerned. Notice is Hereby Given: 1st
of Soda Springs, County of Bannock and State of Idaho, hereby claims
Canon Creek, here flowing, to the extent of forty (40) cubic feet
is intended to divert said water at or near the point where this No-
re definitely described as follows: At a point about two miles be-
sulphur Canon Creek near the South-east corner of the North-east
rteen, in township nine South, range forty-two East. 3rd. The pur-
which said water is claimed and intended to be used is for agricul-
poses. The place of intended use is the lands hereinafter described.
o divert said water by means of a ditch, about three (3) feet wide
p running from the above described point of diversion through and
fter described. The general course of the proposed ditch is North-
of the proposed ditch is about one half mile It is intended to
rigating the following described land, viz: The North-east quarter
33) in township nine (9) South, range forty-two (42, East of Boise ✓
d containing one hundred and sixty (160) acres. 5th. It is intend-
or the diversion and use of said waters, as aforesaid, completed
.. Witness my hand at Soda Springs, Bannock County, Idaho, this 8 day
Margaret Watson Claimant

K COUNTY) SS Margaret Watson, being first duly sworn deposes and
lawful age and the claimant of the water right mentioned in the fore-
e name is subscribed thereto; that the statements in said Notice are
ginal notice, of which the foregoing is a true copy, was posted in
or near the place of intended diversion (as provided by law) on the
996, at 15 m past 10 o'clock A.M. Margaret Watson, Claimant.
n to before me this 8 day of July A. D. 1896. J. D. Woodall Justice

of Margaret Watson, July 9" 1896 at 1:10 P. M. John Scott Recorder
ee \$1.00 ✓
Bannock County Records, Water Location Record No. 1, page 551

NOTICE OF WATER RIGHT.

COUNTY) SS To all concerned. Notice is hereby given. 1st. That
Chesterfield, Bannock County State of Idaho, hereby claims the wat-
re flowing, to the extent of forty (40) cubic feet per second. 2nd.
rt said water at or near the point where this Notice is posted and
bed as follows: At a point on said Creek about three miles above
rove Creek flows into the Blackfoot River and about one and one-half
ds hereinafter described. 3rd. Said water is claimed for agricul-
poses. The place of intended use is the lands hereinafter described.

~~Noted~~
2/10/95
8-3-1896

enclosed by a fence and embracing one hundred & sixty acres of the unsurveyed lands United States of America. The same being situate in township five (5) south of forty (40) East of Boise Meridian in Idaho. 5th. It is intended to have the works diversion and use of said waters as aforesaid completed within one (1) year. Witness this third day of August, A. D. 1896. William J. Rawling, Claimant.

IDAHO BANNOCK COUNTY) SS William J. Rawling being duly sworn according to law and says, that he is of lawful age and the Claimant of the water right mentioned foregoing Notice and whose name is subscribed thereto; that the statements in said are true and that the original Notice of which the foregoing is a true copy was in a conspicuous place at or near the place of intended diversion (as provided by the Third day of August, A. D. 1896, at half past ten o'clock A.M.

William J. Rawling, Claimant.

scribed in my presence by the said William J. Rawling, and by him sworn to before is Third day of August A.D. 1896. Moses Muir Justice of the Peace.

dated at request of F. G. Caldwell Aug 5th 1896 at 10:40 A.M. John Scott Recorder
ner Deputy Fee \$1.00

cribed from Bannock County Records, Water Location Record No. 1, page 555

NOTICE OF WATER RIGHT

IDAHO COUNTY OF BANNOCK) SS. To all concerned Notice is hereby given: 1st. Thomas Turner of Bancroft, Idaho, hereby claims the use of the waters of Turner's the extent of two cubic feet per second. 2d. It is intended to divert said water near the point where a copy of this Notice is posted and more definitely described follows: Turner creek is a small stream coming out of the mountains about 4 miles Section one, township 6 south, of Range 40 East B.M. and emptying into Corral said Section one 5d. The purpose for which said water is intended to be used irrigating the homestead of said Thos. Turner in said Sec. 1. The place of use is on said homestead entry. 4th. It is intended to divert said water by means vate ditch about one mile from said land in Sec. one. The general course of the canal is West by North The length of the proposed canal is about one mile. It is intended to use said water for irrigating the following described land: The Lots 2-3 4 N.W. 4 Sec. one Town 6 South of Range 40 East B.M. 5th It is intended to have for diversion and use of said water as aforesaid completed within two years. my hand at Bancroft Idaho this 29th day of August 1896 Thomas Turner Claimant

IDAHO COUNTY OF BANNOCK) SS Thomas Turner of Bancroft Idaho, being first duly 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 notice are true, and that the original notice, of which the foregoing is a true copy is posted in a conspicuous place at or near the place of intended diversion (as by law) on the 28th day of July 1896, at 10 minutes past 10 o'clock A. M.