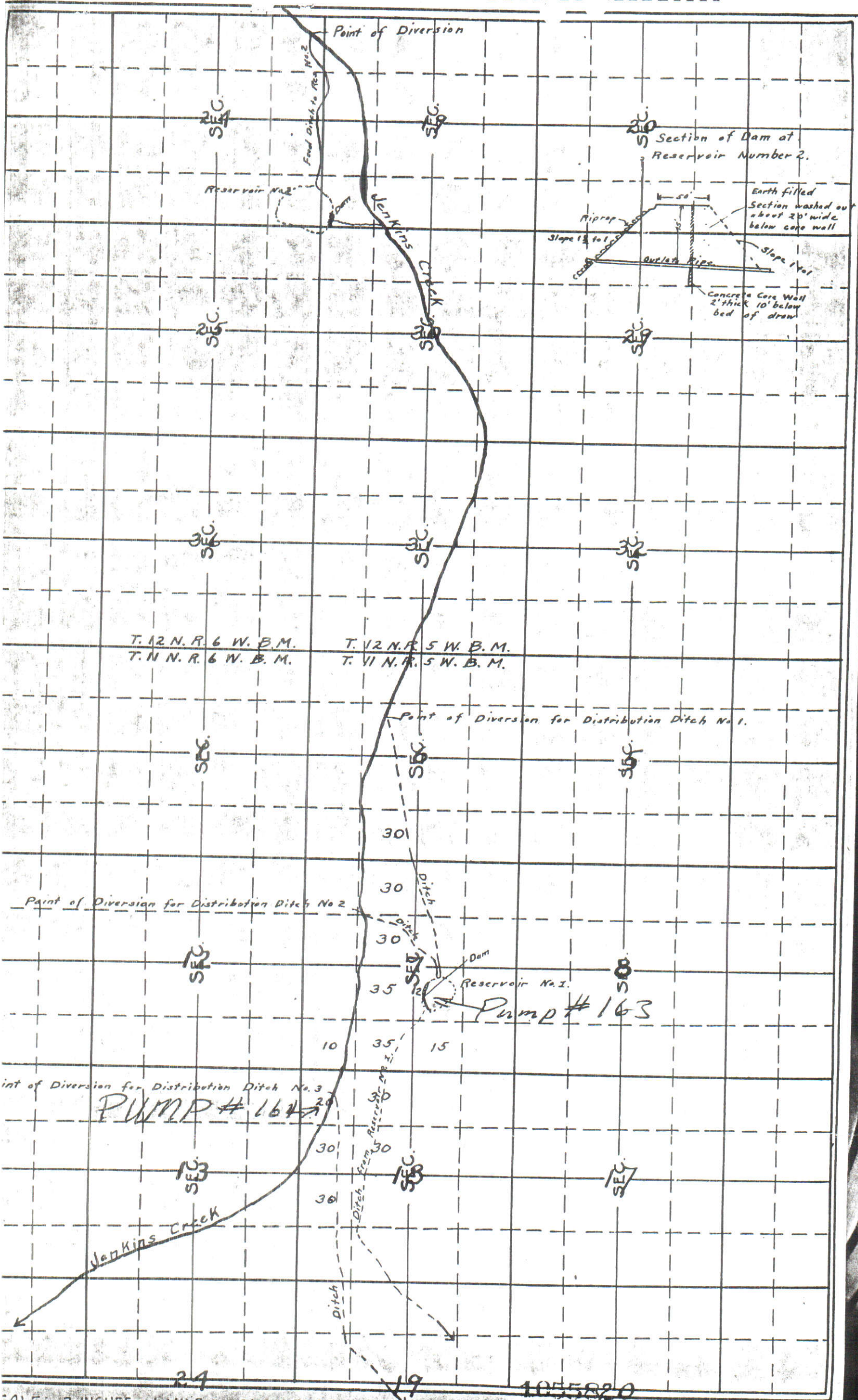




State of Idaho

License and Certificate of Water Right

Water License No. 10558

Amount 16.66 sec. ft.

Water District No. 1

Priority 5-11-1918

THIS IS TO CERTIFY that Idaho Industrial Institute of Weiser, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 29, 1914, 19; that Permit No. 10558 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 23.2 second feet, was issued thereunder on September 23, 1916, showing that said works were completed on the 11th day of December, 1915; and that on the 7th day of July, 1923,

Intermountain Institute, successor to Idaho Industrial Institute, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Jenkins Creek, a tributary of Snake River, for the purpose of irrigation and domestic use, under Use Permit No. 10558 of the State Engineer and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3565, on the 12th day of February, 1929.

The right hereby confirmed dates from May 11, 1918.

The Point of Diversion is located in the NE 1/4 NE 1/4, Sec. 24, Tp. 12 N., R. 6 W., B. M. Washington County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 16.66 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
The remaining portions of the following described lands not included in Water License No. 10558, issued September 23, 1916, to-wit: SE 1/4 SW 1/4 Sec. 6; NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, Lot 4, NW 1/4 SE 1/4, SW 1/4 SE 1/4, Sec. 7; Lots 1, 2 and 3, NE 1/4 NW 1/4 and SE 1/4 NW 1/4, Sec. 18, in Tp. 11 N., R. 5 W., B. M.; also, Lot 5, SE 1/4 NW 1/4, SW 1/4 NE 1/4, NE 1/4 SW 1/4, Sec. 6; Lot 4, SE 1/4 NW 1/4, NW 1/4 SE 1/4, SE 1/4 SE 1/4 and SW 1/4 SE 1/4, Sec. 18; SW 1/4 SW 1/4, Sec. 17; Lots 1, 2, 3 and 4, E 1/4 NW 1/4, E 1/4 SW 1/4, NE 1/4 NW 1/4, NE 1/4 SE 1/4, Sec. 19; NW 1/4 NW 1/4, Sec. 20; Lot 1, SE 1/4 NW 1/4, NE 1/4 NW 1/4, Sec. 30, all in Tp. 11 N., R. 5 W., B. M.; SE 1/4 NE 1/4 and E 1/4 SE 1/4, Sec. 13; E 1/4 NE 1/4, SW 1/4 NE 1/4, E 1/4 SE 1/4 and SW 1/4 SE 1/4, Sec. 24, in Tp. 11 N., R. 6 W., B. M.					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 12th day of February, 1929.

(SEAL)

GEO. H. CARTER
Commissioner of Reclamation

67 2097

Permits Nos. 1221-10558.
Intermountain Institute.

Mr. E. A. Baddock,
Weiser, Idaho.

Dear Sir:-

In checking the records of the above permits we find that Permit No. 1221 lapsed through failure to make proof of completion of works by May 10, 1910, and that Permit No. 10558 was filed to cover this right. Proof of completion of works was made under Permit 10558 and the certificate issued for 23.2 second feet of the waters of Jenkins creek, and that proof of beneficial use of water was made and license obtained for 6.54 second feet. There remains, therefore, only 16.66 second feet of water upon which to make proof. The notice for proof of beneficial use of water for this amount, under Permit 10558, has been mailed to the Weiser Signal. As these notices have been delayed a few days, it will be necessary to set the date for making the proof a week later, or upon July 7th, instead of June 30, as stated when you were in the office. The date of priority under this right, for the second proof, now being started, will be May 11, 1918.

Very truly yours,

W. O. SWENDSEN,

Commissioner of Reclamation.

By
Chief Clerk.

10558

U.S.

1961

6 5
7 8

CRP '88
EXPIRED

NHEL

NHEL

7A

14.0 NHEL

3A

32.2

NHEL

9B

2.3

137

7b

21.3

NHEL

7c

15.3

NHEL

NHEL

7d

10.3

7e

20.3

NHEL

7f

13.8

NHEL

NHEL

7g

8.0

NHEL

3.6

NHEL

7h

12.8

NHEL

15.9

NHEL

12A

8.9

12 7
18 18

18 17

NHEL

10

8.7

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 67-14251
Date Received: 2/15/01
Receipt No: W027368
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): DOUBLE C & J LAND CO INC
990 JENKINS CREEK RD
WEISER ID USA 83672
Phone: (208) 549-1232

2. Date of Priority: 06/13/1893

3. Source: JENKINS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	06W	24	NE NE	WASHINGTON	
11N	05W	6	SE NW	WASHINGTON	
11N	05W	18	NW NW 2	WASHINGTON	
11N	05W	7	SE NW	WASHINGTON	

5. Description of diverting works:

Pumps, headgates, ditches, gravity flows, canvas dams, sprinklers.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	23.38	
IRRIGATION STORAGE	01/01	12/31		345
IRRIGATION FROM STORAGE	03/15	11/15		345
STOCKWATER	01/01	12/31	0.03	

STOCKWATER STORAGE	01/01	12/31		1.4
STOCKWATER FROM STORAGE	01/01	12/31		1.4
DIVERSION TO STORAGE	01/01	12/31	14.5	

7. Total Quantity Appropriated is:
23.38 C.F.S. and/or 345 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 100 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	05W	6	NE SW		IRRIGATION	5
			SW SW		IRRIGATION	6
			SE SW		IRRIGATION	30
			NE SW		STOCKWATER	
			SW SW		STOCKWATER	
			SE SW		STOCKWATER	
					Section Acres	41
11N	05W	7	NE NW		IRRIGATION	32
			NW NW		IRRIGATION	6
			SE NW		IRRIGATION	35
			NE SW		IRRIGATION	37
			NW SW		IRRIGATION	10
			SW SW		IRRIGATION	15
			SE SW		IRRIGATION	37
			NW SE		IRRIGATION	18
			SW SE		IRRIGATION	1
			NE NW		STOCKWATER	
			NW NW		STOCKWATER	
			SE NW		STOCKWATER	
			NE SW		STOCKWATER	
			NW SW		STOCKWATER	
			SW SW		STOCKWATER	
			SE SW		STOCKWATER	
			NW SE		STOCKWATER	
			SW SE		STOCKWATER	
					Section Acres	191
					Total Acres	232

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

"Posted Notice" is not in the database. Entered as Beneficial Use.
Other rights: A67-02097A and B, A67-02044, A67-14246 and A67-14247.
Stockwater, 100 Range Cattle
Acre Fees already paid

15. Basis of Claim: Beneficial Use

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 67-14251Date Received 2-15-01Receipt Number W027368

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Double C + J Land Co Phone (208) 5491232
Mailing Address 990 Jenkins Creek Rd Weiser Zip 83622
2. Date of Priority (Only one (1) per claim) JUNE 12, 1893
3. Source of water supply (a) Jenkins Creek
which is tributary to (b) Snake River
4. a. Location of existing point of diversion is: Township 12N Range 6W Section 24,
1/4 of NE 1/4 of NE 1/4, Govt. Lot, B.M., County of Washington Co,
T11N R5W S06 SENW S18 Lot 2 NWNW
Additional points of diversion if any: S07 SENW
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Pumps headgates
ditches, gravity flows, canvas dams, sprinklers.

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIG purposes from 03-15 to 11-15 amount 23,38 or _____

For IRR STOR purposes from 01-01 to 12-31 amount _____ or 345

For IRR FROM STOR purposes from 03-15 to 11-15 amount _____ or 345

For DIVERSION to STOR purposes from 01-01 to 12-31 amount 14.5 or _____

7. Total quantity claimed (a) 23.38 (cfs) and/or (b) 345 (acre feet)

8. Total consumptive use claimed is NA acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) SEE - 2ND SHEET

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>11N</u>	<u>5W</u>	<u>6</u>									<u>5</u>		<u>6</u>	<u>30</u>					<u>41</u>
		<u>7</u>					<u>32</u>	<u>6</u>		<u>35</u>	<u>37</u>	<u>10</u>	<u>15</u>	<u>37</u>		<u>18</u>	<u>1</u>		<u>191</u>

Total number of acres irrigated 232

11. In which county (ies) are lands listed above as place of use located? WASHINGTON

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A67-02097A §B, A67-02044, A67-14246 & A67-14247 or None ()

14. Remarks:

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 01-01 to 12-31 amount 103 or _____

For Stock Storage purposes from 01-01 to 12-31 amount _____ or 1.4

For Stock from Storage purposes from 01-01 to 12-31 amount _____ or 1.4

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 100 RANGE CATTLE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11N	5W	6									S		S	S					
		7					S	S		S	S	S	S			S	S		

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? WASHINGTON

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks: ACRE FEES ALREADY PAID

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice X License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

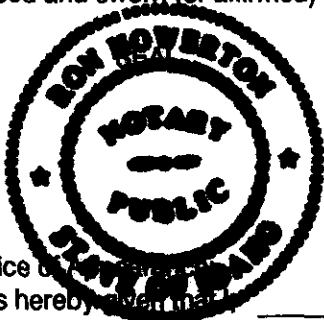
For Organizations: I do solemnly swear or affirm that I am President
of Double C Ltd Land Co. Inc. , that I have signed the foregoing
document in the space below as President of Double C Ltd Land Co. Inc.
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent John D. Hoff

Title and Organization President Date 2/15/2001

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 15 day of FEB 2001



Notary Public Ron Howerton

Residing at _____ Ron Howerton

My Commission Expires _____ Residing at Boise, Idaho

Please Print Name

My Commission Expires December 8, 2006

17. Notice of Attorney at Law
Notice is hereby given that _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

Dear Jan,

RECEIVED

JAN 30 2001

WATER RESOURCES
WESTERN REGION

Here in is all the evidence we could dig up on water rights from the beginning of irrigation here (1881) with land transactions and other water rights leading up to the purchase by E.A. Paddock, who is listed on your records. Some how the 1881 claim was not recorded by the state and possibly not the Jenkins creek reservoir claims also. The Paddock Letter mentioning the Smith farm water right was the only clue to this find. Thanks John Hoff



REPORT OF ENGINEER

- Completion of Works and Beneficial Use -

Idaho Industrial Institute.

1. State name of applicant and number of permit: (A. H. Morgan, Mgr.) Permit No. 10558.
2. State source of water supply: Jankins Creek
3. Location of point of diversion: NE 1/4 NE 1/4 Sec. 24 - T. 12 N. R. 6 W. B. M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: See Remarks -

5. Describe works as they exist, giving dimensions and capacities of same: Concrete
Diversion Dam at point of
diversion { 40' long 4' high 1' wide Handgate 2' x 3' opening into 18" concrete pipe 300' long; thence water
is carried in a ditch to Reservoir No. 2. - ditch is { 1' wide on bottom 1' wide at water level 1' depth water Capacity 6 second feet and about 1/2 mile long.
Reservoir No. 2. at 40' level covers about 30 acres and has a capacity of about 300 acre feet.
Geom. sec. is earth with concrete core wall. There is no spillway and it is contemplated
to build dam up to 90' height and then make a spillway. Outlet from reservoir is through a 10"
pipe through dam and into a natural drain into Jankins Creek which is used as a natural
conduit to carry the water to the 3 points where it is diverted through ditches to the lands
to be irrigated and to Reservoir No. 1. The 3 distribution diversion points are in the SE 1/4 NW 1/4
Sec. 6, SE 1/4 NW 1/4 Sec. 7, and Lot 1, Sec. 18 in T. 11 N. R. 5 W. B. M. The ditches from the first two of these
points feed into Reservoir No. 1 and also water lands adjacent to them. Reservoir No. 1 covers an area of
about 10 acres and has a capacity of about 95 acre feet. The dam is earth about 10' high 500' long 16'
wide on top slopes 1 to 1. Wooden spillway 8' wide near north end of dam. There are two outlets
through dam in 18" concrete pipes. When reservoirs are not being drawn on the water is diverted from the
creek in the 3 ditches and carried direct to the land. No. 2 works of diversion of earth, gravel, sand, dam
and embankment 40' long with wooden spillway 8' wide for flash boards. Handgate 2 1/2' wide 3' high per condition.
ditch is { 1' wide on bottom 1' wide at water level 1' depth water Capacity 1.0 ft/sec. - No. 2 Works - Earth, rock, & lumber dam 40' long 3' high - Handgate 2 1/2' wide
ditch is { 1' wide on bottom 1' wide at water level 1' depth water Capacity 7.9 ft/sec. - No. 3 Works - Concrete dam 25' high - Handgate 2 1/2' wide
ditch is { 1' wide on bottom 1' wide at water level 1' depth water Capacity 15 ft/sec.
6. State whether or not water has been turned into works of diversion: Yes.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): 33.7 Acres.

All in T. 11 N. R. 5 W. B. M.

<u>10 Sec. 6 - SE 1/4 SW 1/4</u>	<u>30 acres</u>	<u>10 Sec. 18 - Lot 1</u>	<u>20 acres</u>
<u>17 Sec. 7 - NE 1/4 NW 1/4</u>	<u>30 "</u>	<u>Lot 2</u>	<u>30</u>
<u>SE 1/4 NW 1/4</u>	<u>30 "</u>	<u>Lot 3</u>	<u>30</u>
<u>NE 1/4 SW 1/4</u>	<u>35 "</u>	<u>NE 1/4 NW 1/4</u>	<u>30</u>
<u>SE 1/4 SW 1/4</u>	<u>35 "</u>	<u>SE 1/4 NW 1/4</u>	<u>30</u>
<u>Lot 4</u>	<u>10 "</u>		
<u>NW 1/4 SE 1/4</u>	<u>12 "</u>		
<u>SW 1/4 SE 1/4</u>	<u>15 "</u>		

8. Submit map on enclosed plat, showing location and details of above description.

Remarks: The dam for Reservoir No. 2 has been well flooded and part of the earth fill
below the core wall has been washed out. Altho it is intended to raise the dam perhaps
10' above the present level at the present time the central sec. the concrete is at the point of
diversion of the feed ditch about 1 mile above the reservoir dam. There are several springs
that have developed below the reservoir but the water seems to go around the dam rather
than through it. Where core wall is exposed in washed out section (see map) sweating is visible
through the core wall.

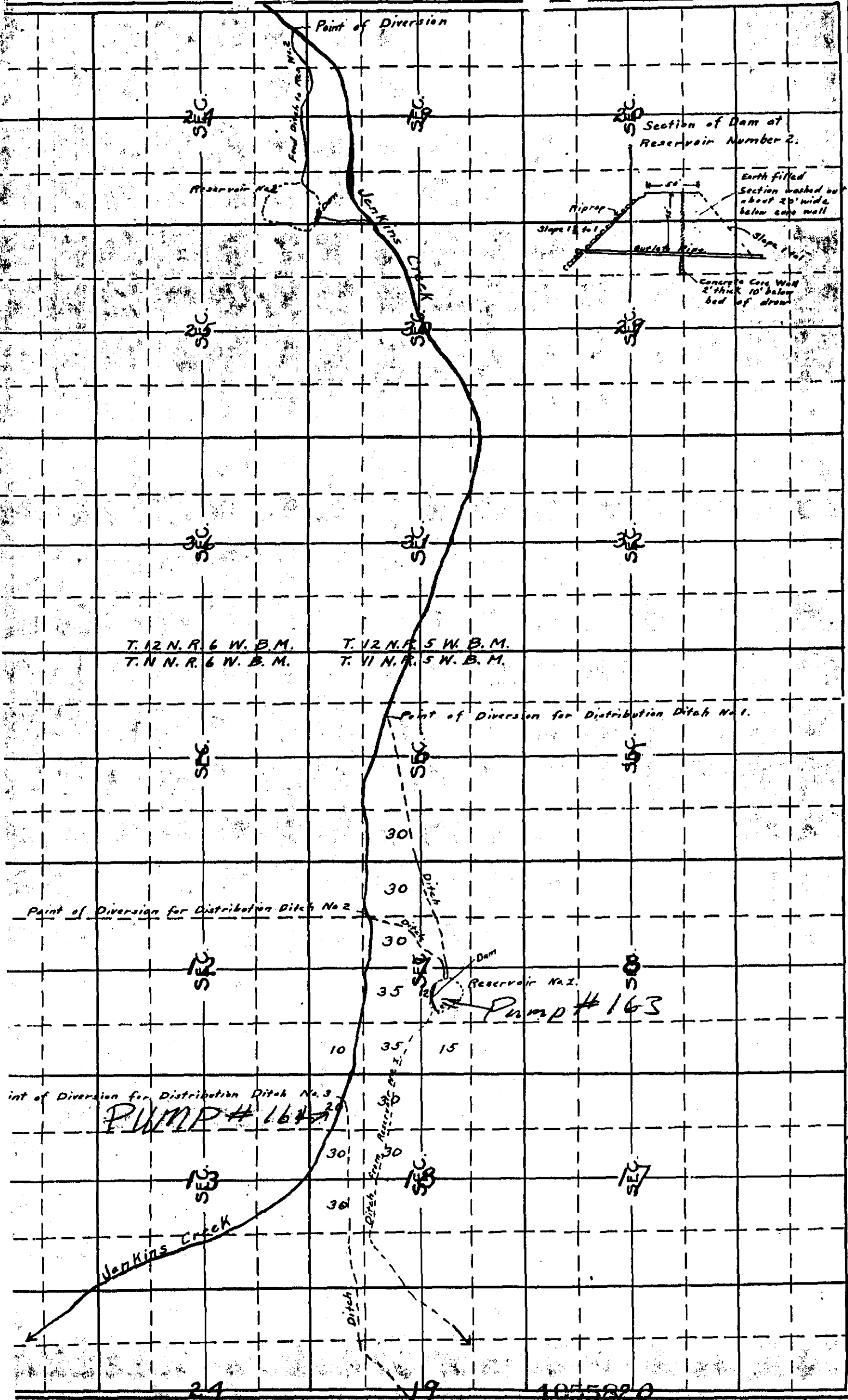
This examination was made on the 29th day of May 1916.

(Signed) Samuel E. Vance, Jr. Examiner.

OVER

10558

6.74 Suf.



T. 12 N. R. 6 W. B. M.
T. 11 N. R. 6 W. B. M.

T. 12 N. R. 5 W. B. M.
T. 11 N. R. 5 W. B. M.

PUMP # 164

PUMP # 163

24

19

1055820

State of Idaho

License and Certificate of Water Right

Water License No. 10558

Amount 16.66 sec. ft.

Water District No. 1

Priority 5-11-1918

THIS IS TO CERTIFY that Idaho Industrial Institute of Weiser, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 29, 1914, 1914, that Permit No. 10558 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 23.2 second feet, was issued thereunder on September 23, 1916, showing that said works were completed on the 11th day of December, 1915, and that on the 7th day of July, 1923,

Intermountain Institute, successor to Idaho Industrial Institute, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Jenkins Creek, a tributary of Snake River, for the purpose of irrigation and domestic use, under Use Permit No. 10558 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3565, on the 12th day of February, 1929.

The right hereby confirmed dates from May 11, 1918. The Point of Diversion is located in the NE 1/4 of Sec. 24, Tp. 12 N., R. 6 W., B. M., Washington County. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 16.66 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
The remaining portions of the following described lands not included in Water License No. 10558, issued September 23, 1916, to-wit: SE 1/4 Sec. 6; NE 1/4, SE 1/4, NE 1/4, SE 1/4, Lot 4, NW 1/4, SW 1/4, Sec. 7; Lots 1, 2 and 3, NE 1/4, and SE 1/4, Sec. 18, in Tp. 11 N., R. 5 W., B. M.; also, Lot 5, SE 1/4, SW 1/4, NE 1/4, Sec. 18; Lot 4, E 1/4, NE 1/4, SE 1/4, and SW 1/4, Sec. 18; SW 1/4, Sec. 17; Lots 1, 2, 3 and 4, E 1/4, NE 1/4, NE 1/4, NE 1/4, Sec. 19; NW 1/4, Sec. 20; Lot 1, E 1/4, NE 1/4, NE 1/4, Sec. 30, all in Tp. 11 N., R. 5 W., B. M.; SE 1/4, and E 1/4, Sec. 13; E 1/4, SW 1/4, E 1/4, and SW 1/4, Sec. 24, in Tp. 11 N., R. 6 W., B. M.					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 12th day of February, 1929.

GEO. H. CARTER
Commissioner of Reclamation

(SEAL)

Permits Nos. 1221-10558.
Intermountain Institute.

Mr. E. A. Paddock,
Weiser, Idaho.

Dear Sir:-

In checking the records of the above permits we find that Permit No. 1221 lapsed through failure to make proof of completion of works by May 10, 1910, and that Permit No. 10558 was filed to cover this right. Proof of completion of works was made under Permit 10558 and the certificate issued for 23.2 second feet of the waters of Jenkins creek, and that proof of beneficial use of water was made and license obtained for 6.54 second feet. There remains, therefore, only 16.66 second feet of water upon which to make proof. The notice for proof of beneficial use of water for this amount, under Permit 10558, has been mailed to the Weiser Signal. As these notices have been delayed a few days, it will be necessary to set the date for making the proof a week later, or upon July 9th, instead of June 30, as stated when you were in the office.

The date of priority under this right, for the second proof now being started, will be May 11, 1918.

Very truly yours,

W. O. SWENSON,

Commissioner of Reclamation.

By
Chief Clerk.

10558

17-5

Location of Water Right.
 Notice is hereby given to the Public:

First,
 That we, the undersigned, citizens of the United States of America, and over the age of twenty-one years, do hereby locate and claim Five hundred (500) inches, measured under a Four (4) inch pressure, of this the water flowing in "Jenkins Creek" to be diverted from said Creek at or near this stake and notice, which is situated on the West bank of said creek at or near the South West quarter of Section Eighteen in Township Twelve North of Range Five West of 1st P.M. Meridian, in Washington County, State of Idaho.

Second,
 That the purpose for which said water is claimed and located is for irrigation and domestic purposes, and that the place of intended use is on the S.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ of Sec. 6 and E. $\frac{1}{2}$ of S.E. $\frac{1}{4}$ and S.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ and Lot 4 of Sec. 7, in Twp 11 North of Range 5 West, and E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Sec. 13, in Twp 11 N. of R. 6 W. all of the Boise Principal Meridian, in Washington County Idaho.

Third,
 That the means by which said water is to be diverted and conveyed is by a ditch Two feet wide and Two feet deep with uniform grade of one half of an inch to the rod from the point of diversion a distance of one mile more or less to a Reservoir Site located by the parties hereto for the purpose of water storage, and to be conveyed from said storage reservoir by means of a ditch Two feet wide and Two feet deep, with the uniform and natural grade of Jenkins Creek down and parallel to which said ditch is to run.

Fourth,
That this claim and location is made for the purpose of storing water and thereby increasing the flow of said Centurio Creek during the irrigating season, and is not intended as a waiver of any of the rights to the water of said creek, heretofore located, claimed and appropriated by any of the parties hereto.

Witness my hand and seal this 13th day of June
A.D. 1893.

Walter F. Smith,
Hallace Smith,
H. F. Smith.

Filed for Record June 16th, 1893, at 9 o'clock A.M.,
at the request of Hallace Smith. Fee \$²⁵

H. F. Smith.

Officio County Recorder.

Notice of Water Rights,
 State of Idaho,
 County of Washington } ss.
 Notice is hereby given to the Public:
 First.

That we the undersigned citizens of the
 United States of America, over the age of
 Twenty one years, residents of the
 Washington County Idaho, do hereby
 claim the use of the waters of Lemhi
 Creek in said County, to the extent of fifteen
 (15) cubic feet per second.

Second.
 That it is intended to divert said water at
 or near the point where is copy of this
 notice is posted which is situated on the
 West bank of said creek at or near the South
 West quarter of Sec 18 in Twp 12 N. of R 5 W
 of Boise Meridian and about one fourth
 of a mile North of what is known as the
 Black Point on said creek and about one
 mile below the main forks of said creek
 and about four rods West of the wagon
 road up said creek.

Third
 That the purpose for which said water
 is intended to be used is for power, irrigation
 and domestic, and that the place of intend-
 ed use on the SE¹/₄ of S W¹/₄ of Sec 6 E¹/₄ of N W¹/₄
 NE¹/₄ of S W¹/₄ and Lot 4 of Sec 7 in Twp 11 N.
 of R. 5 W and SE¹/₄ of N. E¹/₄ of Sec 13 in Twp
 11 N. of R. 6 W of the Boise Meridian Idaho

That it is intended to divert said
 water by means of a ditch four feet wide
 and two feet deep with a uniform grade
 of one fourth of an inch to the foot from
 the point of diversion a distance of one mile

more or less in a southerly direction to a Reservoir Site, located by the parties hereto (which reservoir is not to be more than ten feet high for the first year, said water to be conveyed from said reservoir site by a ditch in an Easterly direction to Lehigh Creek, thence down and joining the channel of said Creek to the head of said ditch, now owned by claimants a distance of three miles in a southerly direction.

Fifth
That it is intended to have the works for diversion, storage and use of said water as aforesaid completed within five years.

Sixth.
That this claimed location is made for the purpose of storing water and thereby increasing the flow of said Lehigh Creek during the irrigating season and is not intended as a waiver of any of the rights to the waters of said Creek now held by claimants.

Witness our hands at Ketchikan, Idaho,
this 16th day of April, in the year 1899.
Wallace Smith } Claimants
J. F. Smith }

State of Idaho }
County of Washington } S.

Wallace Smith being first duly sworn, according to law deposes and says, that he is of lawful age and one of the claimants named in the Water Right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and original notice, of which the following is a true copy was posted in a conspicuous

place of intended diversion has provided
 by law on the 16th day of April, in
 the year 1899 at about 12:30 o'clock P. M.

Wallace Smith
 Subscribed and sworn to before me this
 29 day of April 1899

Thos. M. Jefferys
 Probate Judge

Filed at the request of Wallace Smith
 this 29 day of April 1899 at P. M.
 J. P. Smith
 Ex officio Recorder

Location of Reservoir Site

Notice is hereby given to the Public,

That ~~for~~ the undersigned, Citizens of the United States of America, over the age of twenty-one years, under and by virtue of Sections 18, 19 and 20, of an Act of Congress entitled "An Act to repeal the Timber-Culture laws and for other purposes" Approved March 3rd, 1891, do hereby locate and claim this ground for Reservoir purposes.

Beginning at this stake and notice, which is situated about one fourth of one mile west of the channel of Jenkins Creek and in or near Section Nineteen, in Township Twelve North of Range Two West of the Boise Meridian in Washington, State of Idaho, thence from said stake and notice Four Hundred feet in every direction.

The same being a circular piece of land Twenty-four hundred feet in circumference and containing Eleven acres more or less.

Also the right of way for a ditch to and from said reservoir described as follows:

Beginning on the West bank of Jenkins Creek at or near the West line of Section 18 in Township 12 North of Range Two West of the P. M., thence in a Southerly direction into said reservoir site: thence from the East side of said reservoir site to said Jenkins Creek, thence through or near Sections 19, 20 and 31, to lot 3 of Sec 6 in Township Eleven North of Range Two West of said Meridian, there to connect with ditch heretofore constructed by the parties hereto,

Dated on the ground this 13th day of June, in the year, 1893,

Walter F. Smith
Wallace Smith,
E. Smith } Locators

Filed for Record June 16th, 1893 at 9 o'clock A.M. at the request of Wallace Smith, ~~for~~

E. Smith

Official County Recorder,

IN THE PROBATE COURT

OF THE COUNTY OF WASHINGTON STATE OF IDAHO,

In the Matter of the Estate of

Walter F. Smith

Deceased.

DECREE OF DISTRIBUTION OF ESTATE.

Isaac F. Smith, the Administrator of the estate of Walter F. Smith deceased, having on the 9th day of July 1903, filed in this Court his petition, setting forth, among other matters, that his accounts have been finally settled and said estate is in a condition to be closed, and that a portion of said estate remains to be divided among the heirs at law of said deceased, said matter coming on regularly to be heard this 20th day of July 1903 upon due proof that due and legal notice of such hearing had been given as directed by the order of this Court heretofore made; the said Isaac F. Smith, Administrator appearing by his counsel, Frank Harris Esq; and no one appearing in person or otherwise against the granting of said petition this Court proceeded to the hearing of said petition; and it appearing, to the satisfaction of this Court, that the residue of said estate, consisting of property hereinafter particularly described, is now ready for distribution, and that said estate is now in a condition to be closed;

That the whole and the residue said estate is the separate property, of said deceased.

That the said Walter F. Smith died intestate, in the County of Washington State of Idaho on the 26th day of August, 1896, and his only heirs at law are Walter W. Smith, a son, aged fifty-one years and Isaac F. Smith, a son aged forty nine years,

That all claims against said estate are fully paid; that all taxes due from said estate have been paid; that since the rendition of his final account, the sum of no Dollars has come into the hands of said Administrator and the sum of no Dollars has been expended by said Administrator as necessary expenses of administration, the vouchers whereof, together with a statement of such receipts and disbursements, are now presented and filed, and the payments are approved by this Court; and that the estimated expense of closing said estate will amount to the sum of no Dollars.

That the said Walter W. Smith and Isaac F. Smith are entitled to the whole of the residue of said estate equally, share and share alike

Now on this, the said 20th day of July 1903 on motion of Frank Harris Esq., counsel for said Administrator and Estate

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, That the residue of said estate, of Walter F. Smith deceased, hereinafter particularly described, and now remaining in the hands of said Administrator and any other property not now known or discovered, which may belong to said estate, or in which the said estate may have an interest, be and the same is hereby distributed as follows, to wit:

To Walter W. Smith one half and to Isaac F. Smith one half share and share alike.

The following is a particular description of said residue of said estate referred to in this decree, and of which distribution is ordered, adjudged and decreed as aforesaid, to wit:

Lot four of Section seven; Lots one and two of Section eighteen in Township eleven North of Range five West, and the South East quarter of the North East quarter of section thirteen in Township eleven North of Range Six West of the Boise Meridian in Washington County, Idaho. containing one hundred and sixty-one acres and seventy-two hundredths of an acre according to the United States Government Survey.

Together with all water, water rights, reservoirs and ditches thereunto belonging or used in connection therewith and of record in Book 1 of Water Rights at Pages 40 and 324, records of said County.

Done in open Court, July 20th 1903

Thomas M. Jeffreys
Probate Judge.

STATE OF IDAHO,

ss.

County of Washington.

I, Thomas M. Jeffreys, Judge and Ex-officio Clerk of the Probate Court, in and for the County of Washington, in the State of Idaho, do hereby certify that the annexed and foregoing is a full, true and correct copy of the Decree of Distribution in the estate of Walter F. Smith, deceased, as the same appears now on file and of record in said Court.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Court, at Weiser, Idaho, this 20th day of July, A. D. 1903.

(OFFICIAL)
(S E A L)

Thomas M. Jeffreys
Judge and Ex-Officio Clerk of the Probate Court.

Filed for record at the request of I. F. Smith at 20 minutes past 11 o'clock A. M. this 25th day of November, 1904.

Frank E. Smith.
Ex-officio Recorder

This Indenture made the seventh day of August, in the year of our Lord one thousand eight hundred and ninety-nine, between Walter W. Smith an unmarried man and Isaac F. Smith and Harriet H. Smith, husband and Wife, of Weiser County of Washington, State of Idaho, the parties of the first part, and Mary C. Warren, of Three Oakes County of Barricn, State of Michigan the party of the second part.

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Thirty-one Hundred and Fifty 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, convey and confirm unto the said party of the second part, and to her heirs and assigns forever,

All the following lots, pieces, or parcels and subdivisions of real estate, situated in the County of Washington, and State of Idaho, and bounded and described as follow to wit:

The East half of the North west quarter and the north east quarter of the South West quarter of Section Seven, and the South East quarter of the South West quarter of Section Six, and the lot numbered Four of section seven and the Lots. numbered one and two of Section Eighteen, all in Township Eleven North of range five west and the south east quarter of the North east quarter of section Thirteen in Township Eleven north range Six West of the Boise Meridian in Idaho, containing in all three hundred and twenty acres, and seventy-two hundredths of an acre according to the United States Government Survey.

Also all our right, title and interest, in and to all ditches, water, water rights, reservoirs, reservoirs sites, thereunto belonging connected therewith, or used or to be used, thereon, and the same being more particularly described as a certain water right, out of Jenkins Creek located on the 12th day of April 1881, by Walter F. Smith and T.D. Holland recorded Nov, 7th 1881, Book 1 of Water rights, page 40 and as located by Walter F. Smith, Wallace Smith and I.F.Smith ; on the 13th day of June, 1893 recorder June 16th 1893 in book 1 of Water rights at page 324 and as located April 18th 1899 by Wallace Smith and I.F.Smith recorded April 29 1899 in Book 1 of Water Rights, page 508 and thereservior site as located by Walter F. Smith Wallace Smith and I.F.Smith June 13th 1893 recorded June 16th 1893 in Book I Miscellaneous Record at page 6 all of the records of Washington County Idaho,

Also all our right, title and interest in and to the reservoir situated about three hundred feet south east from the SE corner of NE4 of SW4 of sec. 7 Tp. 11 N. R. 5 W of B.M.

Togetherwith all and singular ar the tenements, hereditaments, and appurtenances thereunto belonging or in nay wise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular , the above mentioned anddescribed premises, together with the appurtenances, unto the said party of the second part, and to her heirs and assigns forever. And the said Parties of the first part, and their heirs, the said premise in the quiet and peaceable possession, of the said party of the second part, and her heirs and assigns, against the said parties 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 hands and seal the day and year first above written.

Signed, sealed and delivered in the presence of

I	Walter W. Smith	(Seal)
I	Isaac F. Smith	(Seal)
I	Harriet H. Smith	(Seal)

State of Idaho, I
County of Washington I

I.R.#3 SD.. cancelled.

On this Nineth day of August in the year 1899, before me. Thomas M. Jeffreys Probate Judge in and for said County , personally appeared Walter W. Smith and Isaac F. Smith known to me to be hte persons whose names are subscribed to the within i nstrument, and acknowledged to me that he executed the same, and on9th day of August in the year 1899, beforeme the officer above described, personally appeared Harriti Smith,wife of I.F.Smith, known to me to be the person whose name is subscribed to the within instrument, describe 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 therupon she acknowledged to me that she executed the same and that she does not wish to retract such execution.

In witness whercof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Thomas M. Jeffreys
Probate Judge and Ex-officio Clerk
Probate Court.

Filed at therrequest of C.M.Hixon this 27th day of Septe mber 1899 at 30 Min. Past 11 A.M.

I.F.Smith
Ex-officio Recorder

September 13th 1881

Notice Location of Water right

Notice is hereby given that the rider signed as this day located and taken Lawful person of all the water contained in and running down these creeks from their heads for milling and mining purposes said location is made at the mouth of Timber Creek and emptying into the north fork of Dennitt Creek Washington mining District Washington County Idaho Territory to which I sign my name
Harry Martin

Recorded at the request of John Dennitt
October 12th 1881 at 4 O'clock P M

J M Hart
Recorder

Notice we the undersigned Citizens of the United States have this day taken up and do claim a water right of five hundred Inches minus measure to be taken out of Jenkins Creek at a point known as the mouth of the Canyon on said creek on the East side or left hand bank to be conveyed as far down as the lower line of Walter Smith's Land claim to be used for Irrigating purposes this April 12th 1881

Walter F. Smith

J D Holland

Recorded at the request of J D Holland
Nov 7th 1881 at 15 min past 1 P M

J M Hart

Recorder

Homestead Certificate No 490
Application 1548

11-5

The United States of America

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 Boise City, Idaho Territory, whereby it appears that, pursuant to 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 Walter F. Smith has been established and duly consummated, in conformity to law for the Lot numbered Four of Section seven, the Lots numbered one and two of Section eighteen in township eleven north of range five west and the South east quarter of the north East quarter of Section fifteen in township eleven north of Range Six west of Boise Meridian in Idaho Territory containing one hundred and sixty one acres and seventy two hundredths of an acre, according to the Official Plat of the Survey of said Land returned to the General Land Office by the Survey General.

Now know ye that there is therefore granted by the United States unto the said Walter F. Smith the tract of land above described, To have and to hold the said tract of Land, with the appurtenances thereof unto the said Walter F. Smith and to 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 by the local customs laws, and decisions of courts, 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 twenty seventh 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 thirtieth

By the President

Benjamin Harrison

By M. M. Kean Secretary

J. M. Townsend Recorder of the General Land Office
Recorded Vol. IV. Page 39.

Recorded at request of Walter F. Smith
Jan 13th 1890 at 10 o'clock A.M.

O. M. Hawley.

Recorder

This Indenture, Made this 2nd day of July in the year of our Lord one thousand nine hundred and three between Mary C. Warren and E. C. Warren, her husband, of Three Oaks County of Berrien State of Michigan the parties of the first part, and Edmund A. Paddock of Meier County of Washington 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 Three Thousand (\$3000⁰⁰) 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, have granted bargained and sold, and by their presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Washington County, State of Idaho, to wit:

The East Half (E 1/2) of the Northwest Quarter (N. W. 1/4) and the Northeast Quarter (N. E. 1/4) of the Southwest Quarter (S. W. 1/4) of Section Seven (7), and the Southeast Quarter (S. E. 1/4) of the Southwest Quarter (S. W. 1/4) of Section Six (6), and the Lot numbered Four (4) of Section Seven (7), and the Lot numbered One (1) and Two (2) of Section Eighteen (18), all in Township Eleven (11) North of Range Five (5) West; and the Southeast Quarter (S. E. 1/4) of the Northeast Quarter (N. E. 1/4) of Section Thirteen (13) in Township Eleven (11) North of Range Six (6) West; all of the Boise Meridian in Idaho; containing in all Three Hundred Twenty, one and ⁷²/₁₀₀ acres according to the United States Government Survey.

Together with all water rights, reservoirs and reservoir sites connected with Jenkins Creek belonging to said parties of the first part.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversions and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part;

To Have and to Hold, All and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part and

Edmund A. Paddock, the said parties of the second part, in the quiet and peaceable

and assigner, against the said parties 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 hands and seals the day and year first above written,

Signed, sealed and delivered in the presence of } Mary C. Warren (Seal)
Morris G. McGowan } Edward L. Warren, (Seal)
Hella C. Warren.

State of Michigan } ss.
County of Berrien }

On this 2nd day of July in the year 1903.
Before me Morris G. McGowan, a Notary Public in and for said County, personally appeared E. L. Warren 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 2nd day of July in the year 1903. Before me, the officer above described, personally appeared Mary C. Warren 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 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.

(Seal) Morris G. McGowan
Notary Public.
Berrien County Michigan.

Filed at request of J. P. Mayhew at 10 minutes past 4 o'clock P.M. this 1st day of July 1903.

Fee \$1.45

Frank E. Smith
Ex-officio Recorder

This Indenture, Made this seventh day of July in the year of our Lord one thousand nine hundred and three between Edward A. Paddock of Meiser County of Washington State of Idaho, the party of the first part and The Idaho Industrial Institute, a Corporation, of Meiser, County of Washington State of Idaho, the party of the second part.

Witnesseth, That the said party of the first part, for and in consideration of the sum of Three Thousand, (\$3,000.) Dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to its successors and assigns forever, all the following described real estate, situated in Washington County, State of Idaho to be hereafter known as the Horton Memorial Ranch, to wit: the East half of the North West quarter and the North East quarter of the South West quarter of Section seven, and the South East quarter of the South West quarter of Section six, and the Lot numbered four of Section seven, and the Lots numbered one and two of Section eighteen, all in Township eleven North of Range five West, and the South East quarter of the North East quarter of Section thirteen in Township eleven North of Range six West, all of the Boise Meridian, containing in all 321.72 acres according to the U. S. Government survey.

Together with all water rights, reservoirs, and reservoir sites connected with Jenkins creek belonging to said party of the first part.

No part of said real estate ever having been claimed or occupied as a homestead by said party of the first part or by any member of his family.

Together with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part: To Have and to Hold, All and singular, the above mentioned and described premises, together with the appurtenances,

assignor former. And the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, against the said party of the first part, and his 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.

Except against any claim arising out of a certain mortgage of even date herewith, given by the party of the first part to John T. Norton of Toledo, Ohio, to secure the payment of the sum of One Hundred and Fifty Dollars on the first day of July of each year, beginning in 1904, to said John T. Norton so long as he shall live, and if Virginia B. Norton, his wife do survive him, then to her so long as she shall live; the party of the second part assuming and paying the amounts that may become due on said mortgage, and forever saving said party of the first part, his heirs and assigns, harmless therefrom.

In Witness Whereof. The said party of the first part has hereunto set his hand and seal the day and year first above written,

Signed, Sealed and delivered in the presence of } Edward A. Paddock (Rec.

State of Idaho. }
County of Washington } S.S.

On this seventh day of July in the year 1903, before me John W. Ayers, a Notary Public in and for said County, personally appeared Edward A. Paddock 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)

John W. Ayers,
Notary Public

Filed at request of J. P. Maryatt at 10 minutes past 4 o'clock P.M. this 7th day of July 1903.

Fees \$1.65

Frank C. Smith
& Official Recorder

22

1004

65
78

CRP '88
EXPIRED

NHEL

7A
14.9 NHEL 32.2

NHEL
36
2.3

7b
21.3 NHEL 7c
15.3 NHEL

NHEL
7b NHEL
40.3

14.9 NHEL

127
1818

NHEL

NHEL

15.9

NHEL
127
8.9

1817