

Notes

8/4/06 added photos to the file.

2100 SW Aug 17, 1987 and AA50 NW

6-30-1989 to the file. CB

7/13/06 Shapes are located AE00 under E Carlsen.

Fred Brug - 1-307-883-2363

7/14/06 2:51pm. called Fred Brug. and left a message.

7/20/06. 9AM. Scott Wolfley Sr. called. they took Bryce Contours to the original POP'S. The ditch is about $\frac{1}{3}$ mi up the creek and diverted it east.

Only about $\frac{2}{3}$ of the farm is irrigated. They didn't irrigate the piece south of the creek between Hwy 34.

Most years it was hard to get it diked up to harvest the crop.

The whole farm was not irrigated and he didn't mean to give that impression. I told him that E. Scott has claimed the whole farm is irrigated.

7/25/06. 8:30AM. I spoke with E Scott Wolfley.

He said that they could irrigate about $\frac{2}{3}$ of the land north of Tincup crk. The ground south of Tincup wasn't irrigated because the stream banks are too high and the swells were too big. ~~big~~ crk.

Notes

12-27-05 Cindy met w/ Scott Wolfley (520-5841)

12/30/05 The 1987 Napp photography appears that the Wolfley's field goes up into the NENE, NWNE & NENE of Section 9, T5S, R46E. The deeds. The water right (posted notice) discusses the NENE, NWNE but the deeds don't support that Soren & Inger Nelson owned the property.

It appears this claim should be split with 2 different priority dates. The SWNW, SE NW, SWNE & SENE 12/27/1901. The NESW, NWSE & NESE 6/30/1905 all within section 9, T5S, R46E.

Fredrick & Alice Wolfley were married in June, 1926. Earl Scott Wolfley is their son.

Scott Wolfley (grandson) came in on the 27th to discuss the claim. I told him we need the deed from his grandparents to his dad. (Earl Scott), then the deed from there dad to him & his brother Mark Wolfley.

2-17-06 Scott called. He will send in missing docs & ownership. BP

2-21-06 Received change of ownership + deeds. BP

4-5-06 Received 1950+ aerial photo. CB.

Notes

10-28-04 Assessor's office:

Gregory J. Wolfley ETAL

2929 West 15000 South

Bluffdale, Ut 84065

11-22 Letter to Claimant re ownership & evidence of priority. BP

12-21-04 Greg called. Ask for extension of time. Let 12-28. BP

4-14-05 Have not received anything or heard from claimant since Dec. of 2004. Do we contact again or send disallow letter? PB

5-3-05 Sent 2nd request. BP

6-28-05 Received phone call from E. Scott Wolfley asking if we could send ownership change form to him. Sent form. PB

20 July 05 523-6054 Mr. Wolfley - spiritless now - Sons Scott & Gregory own land now - he will call sons - one is in Denver, one is in Utah - Lessee is Bogue. Mr. Wolfley will call back. BAC
Scott Wolfley 520-5841, Greg Wolfley 801-254-609.

20 July 05 Scott Wolfley - tentatively Aug 12 or 13
4 Aug 05 520-5841 msg box full, left call-back w/ automated system.

10 or 11 Aug - Scott Wolfley called. Tentatively meet on 13 Aug 1-2 PM BAC

13 Aug 208-5205841 msg

13 Aug 05 Field exam w/ Earl Scott Wolfley (sr) and Scott Wolfley (jr) BAC



0. 17 1987

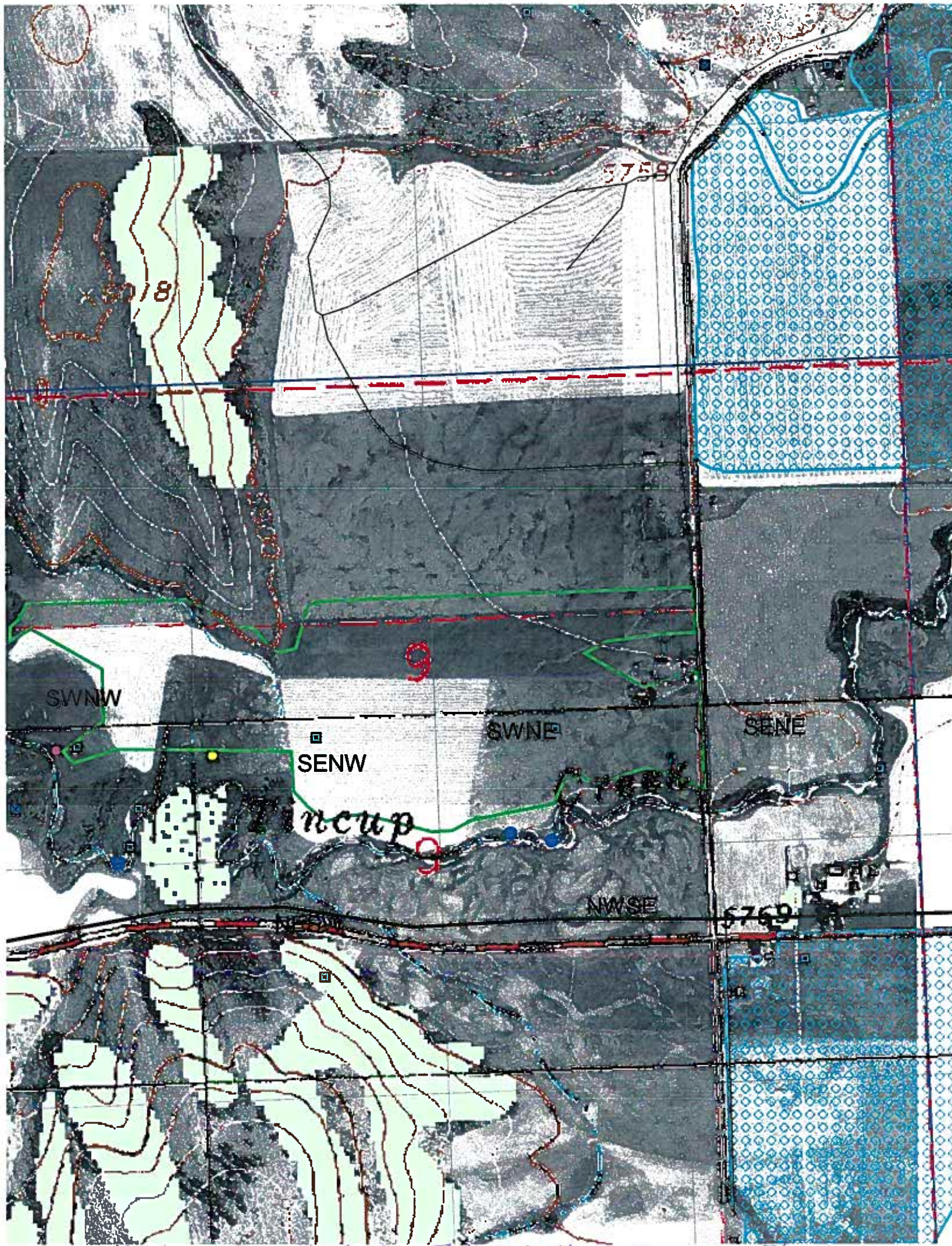
7100 SW

6-30-89

1754-116



AA50 1111



Contacts Data Entry Form *A24-10029*

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner _____

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

*Going West on Idaho 34 from Wyoming state line 1st junction
is a gravel Rd named "Piney Junction". POA is N of highway
and west of this road. BAC*

Reviewer: _____

Date: _____

Contacts Data Entry Form

Point of Diversion and Source Data Entry Form

Claim Number: 24-10029Water Right Point of Diversion: T R Sec. County: Source: Tributary: Claimed Point of Diversion: T R Sec. County: Source: Tributary: Recommended Point of Diversion: T R Sec. County: Source: Tributary: Use Claimed POD and Source as Recommended POD and Source

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
(67)	55	46E	9		SWSWNE	Carbon	Tincup Creek
	GPS Coordinates: <u>2739003E</u>						<u>1314998 N</u> <u>DOTM83</u>
(68)	55	46E	9		SWSWNE	Carbon	Tincup Creek
	GPS Coordinates: <u>2739071E</u>						<u>1314986 N</u> <u>DOTM83</u>
(72)	55	46E	8		SWNE		
	GPS Coordinates: <u>2737818E</u>						<u>1315481 N</u> <u>DOTM83</u>
	GPS Coordinates: <u> </u>						<u> </u>
	GPS Coordinates: <u> </u>						<u> </u>
	GPS Coordinates: <u> </u>						<u> </u>
	GPS Coordinates: <u> </u>						<u> </u>

Other rights from this POD?

Document how the POD and Source were verified and/or Pump and Motor data:

GPS field inspection. The first two POD are locations where portable pump is located. Per current operator Fred Borg this practice goes back to former operator Joel Haderick. Date that Joel ran the place are unclear but per Woffleys he would have started about 1987. The last POD (in Section 8) is the approx. location of the original POD which would have been in use in 1986. It was difficult to locate in the field because work has been done on the stream bank since the

Transfers Changing POD
 Reviewer: headgate was last used. Woffleys identified 3 locations that may have been the original POD,

Point of Diversion and Source Data Entry Form

I selected this one based on 1987 aerial photo.
File 5 Sent 05

Purpose of Use Data Entry Form

Claim Number: 24-10029☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Irrigation was not observed but operator Fred Buey affirms that he irrigates the entire place in years when he is establishing alfalfa, though not the entire farm in any given year. *Plac 5 Sept 05*

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: 24-10029☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Please see attached printout. I propose 95 acres w/14 APCE.

Document how the POU was verified:

*Historical POU is based on interview w/ Scott Wellley Sr.
Current POU is based on interview w/ operator Fred Brug,
field inspection and aerial photo. Date 5 Sept 05*

Transfers Changing POU _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Period of Use and Quantity Data Entry Form

Claim Number: 24-10029☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/31		

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Current diversion works is a portable pump owned by Fred Bng. See A24-4009 for specifications. It is adequate for proposed diversion rate 2.20 g/s (0.023 g/s/acre on original flood-ir acreage 95 acres) BAC 5 Sept 05

Reviewer: _____

Date: _____



Claim No.: _____

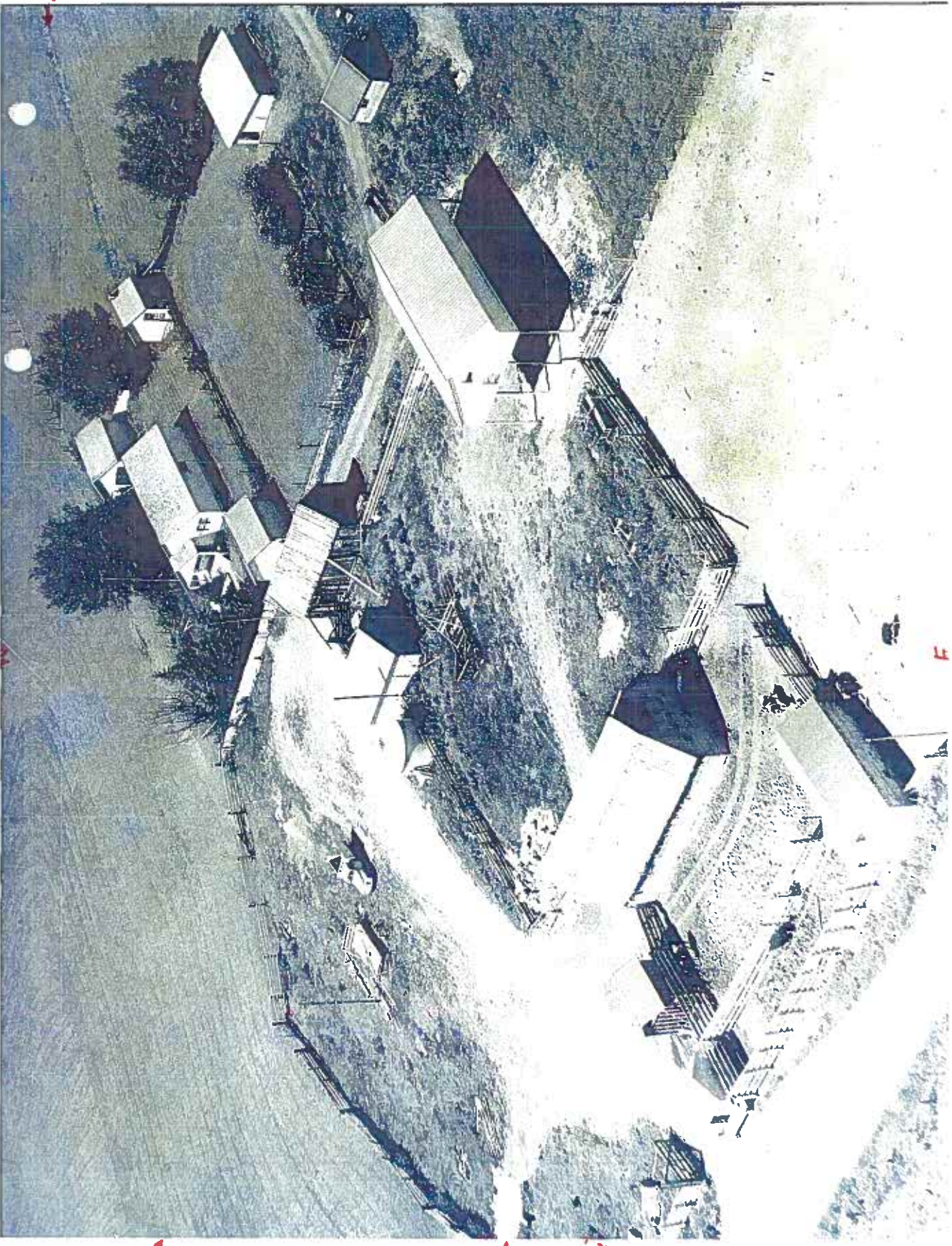
This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be from a notebook or a set of legal pads. The edges of the paper are slightly irregular, suggesting it might be a scan of a physical document. There is no handwriting or other markings on the page.

Doc list (1 page) layout of cement / historical doc (1 page), GPS locations (1 page), photos (4 pages), map fr. claimant (1 page). Rec 5 Sept 05

Reviewer _____ Date _____

old
 ditch for
 irrigation
 in early
 days

N

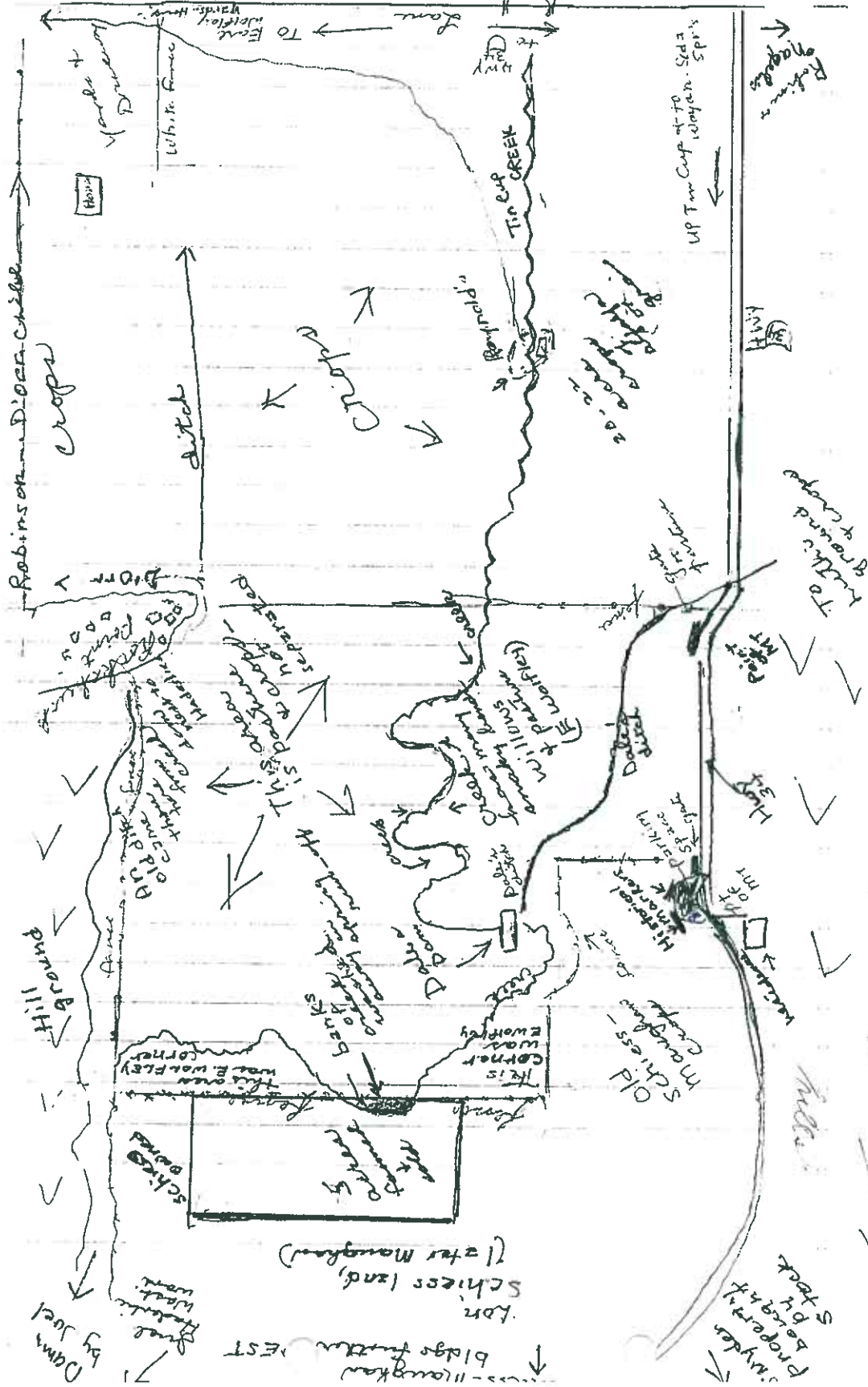


pasture
 area
 for
 livestock
 in the
 1930s

S

MS 2
 showing
 the new
 building
 which
 was
 built
 in 1930
 and
 1931

RECEIVED
FEB 27 2006
By *[Signature]*



price 75

[illegible]

Sheet No. 2

NOTICE OF WATER RIGHT.

Claimants, --

Soren Nelson and Inger C. Nelson..

Date, --

September 28, 1901.

Recorded, --

October 7, 1901, 11:30 A.M. in Book
"2" of Water Locations, at page 109 of
the Records of Bannock County, Idaho.

Subscribed and
Sworn to, --

Before J. H. Haderlie, a Justice of
the Peace in and for Bannock County,
State of Idaho, September 28, 1901.

DESCRIPTION AND REMARKS.

To all concerned Notice is hereby given: 1st. That Soren Nelson and Inger C. Nelson of Freedom, hereby claim the use of the waters of Tincup Creek to the extent of Five Cubic feet per second. 2d. It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows; Commencing at corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 9, Tp. 5 S. R. 46 E.B.M., thence running through the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Sec. 9 in a Southeasterly direction for 1/4 of a mile, then due East 1/2 mile through the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 9, Tp. 5 S. R. 46 E. B. M. in above description. 3d. The purpose for which said water is intended to be used is for agricultural purposes. The place of intended use is on their homesteads. 4th. It is intended to divert said water by means of a canal four feet wide and three feet deep. The general course of the proposed canal is southeast and east. The length of the proposed canal is three fourths of a mile. It is intended to use said water for irrigating the following described land. The NE $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, Tp. 5 S. Range 46 E. S. M. and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, Tp. 5 S. R. 46 E.B.M. and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4 and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 4, Tp. 5 S. R. 46 E. B. M. It is intended to have the works for diversion and use of said waters as the above canal has been completed and the water used for Eleven years.

Witness our hands at Freedom Bannock Co., Idaho, this 28th day of September, 1901.

Soren Nelson,
Inger Nelson.

Aff. of claimants, that the statements in said notice are true and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at or near the point of diversion on Sep. 28th 1901, at 6:00 o'clock P.M.

ORDER NO. 4218
ABSTRACT NO. 2853

SHEET NO. 19.
INSTRUMENT NO. 59263

UNITED STATES OF AMERICA
GRANTOR

P A T E N T

TO

WALTER R. BARBER
GRANTEE

Dated: October 10, 1902
Recorded: Dec. 11, 1917
at 4:13 P.M. in Book
of Patents at page
Consideration--Full Pay't

Whereas, Walter R. Barber, assignee by deed conveyed of Edward Hansen of Bingham County, Colorado, has deposited in the General Land Office of the United States, a certificate of register of the Land Office at Blackfoot Idaho, whereby it appears that full payment has been made by the said Walter R. Barber, 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 lots numbered five and six and the Southwest quarter of Section three, the South East quarter of the South East quarter of Section four; the East half of the North East quarter of Section nine; and the Lots numbered one and two and the North West quarter of Section ten in Township five, South of Range Forty-six East of Boise Meridian in Idaho, containing six hundred and twenty-one acres and forty-five hundredths of an acre., according to the Official Plat of the survey of the said lands returned to the General Land Office by the Surveyor General. The said tract of land has been purchased by said Walter R. Barber.

NOW KNOW YE, that the United States of America in consideration of the premises and in conformity with the several acts of Congress to such effect made and provided have given and granted, and by these presents do give and grant unto the said Walter R. Barber and to his heirs and assigns forever, to have and to hold the same

Together with all the rights privileges immunities, and appurtenances of whatsoever nature belonging unto the said Walter R. Barber, and to his heirs and assigns forever,

Signed: By the president: T. Roosevelt
by the Secretary: F. M. McKean
by C. E. Bush, Recorder of General Land Office.

United States General Land Office Seal affixed.

Continuation of Abstract of Title.

Abstract No. 5

Miller & Viole, First Mortgage Loans, Salt Lake City, Utah.

Abstract No. _____

Walter R. Barber and Clara Barber,
his wife.

Character of Instrument, Warranty Deed.
Date of Instrument, August 30, 1902;
Date of Record, February 3, 1910, 5:18 P.M.
Book "17" of Deeds, Page 564 Records of
Bannock County, State of Idaho.
Consideration, \$ 7.00

Grantors,

to

Inger C. Nelson.

Acknowledgment.

Date August 30, 1902; acknowledged before
W. W. Mangham a J. P.
in and for Grants County, State of Utah
Is official seal attached? Yes
Is the acknowledgment regular? Yes
Does wife duly acknowledge on examination without the hearing of
her husband? Yes

Grantees.

Does wife join throughout instrument? Yes

\$ XXY U. S. Internal Revenue Stamps attached and duly canceled.

Names of witnesses, A. G. Barber, W. W. Mangham Was corporate seal attached? XXY

Reading words, Grant, bargain, sell and convey and confirm
Warranty and forever defend.

Are there any conditions, limitations or recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bannock County, State of Idaho.

Commencing at a point seventy-one rods west of the southeast corner of
the northeast quarter of section nine of township five south of range forty-
six east of Boise Meridian, and running thence north eighty rods; thence
west nine rods, thence south eighty rods, thence east nine rods to the
place of beginning, and containing four and one half acres.

No. 6

Miller & Viole, First Mortgage Loans, Salt Lake City, Utah.

Abstract No. _____

#5767

United States of America.

Character of Instrument, Patent.Date of Instrument, June 30, 1905Date of Record, December 4, 1905, 110 P.M.Book "5" of Patents, Page 153 Records ofBannock County, State of Idaho.Consideration, \$ Full payment.

TO

Grantee,

Daniel J. Clark.

Acknowledgment.

Date _____, acknowledged before

in and for _____, County, State of _____

Is official seal attached?

Is the acknowledgment regular?

Does wife duly acknowledge on examination without the hearing of her husband?

Grantors,

Wife joins throughout instrument?

\$ _____ U. S. Internal Revenue Stamp attached and duly canceled.

of witnesses,

Was corporate seal attached?

ing words,

note,

are any Conditions, Limitations or Recitals?

are any irregularities or defects?

DESCRIPTION: Lands in Bannock County, State of Idaho.

The northeast quarter of the southwest quarter, the west half of the southeast quarter of Section Nine and the northwest quarter of the northeast quarter of ~~the~~ Section Sixteen, in Township Five South of Range Forty-six East of the Boise Meridian, Idaho, containing 160 acres, according to the Official Plat of the survey of the said lands, returned to the General Land Office by the Surveyor General.

Instrument bears the seal of the General Land Office.

Sheet No. 9

Miller & Viole, First Mortgage Loans, Salt Lake City, Utah.

Abstract No. _____

Arthur R. Clark and Ida Clark,
his wife.Character of Instrument. Warranty Deed.Date of Instrument, July 26, 1909.Date of Record, February 3, 1910, 3:16 P.M.Book "19" of Deeds, Page 548 Records ofBannock County, State of Idaho.Consideration, \$ 2.00

TO

Grantee,

Inger C. Nelson.

Acknowledgment.

Date July 26, 1909. acknowledged beforeCharles H. Haderlie N. P.in and for Idaho County, State of Idaho.Is official seal attached? YesIs the acknowledgment regular? YesDoes wife duly acknowledge on examination without the hearing of
her husband?

Grantee,

Does wife join throughout instrument? Yes\$ U. S. Internal Revenue Stamps attached and duly canceled.Names of witnesses, Charles H. HaderlieWas corporate seal attached? XXXGranting words, Grant bargain sell and convey and confirmCovenants, Warrant and Forever Defend.

Are there any Conditions, Limitations or Reservations?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bannock County, State of Idaho.

Beginning at a point seventy-one rods west of the southeast corner of the northeast quarter of Section nine of Township five south of range forty-six east of Boise Meridian and running thence south thirty-two rods, thence west nine rods, thence north thirty-two rods, thence east nine rods to the place of beginning and containing one and eight tenths acres.

CONTINUATION OF ABSTRACT OF TITLE

Sheet No. 8

Miller & Viole, First Mortgage Loans, Salt Lake City, Utah.

Abstract No. _____

United States of America.

Character of Instrument, Patent.

Date of Instrument, April 18, 1905.

Date of Record, September 7, 1905, 3:15 P.M.

Book "5" of Patents, Page 135 Records of

Bannock County, State of Idaho.

Consideration, Full payment.

Grantee,

TO

Arthur R. Clark.

Acknowledgment.

Date _____, acknowledged before

(Signature) _____

Is official seal attached?

Is the acknowledgment regular?

Does wife duly acknowledge on examination without the hearing of her husband?

Grantee.

What is the date of maturity? 19

\$ _____ U. S. Internal Revenue Stamps attached and duly cancelled.

When is the interest payable?

When principal and interest payable?

DESCRIPTION: Lands in Bannock County, State of Idaho.

The east half of the southeast quarter of Section Nine and the west half of the southwest quarter of Section Ten, in Township Five South of Range Forty-six East of the Boise Meridian, Idaho, containing 160 acres, according to the Official Plat of the survey of the said lands, returned to the General Land Office by the Surveyor General.

Instrument bears the seal of the General Land Office.

If released on margin of record give VERBATIM COPY of RELEASE.

NOTE: Are there any irregularities or defects in instrument or release?

Sheet No. 7

Miller & Viole, First Mortgage Loans, Salt Lake City, Utah.

Abstract No.

16131

Daniel J. Clark and Mary A. Clark,
his wife.

(Character of Instrument) Warranty Deed.

Date of Instrument, July 1, 1905.

Date of Record, February 3, 1910, 3:17 P.M.

Book "19" of Deeds, Page 549 Records of

Bannock County, State of Idaho.

Consideration, \$ 50.00

TO

Grantees,

Inger C. Nelson.

Acknowledgment.

Date, July 1, 1905

acknowledged before

Charles H. Haderlie, H. P.

in and for Bannock County, State of Idaho

Is official seal attached? Yes

Is the acknowledgment regular? Yes

Does wife duly acknowledge on examination without the hearing of

her husband? Yes

Grantee.

Does wife join throughout instrument? Yes

XXX U. S. Internal Revenue Stamp attached and duly canceled.

Names of witnesses, G. H. Haderlie, John T.

Was corporate seal attached? XXX

Nelson.

Granting words, Grant, bargain, sell and convey and confirm.

Covenants, Warranty and forever defend.

Are there any Conditions, Limitations or Recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bannock County, State of Idaho.

Beginning at the northeast corner of the northwest quarter of the southeast quarter of Section nine, township five south of range forty-six east of Boise Meridian, in Idaho, thence going south thirty two rods; thence one hundred and twenty three rods west; thence north thirty two rods; thence east one hundred and twenty three rods to place of beginning, containing in all twenty four and one-half acres of land be there more or less.

2/24/06 apt. with Scott Jr. + Sr.

Walter R Barker

K. L. Barker

Alice

Dad (Scott Wolfley Sr.)

(L. Scott Wolfley) me Green

Wolfley.

- Cows were gone in 1955,
1953-1957 in D.C.

Early 50's photo. (1955).

68-69- moved fence.

Dale Luthi - power line, NO pump.

- Scott Wolfley - Send him copies
of the time line.

20

NWNW

NENW

NWNE

NEN

part 1

100

100

1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 26

SENE

119.9.

part 2

NESW

NWSE

NES

24.6

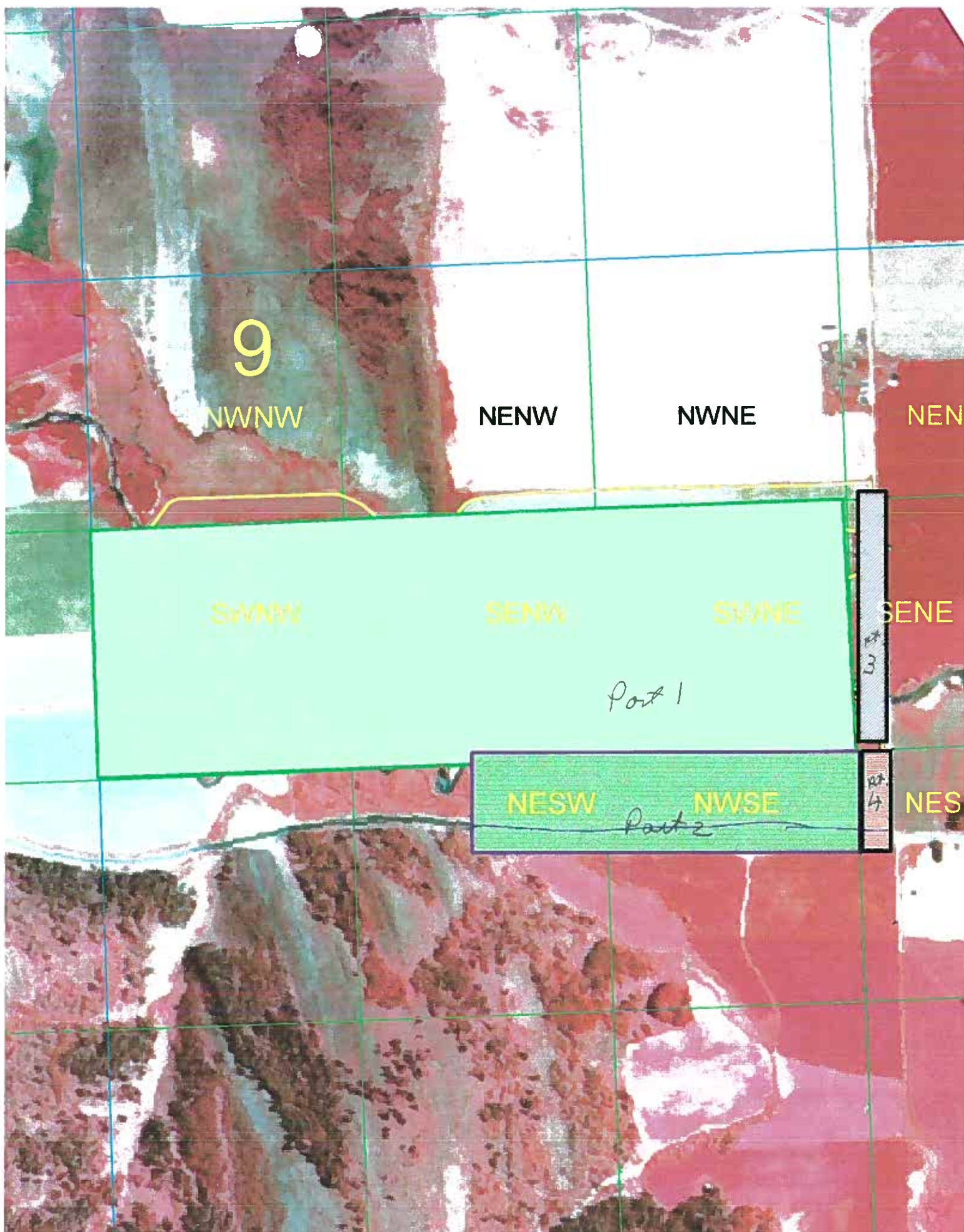
24-10029

10-02-1918 Need

20-10029

Attributes of Intsct657.shp			
	Tract	Acres	Total
0.3	05S46E9NENW	0.3	2
1.5	05S46E9NENW	1.5	1.8
	05S46E9SENE	1.1	
	05S46E9SENE	25.2	29.1
	05S46E9SENE	2.8	
3.1	05S46E9NWNE	3.1	3.1
	05S46E9SWNE	15.2	15.2
	05S46E9SENE	0.8	
	05S46E9SENE	2.0	3.6
	05S46E9SENE	0.5	
0.3	05S46E9NESE	0.3	
	05S46E9SWNE	5.0	
	05S46E9SWNE	23.7	34.9
	05S46E9SWNE	6.0	
	05S46E9SWNE	0.2	
2.9	05S46E9NWNE	2.9	2.9
	05S46E9NESW	4.8	
	05S46E9NESW	0.1	4.9
8.1	05S46E9NWSE	12.6	12.8
	05S46E9NWSE	0.2	
	05S46E9NESE	1.4	1.4
	05S46E9NESE	0.0	
			109.7
			109.7

8.1 acres are outside
the deed boundary



2-9-1989 Deed

same as 1918 deed.

PLEASE RETURN TO: GIM
HOLDEN, KIDWELL, MA. & CRAPO
P. O. Box 50130
Idaho Falls, ID 83405

36329

April 5, 1989
9:20 A.

Edly Jentz
6.00

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

THIS DEED, made by E. Scott Wolfley, as personal representative of the Estate of Fredrick Earl Wolfley, deceased, Grantor, to EARL SCOTT WOLFLEY, Grantee, a married man, as his sole and separate property (with the income thereon to be his sole and separate property), whose address is 3444 Leroy Drive, Idaho Falls, Idaho 83401.

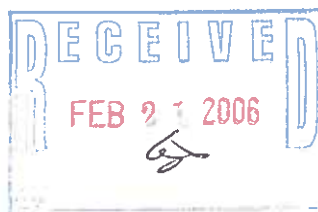
WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number 4122, in Caribou County, Idaho; and

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee a one-fourth (1/4) interest in and to the following described real property in Caribou County, Idaho:

Post 1
The Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and the South Half of the Northwest Quarter (S1/2 NW1/4) of Section 9, Twp. 5 South, Range 46 East of the Boise Meridian, and containing 120 acres of land, ALSO commencing at the Northeast corner of the Northwest Quarter of the Southeast Quarter of Section 9, and running thence SOUTH Thirty-two (32) rods; thence WEST One Hundred Twenty-three (123) rods; thence NORTH Thirty-two (32) rods; thence EAST One Hundred Twenty-three (123) rods to the place of beginning, containing 20.85 acres of land, more or less.

Also commencing at a point Seventy-one (71) rods West of the Southeast corner of the Northeast Quarter of said Section 9, and running thence NORTH Eighty (80) rods;



148.5
thence WEST Nine (9) rods; thence SOUTH Eighty (80) rods;
thence EAST Nine (9) rods to the place of beginning, and
containing 4-1/2 acres, more or less.

SENE
148.5
Also commencing Seventy-one (71) rods West of the
Southeast Corner of the Northeast Quarter of Section 9,
and running thence SOUTH Thirty-two (32) rods; thence WEST
Nine (9) rods; thence NORTH Thirty-two (32) rods; thence
East Nine (9) rods to the place of beginning, containing
1.80 acres, more or less.

Together with all appurtenances.

Executed this 9 day of February, 1989.

E. Scott Wolfley
Personal Representative of the
Estate of Fredrick Earl Wolfley,
deceased.

STATE OF IDAHO)
County of Bonneville) ss.

On the 9th day of February, in the year of 1989,
before me, the undersigned, a Notary Public, in and for the
State of Idaho, personally appeared E. Scott Wolfley, known
or identified to me to be the person whose name is subscribed
to the within instrument, as personal representative of the
estate of E. Scott Wolfley, and acknowledged to me that he
executed the same as such personal representative.

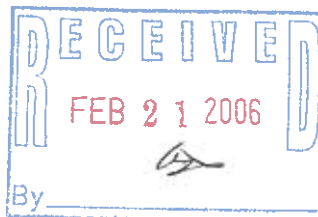
IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.

(seal)

Gary J. Meikle
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 12/13/91

4275.00/5873g

2 - DEED OF DISTRIBUTION



PLEASE RETURN TO: GL17
HOLDEN, KIDWELL, HAYN & CRAPO
P. O. Box 50130
Idaho Falls, ID 83405

36330

April 5, 1987
9:20 A.

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

Becky Jink
Chicald

THIS DEED, made by E. Scott Wolfley, as personal representative of the Estate of Fredrick Earl Wolfley, deceased, Grantor, to ALICE BARBER WOLFLEY, Grantee, a single woman, as her sole and separate property (with the income thereon to be her sole and separate property), whose address is 3444 Leroy Drive, Idaho Falls, Idaho 83401.

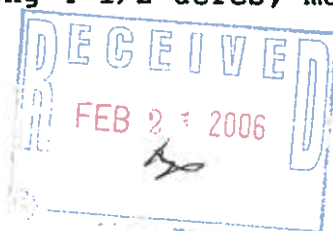
WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number 4122, in Caribou County, Idaho; and

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee a one-fourth (1/4) interest in and to the following described real property in Caribou County, Idaho:

The Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and the South Half of the Northwest Quarter (S1/2 NW1/4) of Section 9, Twp. 5 South, Range 46 East of the Boise Meridian, and containing 120 acres of land, ALSO commencing at the Northeast corner of the Northwest Quarter of the Southeast Quarter of Section 9, and running thence SOUTH Thirty-two (32) rods; thence WEST One Hundred Twenty-three (123) rods; thence NORTH Thirty-two (32) rods; thence EAST One Hundred Twenty-three (123) rods to the place of beginning, containing 20.85 acres of land, more or less.

Also commencing at a point Seventy-one (71) rods West of the Southeast corner of the Northeast Quarter of said Section 9, and running thence NORTH Eighty (80) rods; thence WEST Nine (9) rods; thence SOUTH Eighty (80) rods; thence EAST Nine (9) rods to the place of beginning, and containing 4-1/2 acres, more or less.



Also commencing Seventy-one (71) rods West of the
fourtheast Corner of the Northeast Quarter of Section 9,
and running thence SOUTH Thirty-two (32) rods; thence WEST
Nine (9) rods; thence NORTH Thirty-two (32) rods; thence
East Nine (9) rods to the place of beginning, containing
1.80 acres, more or less.

Together with all appurtenances.

Alice Barber Wolfley owns a one-half interest in said real
property. By virtue of this deed of distribution, a
three-fourths (3/4) interest in said real property is vested in
Alice Barber Wolfley.

Executed this 9 day of February, 1989.

E. Scott Wolfley
Personal Representative of the
Estate of Fredrick Earl Wolfley,
deceased.

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 9th day of February, in the year of 1989,
before me, the undersigned, a Notary Public, in and for the
State of Idaho, personally appeared E. Scott Wolfley, known
or identified to me to be the person whose name is subscribed
to the within instrument, as personal representative of the
estate of E. Scott Wolfley, and acknowledged to me that he
executed the same as such personal representative.

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)

Gary J. Mankie
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 12/13/91

4275.00/5874g

2 - DEED OF DISTRIBUTION



Date: June 28th 2000Time: 2:10 PM

Official Records

QUITCLAIM DEED

Recorder: Edie IzattDeputy: Terre StephensFee: 16.00 pd

THIS INDENTURE, made this 28th day of June, 2000, between EARL SCOTT WOLFLEY, a married man, dealing with his sole and separate property, the Grantor, hereinafter referred to as "Grantor," and L. SCOTT WOLFLEY, a single man, and GREGORY J. WOLFLEY, a married man, the Grantee, hereinafter referred to as "Grantee."

WITNESSETH: That said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America and other valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents does grant, bargain, sell and convey and confirm unto the said Grantee, as tenants in common and as the sole and separate property of each, and to Grantee's successors and assigns forever, all the certain lot, piece, or parcel of land situate, lying and being in the County of Caribou, State of Idaho, and more particularly bounded and described as follows, to-wit:

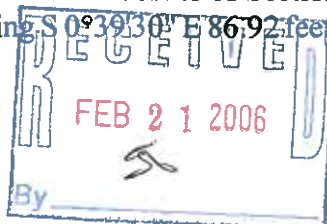
The Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) and the South Half of the Northwest Quarter (S1/2NW1/4) of Section 9, Township 5 South, Range 46 East of the Boise Meridian, and containing 120 acres of land, ALSO commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 9, and running thence South Thirty-two (32) rods; thence West One Hundred Twenty- three (123) rods; thence North Thirty-two (32) rods; thence East One Hundred Twenty-three (123) rods to the place of beginning, containing 20.85 acres of land, more or less.

Also commencing at a point Seventy-one (71) rods West of the Southeast Corner of the Northeast Quarter of said Section 9, and running thence North Eighty (80) rods; thence West Nine (9) rods; thence South Eighty (80) rods; thence East Nine (9) rods to the place of beginning, and containing 4-1/2 acres, more or less.

Also commencing Seventy-one (71) rods West of the Southeast Corner of the Northeast Quarter of Section 9, and running thence South Thirty-two (32) rods; thence West Nine (9) rods; thence North Thirty-two (32) rods; thence East Nine (9) rods to the place of beginning, containing 1.80 acres, more or less.

EXCEPTING THEREFROM a parcel in the SW1/4NE1/4 of Section 9 Township 5 South, Range 46 East, B.M., Caribou County, Idaho:

Beginning at a point which is approximately 152 feet West and 370 feet South of the Northeast corner of the SW1/4NE1/4 of Section 9, Township 5 South, Range 46 East, B.M., said point being S 12°01'44" W 7096.42 feet from an Aluminum Cap Monument marking the Northwest Corner of Section 3, Township 5 South, Range 46 East, B. M.; thence running S 0°39'30" E 86.92 feet; thence S 89°37'20" W 132.62



feet; thence N 0°39'30" W 86.92 feet; thence N 89°37'20" E 132.62 feet to the point of beginning and containing 0.26 acres.

SUBJECT TO an easement of ingress and egress over the existing roadway for the benefit of the above-described parcel in the SW1/4NE1/4 of Section 9 Township 5 South, Range 46 East, B.M., Caribou County, Idaho.

AND SUBJECT TO a lease agreement with Fred Brog for the year 2000, and TOGETHER WITH the income, rents and profits from said lease agreement.

AND SUBJECT TO all public easements, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with the appurtenances, unto Grantee, and to Grantee's successors and assigns forever.

THE REAL ESTATE described herein is transferred to the Grantee as tenants in common and as their sole and separate property and the income, rents and profits thereon shall remain the sole and separate property of the Grantee.

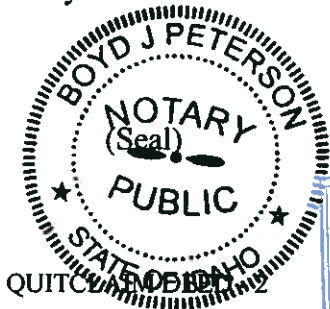
IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal the day and year first above written.


Earl Scott Wolfley

STATE OF IDAHO)
: ss.
County of Bonneville)

ON THIS 28th day of June, 2000, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Earl Scott Wolfley, known to me to be the person whose name is subscribed to the foregoing document, 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 first above written.




Notary Public for Idaho
Residing at: Firth, Idaho
My commission expires: 8/27/2002

108693

STATE OF IDAHO

County of Caribou

Date: MARCH 25, 1999Time: 9:35 A.M.

Official Records

Recorder: Edie Izatt

Deputy: Sandra HawleyFee: 6.00**QUITCLAIM DEED**THIS INDENTURE, made this 29 day of September, 1997, between

ALICE BARBER WOLFLEY, a single woman, the Grantor,
hereinafter referred to as "Grantor,"
and
L. SCOTT WOLFLEY, a single man, and
GREGORY J. WOLFLEY, a married man, hereinafter collectively
referred to as "Grantee."

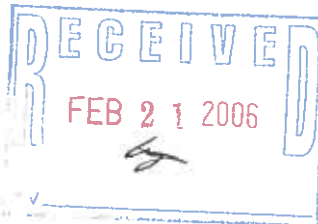
WITNESSETH:

That said Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America and other valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and by these presents does grant, bargain, sell, and convey and confirm unto the said Grantee, as tenants in common and as the sole and separate property of each, and to Grantee's successors and assigns forever, the Grantor's 3/4 interest in the following described real estate situate in Caribou County, State of Idaho, to-wit:

A parcel in the SW1/4NE1/4 of Section 9 Township 5 South, Range 46 East, B.M., Caribou County, Idaho:

Beginning at a point which is approximately 152 feet West and 370 feet South of the Northeast corner of the SW1/4NE1/4 of Section 9, Township 5 South, Range 46 East, B.M., said point being S 12°01'44" W 7096.42 feet from an Aluminum Cap Monument marking the Northwest Corner of Section 3, Township 5 South, Range 46 East, B. M.; thence running S 0°39'30" E 86.92 feet; thence S 89°37'20" W 132.62 feet; thence N 0°39'30" W 86.92 feet; thence N 89°37'20" E 132.62 feet to the point of beginning and containing 0.26 acres.

SUBJECT TO all public easements, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments.



TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anyway appertaining, including all water, water rights, ditch and ditch rights, and the reversions, remainder and remainders, and 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 Seller.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with the appurtenances, unto Grantee, and to Grantee's successors and assigns forever.

THE REAL ESTATE described herein is transferred to the Grantee as their sole and separate property and the income, rents, and profits thereon shall remain the sole and separate property of the Grantee.

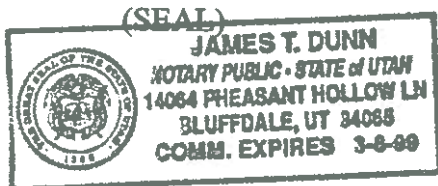
IN WITNESS WHEREOF, Grantor has hereunto set her hand and seal the day and year first above written.

Alice Barber Wolfley
ALICE BARBER WOLFLEY

STATE OF UTAH)
) ss
County of)

ON THIS 29 day of September, 1997, before me, the undersigned, a Notary Public in and for the State of Utah, personally appeared **Alice Barber Wolfley**, known or identified to me to be the person whose name is subscribed to the foregoing document, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year first above written.




Notary Public for Utah
Residing at: 911 County, Utah
Commission expires: 3-8-99



STATE DEPARTMENT OF NOTICE OF CHANGE IN

Please print or type. Attach pages with additional information if necessary.
Incomplete

1. Please list the water right number(s) and/or adjudication claim number if there is no correlative right in the space provided (under the "split" right in which case division of the existing water right is required. List the number(s) of a water right.

Water Right No(s).	Adjudication Claim No(s).	Split
	24-10029	

RECEIVED
FEB 21 2006
CINDY,
HERE IS OUR CHANGE IN OWNERSHIP FORM, WITH THE DEEDS I WAS MISSING WHEN I VISITED WITH YOU IN YOUR OFFICE IN DECEMBER. I WILL CALL NEXT WEEK TO SET UP AN APPOINTMENT WITH YOU TO REVIEW OUR PAPERWORK ON FEBRUARY 27TH (TO BE SURE YOU HAVE EVERYTHING)
THANKS - SCOTT WOLFLEY
SCOTT WOLFLEY

changed. List
Indicate, by
1 of a water

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Alice or Earl Scott Wolfley
3444 E LeRoy Dr. Idaho Falls, ID

4. New Owner/Claimant(s)

L. SCOTT WOLFLEY and GREGORY J. WOLFLEY
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

8346 W. EASTMAN PL.

City, State and ZIP Code

LAKEWOOD, COLORADO 80227

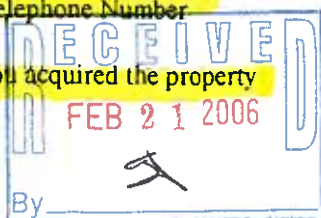
New Telephone Number

(303) 980-8114 Home

5. Date you acquired the property

JUNE 28, 2000 (LAND)

SEPTEMBER 29, 1997 (HOUSE AND LAND IMMEDIATELY SURROUNDING HOUSE)



Payne, Barbara

To: Williams, Ray
Cc: Spencer, Nick
Subject: 24-10029

FYI
Claimant is Alice Wolfley and Earl Scott Wolfley. We believe this to be the mother and a son.
Accessor's records indicates the current owner is Gregory J. Wolfley, et al. We believe this to be 3 or 4 sons of Alices.
12/20/2004. A letter to Gregory was sent asking for a change in ownership and evidence of priority. No response.
5/31/2005. A second letter sent to Gregory asking for change in ownership and evidence of priority.
6/28/2005. Earl Scott called concerning the change in ownership.
6/28/2005. Letter sent to Earl Scott concerning change in ownership. No response.
9/2005. Bryce Contor conducted a field exam.
The attached timeline list the documents we have in the file partially supporting the claim.

This claim is being disallowed for lack of evidence and no respond for the change in ownership.

Barbara :-}

Timeline 24-10029

- 2/9/1989 Deed of Distribution of Estate of Fredrick ;E. Wolfley to Earl Scott Wolfley
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres
T5S, R46E, Sec. 9, NWSE, part, 20.85 acres
T5S, R46E, Sec. 9, NE, part 4 ½ acres
T5S, R46E, Sec. 9, NE, part 1.8 acres
Recorded #136329
- 2/9/1989 Deed of Distribution of Estate of Fredrick Earl Wolfley to Alice Barber Wolfley
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres
T5S, R46E, Sec. 9, NWSE, part 20.85 acres
T5S, R46E, Sec. 9, NE, part 4 ½ acres
T5S, R46E, Sec. 9, NE, part 1.8 acres
Recorded #136330
- 9/29/1997 Quitclaim Deed, Alice Barber Wolfley to L. Scott and Gregory J. Wolfley
T5S, R46E, Sec. 9, SWNE, part, 0.26 acres
Recorded #158693
- 6/28/2000 Quitclaim Deed, Earl Scott Wolfley to Scott Wolfley and Gregory Wolfley
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres
T5S, R46E, Sec. 9, NWSE, part, 20.85 acres
T5S, R46E, Sec. 9, NE, part 4 ½ acres
T5S, R46E, Sec. 9, NE, part 1.8 acres
Except parcel in SWNE, .26 acres
Recorded #161686

DEED LINEAGE FOR 24-10029

Dates	Description	Acres Claimed
Patents to Clark (2), 4/18/1905	Patent, USA to Arthur R. Clark T5S, R46E, Sec. 9, <u>E1/2SE</u> T5S, R46E, Sec.10, <u>W1/2SW</u> , 160 acres Recorded Book 5 of Patents, page 135.	2 acres
6/30/1905	Patent, USA to Daniel J. Clark T5S, R46E, Sec. 9, <u>NESW, W1/2SE</u> T5S, R46E, Sec. 16, <u>NWNE</u> , 160 acres Recorded Book 5 of Patents, page 153.	21. 18 acres SW SE Ø
Clark (s) to Nelson 7/1/1905	Warranty Deed, Daniel J & Mary A. Clark to Inger C. Nelson T5S R46E, Sec. 9, <u>NESW, NWSE</u> , part, 24.5 acres Recorded Book 19 of Deeds, page 549	21 acres
7/26/1909	Warranty Deed, Arthur & Ida Clark to Inger Nelson T5S, R46E, Sec. 9, <u>NESE</u> , part 1.8 acres Recorded Book 19 of Deeds, page 548.	2 acres
Patent to Nelson 9/1/1910	Patent, USA to Inger C. Nelson T5S, R46E, Sec. 9, <u>SWNE, S1/2NW</u> , 120 acres Recorded Book 9 of Patents, page 41.	87 acres
Nelson to Haderlie 5/13/1916	Warranty Deed, Inger C. Nelson, a widow to John J. Haderlie T5S, R46E, Sec. 9, <u>SWNE, S1/2NW</u> , 120 acres T5S, R46E, Sec. 9, <u>NESW, NWSE</u> , 24.5 acres T5S, R46E, Sec. 9, <u>NESE</u> , part 1.8 acres T5S, R46#, Sec. 9, <u>SENE</u> , part 4.5 acres All water rights and ditches Recorded Book 30 of Deeds, page 400.	87 acres 21 acres 2 acres
John Haderlie to John Nelson 6/10/1916	Deed, John & Martha Haderlie to John Nelson T5S, R46E, Sec. 9, <u>SWNE, S1/2NW</u> , 120 acres T5S, R46E, Sec. 9, <u>NESW, NWSE</u> , 24.5 acres All water rights, ditches and canals	87 acres 21 acres

Recorded Book 32 of Deeds, page 486

6/10/1916

Deed, John & Martha Haderlie to John T. Nelson

T5S, R46E, Sec. 9, SENE, part 4.5 acres

T5S, R46E, Sec. 9, NESE, part 1.8 acres

2 acres

All water rights, ditches and canals

Recorded Book 32 of Deeds, page 487

~~NOTE: HADERLIE DID NOT SELL THE 2 ACRE PIECE TO JOHN NELSON. IF HE DID THEN A DEED HAS NOT BEEN FURNISHED.~~

John Nelson to Hyrum Aller

6/2/1917

Warranty Deed, John & Imo Nelson to Hyrum Aller

T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres

87 acres

T5S, R46E, Sec. 9, NESW, NWSE, 24.5 acres

21 acres

T5S, R46E, Sec. 9, SENE, part 4.5 acres

T5S, R46E, Sec. 9, NESE, part 1.8 acres

2 ac

Recorded Book 5 of Deeds, page 289

Hyrum Aller to Frederick Wolfley

2/16/1927

Warranty Deed, Hyrum & Eliza Aller to

Frederick & Alice Wolfley

T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 ac

87 acres

T5S, R46E, Sec. 9, NESW, NWSE, part, 20.55 ac

21 acres

T5S, R46E, Sec. 9, SENE, part 4.5 acres

T5S, R46E, Sec. 9, NESE, part 1.8 acres

2 ac

Total of 147.15 acres

Recorded Book 77 of Deeds, page 9.

No deeds furnished from Frederick & Alice Wolfley to Gregory J. Wolfley, et al

1/2
↓
Earl Scott Wolfley

↓
Gregory, Mark, Scott.

Payne, Barbara

To: Bryce Contor (E-mail)
Subject: 24-10029

resent 1-3-06

9:44am

Hi Bryce,

I am working on the shape for the Alice Wolfley claim. You GPSed 5 POD. I can't tell for sure which ones are the actual PODs. If waypoint 67 and 68 are the actual PODs, how do they deliver the water to the claimed acres?

You also created a shape designated as "historical" but the file doesn't contain any notes to support this theory. What does this shape really represent?

Thanks for clarifying these points.

Barbara :-}

resent 1-25-06/BP

24-10029

	Trsq	Acres
	05S46E9NWN	2.9
	05S46E9SWNE	6.0
	05S46E9SWNE	23.7
A	05S46E9SENE	0.8
	05S46E9SWNE	5.0
	05S46E9SENE	2.0
	05S46E9NENE	0.3
	05S46E9SENE	0.5
	05S46E9SWNE	0.2
B	05S46E9NESW	4.8
	05S46E9NESW	0.1
	05S46E9NESE	1.4
B	05S46E9NWSE	12.6
	05S46E9NESE	0.0
	05S46E9NWSE	0.2
	05S46E9SENW	1.1
A	05S46E9NENW	0.3
	05S46E9NWNW	3.1
	05S46E9SENW	25.2
	05S46E9SWNW	15.2
	05S46E9NENW	1.5
	05S46E9SENW	2.8

41.4

4.9

14.2

49.2

109.7

6.0
24.0
5
35-

1.5
2.8

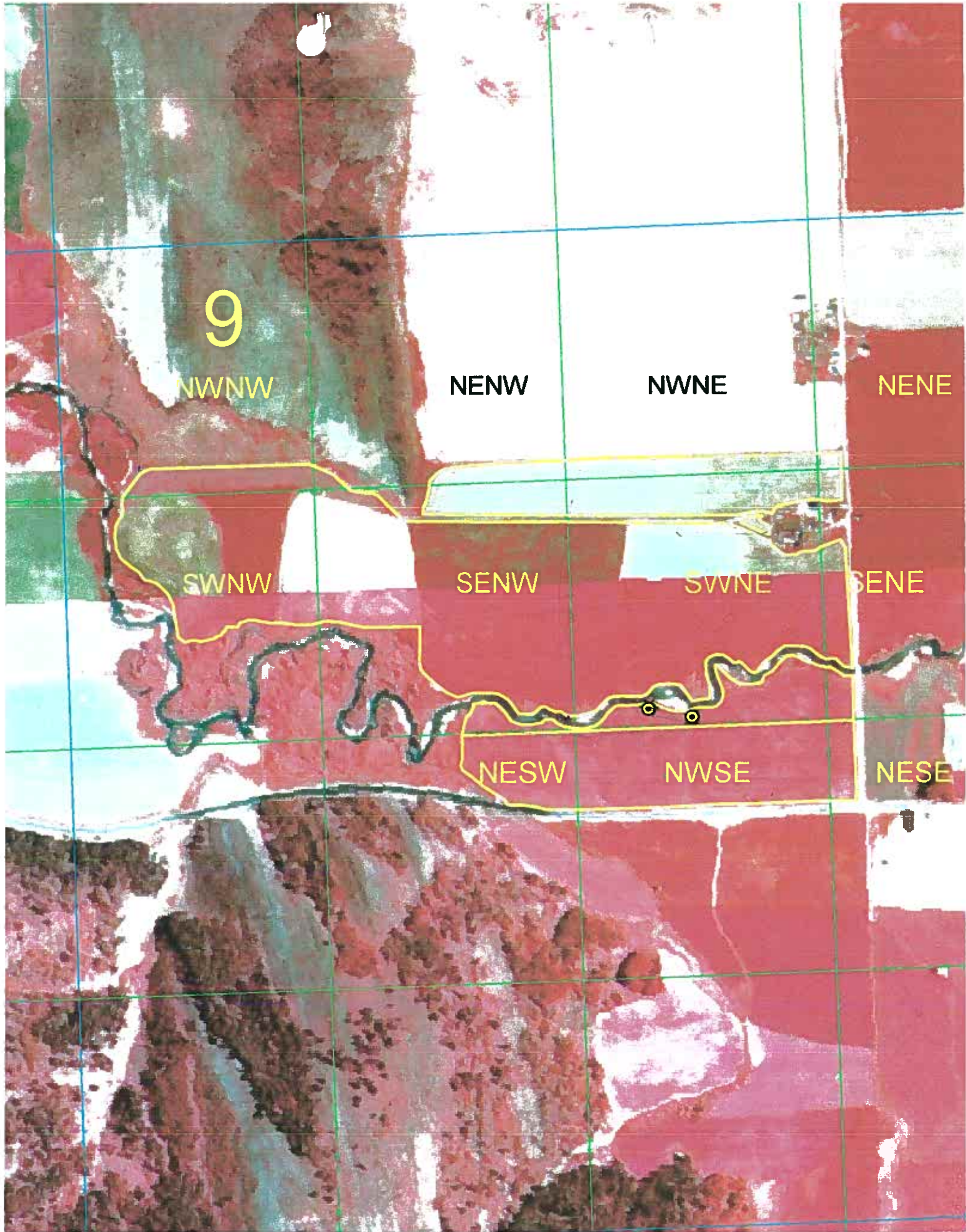
A 90.9

B 18.8

109.7

tributes of 24-10029pod_gps.shp

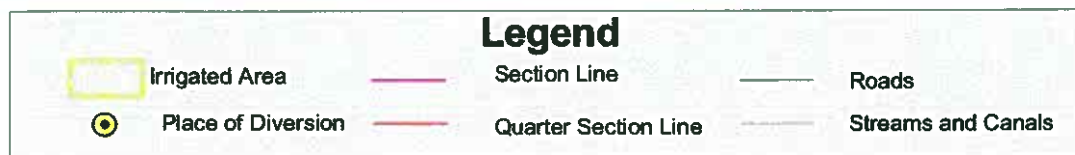
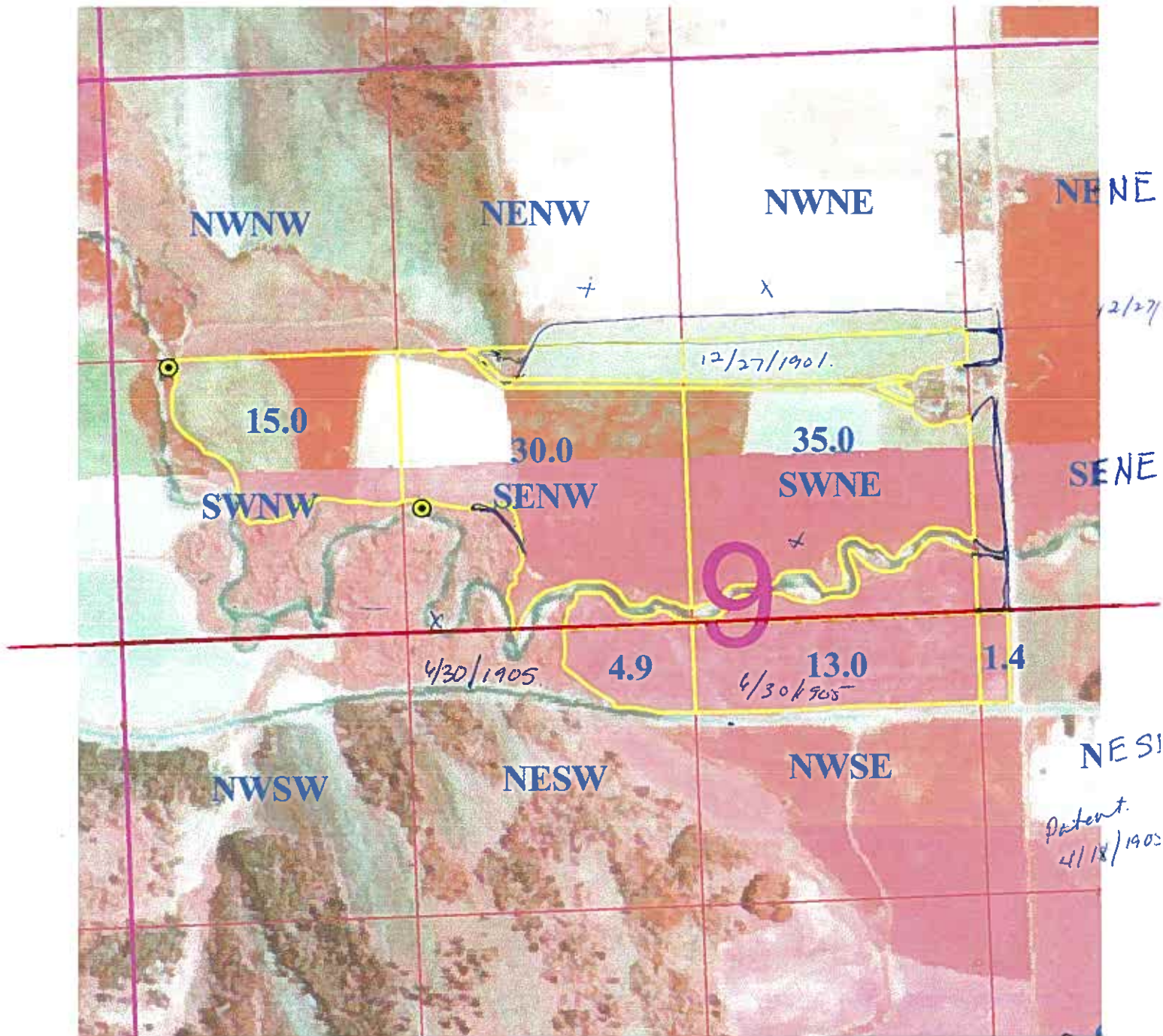
<i>Type</i>	<i>Lat</i>	<i>Lon</i>	<i>Claim</i>	<i>Notes</i>	<i>Feature</i>
67	808333	793333	A24-10029	portable pump site for N side of creek	POD
68	795000	710000	A24-10029	portable pump site for S side of creek	POD
70	256667	755000	A24-10029	possible location for original dam & diversion off creek	POD
71	280000	513333	A24-10029	possible location for original dam & diversion off creek	POD
72	280000	223333	A24-10029	possible location for original dam & diversion off creek	POD



10/20/24

Water Right Claim Number 24-10029
Township , 5S46E

05/02/2001



500 0 500 1000 Feet



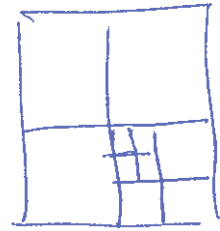
 SPATIAL
DYNAMICS

Township 5 S, Range 46 E, Section 9



NE NW SE.

S



1994



2004.

A24-10029 acres by QQ, current irrigation.

T,R	S	QQ	Q	Acres
05S46E	9	NE	NE	0.2
05S46E	9	NW	NE	3.0
05S46E	9	SW	NE	35
05S46E	9	SE	NE	3.0
05S46E	9	NE	NW	2.0
05S46E	9	NW	NW	3.5
05S46E	9	SW	NW	15
05S46E	9	SE	NW	31
05S46E	9	NE	SW	4.4
05S46E	9	NE	SE	1.4
05S46E	9	NW	SE	13
Section Total				111.5

Based on approximate historical POU I propose recommending 95 acres of irrigation within the PPU described above. I propose this rather than an enlargement because since conversion to sprinklers in the mid 1980s, it appears that not all the farm has been irrigated in every year.

Bac 5 Sept 05

POU printout

05S46

A24-10029 Current (Yellow)
and Historical (Dark Green Outline)
Place of Use

05S46E9SWNW

05S46E9SENW

05S46E9SWNE

05S46E9NW/SW

05S46E9NESW

05S46E9NW/SE

05S4

05

05S4

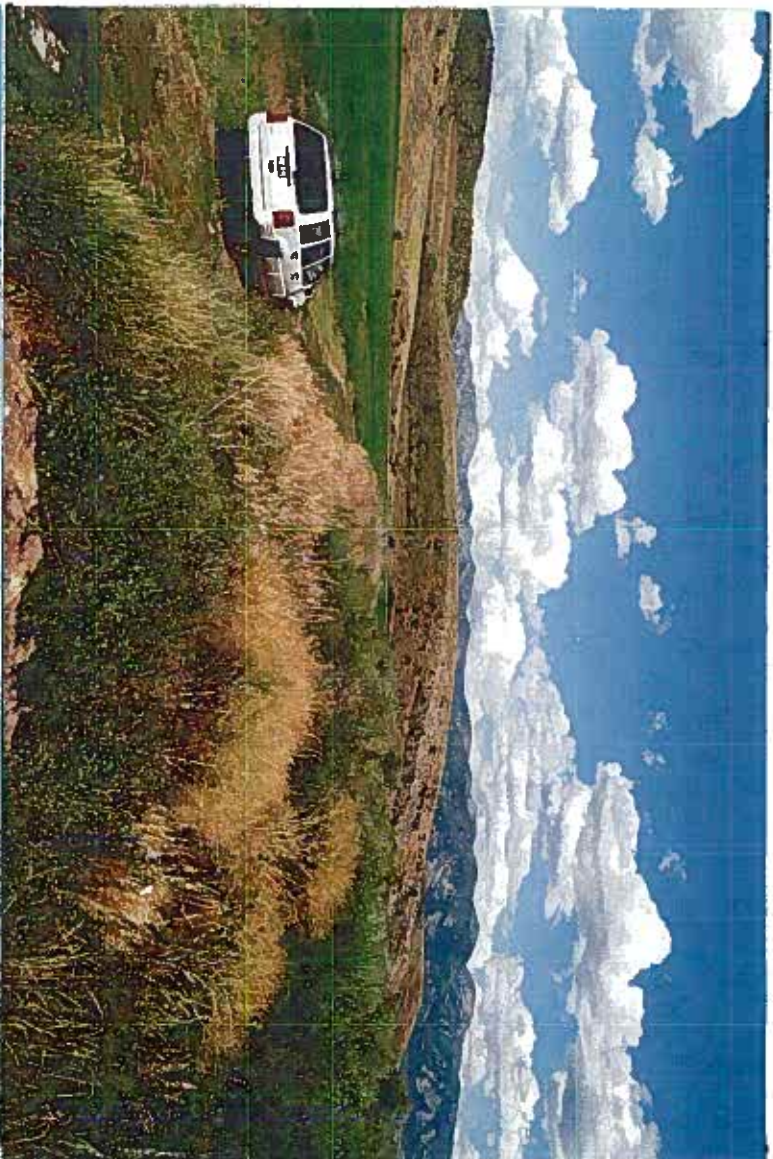
05S4

Waypoint	Lat_dd	Lon_dd	Claim	Sitetag	Feature	Instrument	Collected	Notes
67	42.99808333	-111.0679333	A24-10029	none	POD	Garmin Geko 201	B. Contor	portable pump site for N side of creek
68	42.99795	-111.0671	A24-10029	none	POD	Garmin Geko 201	B. Contor	portable pump site for S side of creek
70	43.00256667	-111.08755	A24-10029	none	POD	Garmin Geko 201	B. Contor	possible location for original dam & diversion off creek
71	43.0028	-111.0851333	A24-10029	none	POD	Garmin Geko 201	B. Contor	possible location for original dam & diversion off creek
72	43.0028	-111.0822333	A24-10029	none	POD	Garmin Geko 201	B. Contor	possible location for original dam & diversion off creek

X X X

GPS locations

A24-10029



Western-most possible
site for original POD.
looking E along what
may have been a ditch.
See POD discussion,
Waypoint 70



Looking over bank @
Western-most possible site.

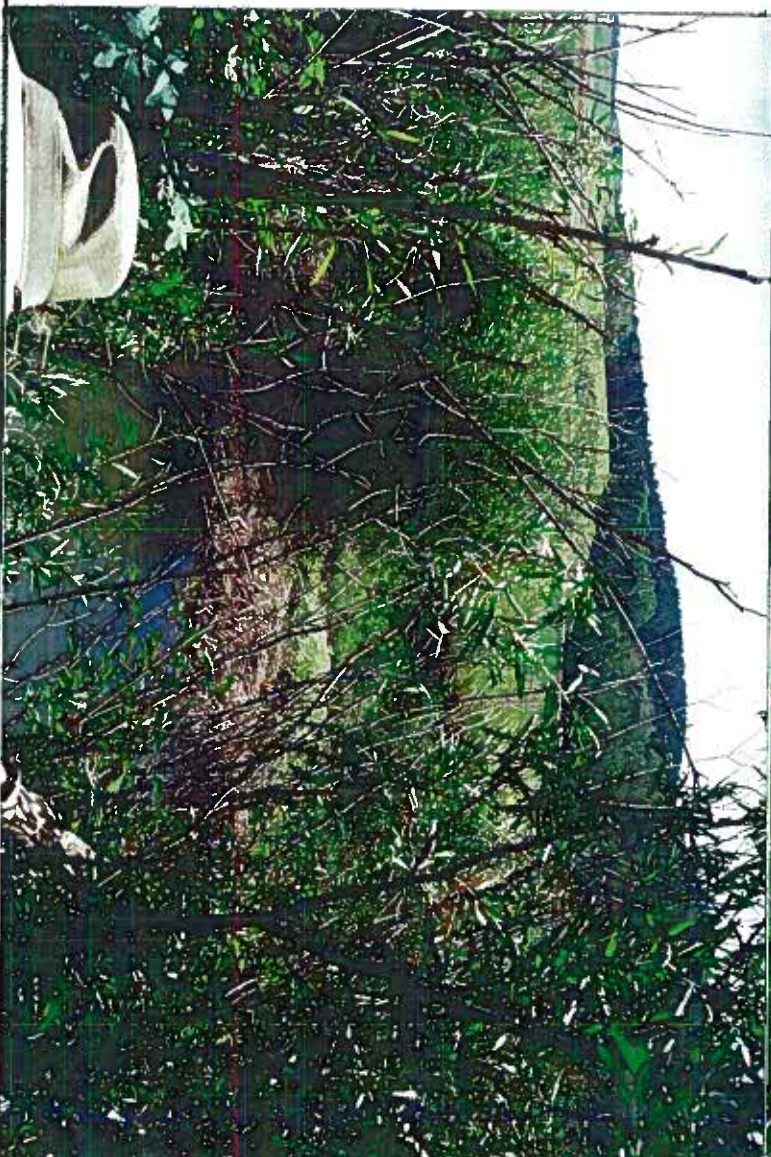
A24-10029

POD for N side of
Creek, Waypoint 67



POD for S side of
Creek (looking S from
N bank), Waypoint 68

Bac



A24-10029

Second possible site
of original P.O.,
Waypoint 71



3rd possible site of
original P.O., Waypoint 72
From aerial photo I
believe this is most
likely the original P.O.
Site





A24-4076, 4077, 10029
 Fred Brey Diesel pump
 used at various PDD as
 needed. This photo
 taken @ A24-4006

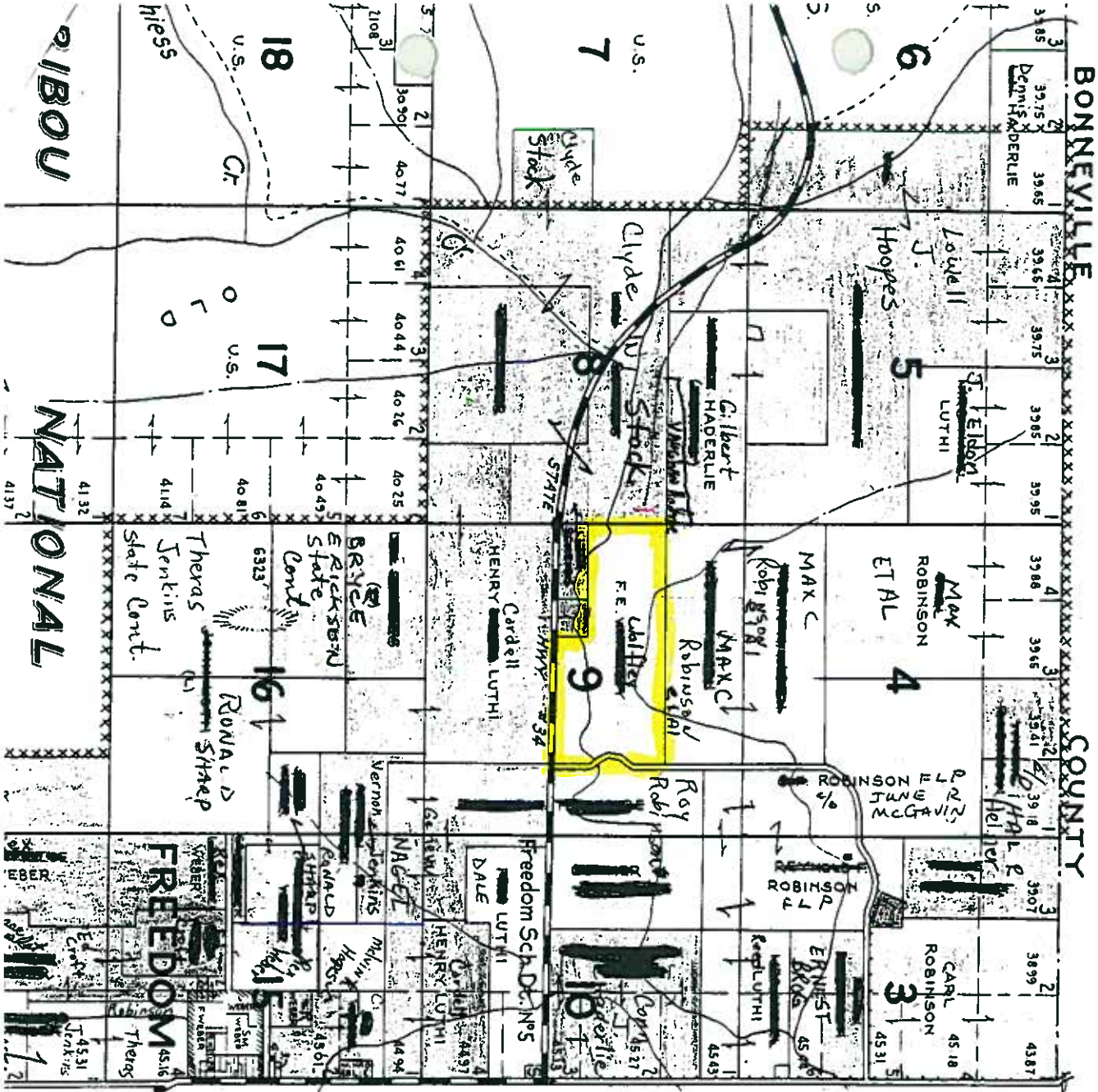
Bae

N. 1 MILE

FOR SALE BY
HAS. F. METSKER
1000 N. STREET, PORTLAND, OREGON
1000 N. STREET, TACOMA, WASHINGTON
1000 N. STREET, SEATTLE, WASHINGTON

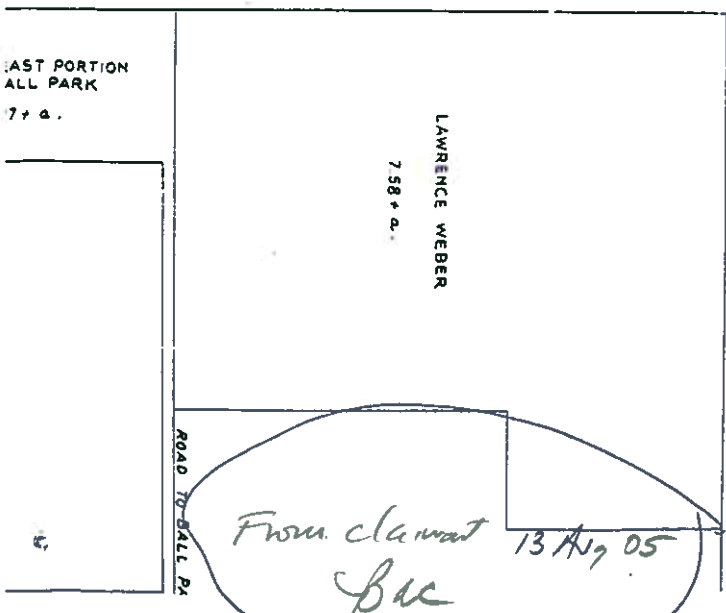
TOWNSHIP 5 S. RANGE 46 E. B. M.

CARIBOU COUNTY, IDAHO



*Charlie Haderlie
Son Gilbert Haderlie
Son John Haderlie
Son Morris Haderlie
Kwelle J. Hoopes*

GOVT. LOT 3. SEI
- TOWN



24-10029 TIMELINE
Claimed Priority Date 10/7/1901

9/28/1901 Notice of Water Right (Posted Notice), Soren & Inger Nelson
POD: T5S,R46E, Sec. 9, NWNW, diverted by canal thru $\frac{3}{4}$
mile long channel
Agricultural purposes on homestead
POU: T5S, R46E, Sec. 9, NENW, NWNE, S1/2NW, SWNE
POU: T5S, R46E, Sec. 4, SESW, SWSE
Water used for 11 years
Recorded Book 2 of Water Locations, page 109.

12/27/1901 Receivers Receipt, George B. Rogers Receiver to Walter R.
Barber
T5S, R46E, Sec. 3, Lots 5, 6 and SW
T5S, R46E, Sec. 4, E1/2SE
T5S, R46E, Sec. 9, E1/2NE
T5S, R46E, Sec. 10, Lots 1, 2 and NW, 661.45 ac
Relinquishment 4/26/1902 for Sec. 4, NESE.
Recorded Book 12 of Deeds, page 438.

8/30/1902 Warranty Deed, Walter R & Clara Barber to Inger C. Nelson
T5S, R46E, Sec. 9, SENE, part 4.5 acres
Recorded Book 17 of Deeds, Page 564.

10/10/1902 Patent, USA to Walter R. Barber
T5S, R46E, Sec.3, Lots 5, 6, SW
T5S, R46E, Sec. 4, SESE
T5S, R46E, Sec. 9, E1/2NE
T5S, R46E, Sec. 10, Lots 1, 2, NW, 621.45 acres
Recorded Book of Patents

4/18/1905 Patent, USA to Arthur R. Clark
T5S, R46E, Sec. 9, E1/2SE
T5S, R46E, Sec.10, W1/2SW, 160 acres
Recorded Book 5 of Patents, page 135.

6/30/1905 Patent, USA to Daniel J. Clark
T5S, R46E, Sec. 9, NESW, W1/2SE
T5S, R46E, Sec. 16, NWNE, 160 acres
Recorded Book 5 of Patents, page 153.

7/1/1905 Warranty Deed, Daniel J & Mary A. Clark to Inger C. Nelson
T5S R46E, Sec. 9, NESW, NWSE, part, 24.5 acres
Recorded Book 19 of Deeds, page 549

7/26/1909	Warranty Deed, Arthur & Ida Clark to Inger Nelson T5S, R46E, Sec. 9, NESE, part 1.8 acres Recorded Book 19 of Deeds, page 548.
9/1/1910	Patent, USA to Inger C. Nelson T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres Recorded Book 9 of Patents, page 41.
5/13/1916	Warranty Deed, Inger C. Nelson, a widow to John J. Haderlie T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres T5S, R46E, Sec. 9, NESW, NWSE, 24.5 acres T5S, R46E, Sec. 9, NESE, part 1.8 acres T5S, R46#, Sec. 9, SENE, part 4.5 acres All water rights and ditches Recorded Book 30 of Deeds, page 400.
6/10/1916	Deed, John & Martha Haderlie to John Nelson T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres T5S, R46E, Sec. 9, NESW, NWSE, 24.5 acres All water rights, ditches and canals Recorded Book 32 of Deeds, page 486
6/10/1916	Deed, John & Martha Haderlie to John T. Nelson T5S, R46#, Sec. 9, SENE, part 4.5 acres T5S, R46E, Sec. 9, NESE, part 1.8 acres All water rights, ditches and canals Recorded Book 32 of Deeds, page 487
10/6/1916	Mortgage, John & Imo Nelson to Union Central Life Insurance Company. Skipped details.
1/9/1917	Discharge of Mortgage dated 10/6/1916 Skipped details.
6/2/1917	Warranty Deed, John & Imo Nelson to Hyrum Aller T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres T5S, R46E, Sec. 9, NESW, NWSE, 24.5 acres T5S, R46#, Sec. 9, SENE, part 4.5 acres T5S, R46E, Sec. 9, NESE, part 1.8 acres Recorded Book 5 of Deeds, page 289
10/2/1918	Mortgage, Hyrum & Eliza Aller to W. R. Barber T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 ac T5S, R46E, Sec. 9, NESW, NWSE, part, 24.5 ac T5S, R46E, Sec. 9, SENW, part, 4.5 ac INCORRECT

T5S, R46E, Sec. 9, NESW, part 1.8 ac INCORRECT
Recorded Book 30 of Mortgages, page 245.

2/12/1927 Release of Mortgage, to W.R. Barber by Hyrum & Eliza Aller
Mortgage filed 10/17/1918. Book 30, page 245.

2/16/1927 Warranty Deed, Hyrum & Eliza Aller to Frederick & Alice
Wolfley
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 ac
T5S, R46E, Sec. 9, NESW, NWSE, part, 20.55 acres
T5S, R46E, Sec. 9, SENE, part 4.5 acres
T5S, R46E, Sec. 9, NESE, part 1.8 acres
Total of 147.15 acres
Recorded Book 7 of Deeds, page 9.

3/7/1927 Warranty Deed, Hyrum & Eliza Aller to Frederick & Alice
Wolfley
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 ac
T5S, R46E, Sec. 9, NESW, NWSE, part, 20.85 acres
T5S, R46E, Sec. 9, SENE, part 4.5 acres
T5S, R46E, Sec. 9, NESE, part 1.8 acres
Total of 147.15 acres
Recorded Book 7 of Deeds, page 9.

12/7/1994 Affidavit of Gilbert Haderlie
Lived in Caribou County since birth 1/10/1907
Neighbor to Wolfley's
Acquired Haderlie property in 1930
Tincup Creek tributary to Salt River runs through Wolfley
property
In 1927 diversion works were in place

2/1/2006 Caribou County Assessor's Office Property Description Card
Owner: Gregory J. Wolfley, et al
3444 East Leroy Drive
Idaho Falls, ID 83406
T9S, R46E, Sec. 9, TR4, 142 ac less 26 acres

24-10029 TIMELINE

Claimed Priority Date 10/7/1901

9/28/1901

Notice of Water Right (Posted Notice), Soren & Inger Nelson
 POD: T5S, R46E, Sec. 9, NWNW, diverted by canal thru $\frac{3}{4}$ mile long channel
 Agricultural purposes on homestead
 POU: T5S, R46E, Sec. 9, ¹⁵ ⁴⁶ NENW, NWNE, S1/2NW, SWNE
 POU: T5S, R46E, Sec. 4, SESW, SWSE
 Water used for 11 years
 Recorded Book 2 of Water Locations, page 109.

12/27/1901

Receivers Receipt, George B. Rogers Receiver to Walter R. Barber
 T5S, R46E, Sec. 3, Lots 5, 6 and SW
 T5S, R46E, Sec. 4, E1/2SE
 T5S, R46E, Sec. 9, E1/2NE
 T5S, R46E, Sec. 10, Lots 1, 2 and NW, 661.45 ac
 Relinquishment 4/26/1902 for Sec. 4, NESE.
 Recorded Book 12 of Deeds, page 438.

8/30/1902

Warranty Deed, Walter R & Clara Barber to Inger C. Nelson
T5S, R46E, Sec. 9, SENE, part 4.5 acres
Recorded Book 17 of Deeds, Page 564.

10/10/1902

Patent, USA to Walter R. Barber
T5S, R46E, Sec.3, Lots 5, 6, SW
T5S, R46E, Sec. 4, SESE
T5S, R46E, Sec. 9, E1/2NE
T5S, R46E, Sec. 10, Lots 1, 2, NW, 621.45 acres
Recorded Book of Patents

4/18/1905

Patent, USA to Arthur R. Clark

T5S, R46E, Sec. 9, E1/2SE
T5S, R46E, Sec. 10, W1/2SW, 160 acres
Recorded Book 5 of Patents, page 135.

2 ac

6/30/1905

Patent, USA to Daniel J. Clark
T5S, R46E, Sec. 9, NESW, W1/2SE —
T5S, R46E, Sec. 16, NWNE, 160 acres
Recorded Book 5 of Patents, page 153.

2 + 16 = 18 ac

7/1/1905

Warranty Deed, Daniel J & Mary A. Clark to Inger C. Nelson
T5S R46E, Sec. 9, NESW, NWSE, part, 24.5 acres
Recorded Book 19 of Deeds, page 549

5 + 16 = 21 ac

7/26/1909

Warranty Deed, Arthur & Ida Clark to Inger Nelson
T5S, R46E, Sec. 9, NESE, part 1.8 acres
Recorded Book 19 of Deeds, page 548.

2 ac.

9/1/1910

Patent, USA to Inger C. Nelson
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres
Recorded Book 9 of Patents, page 41.

40 + 15 + 32 = 87 ac

5/13/1916

Warranty Deed, Inger C. Nelson, a widow to John J. Haderlie
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres
T5S, R46E, Sec. 9, NESW, NWSE, 24.5 acres
T5S, R46E, Sec. 9, NESE, part 1.8 acres
T5S, R46#, Sec. 9, SENE, part 4.5 acres
All water rights and ditches
Recorded Book 30 of Deeds, page 400.

40 + 15 + 32 = 87 ac
5 + 16 = 21 ac
2 ac

6/10/1916

Deed, John & Martha Haderlie to John Nelson
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres

40 + 15 + 32 = 87 ac

$$5 + 16 = 21 \text{ ac}$$

T5S, R46E, Sec. 9, NESW, NWSE, 24.5 acres
All water rights, ditches and canals
Recorded Book 32 of Deeds, page 486

6/10/1916

Deed, John & Martha Haderlie to John T. Nelson
T5S, R46E, Sec. 9, SENE, part 4.5 acres —0
T5S, R46E, Sec. 9, NESE, part 1.8 acres —
All water rights, ditches and canals
Recorded Book 32 of Deeds, page 487

$$2 \text{ ac.}$$

10/6/1916

Mortgage, John & Imo Nelson to Union Central Life Insurance Company.
Skipped details.

1/9/1917

Discharge of Mortgage dated 10/6/1916
Skipped details.

6/2/1917

Warranty Deed, John & Imo Nelson to Hyrum Aller
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 acres
T5S, R46E, Sec. 9, NESW, NWSE, 24.5 acres
T5S, R46E, Sec. 9, SENE, part 4.5 acres
T5S, R46E, Sec. 9, NESE, part 1.8 acres
Recorded Book 5 of Deeds, page 289

$$40 + 15 + 32 = 87 \text{ ac}$$

$$5 + 16 = 21 \text{ ac}$$

10/2/1918

Mortgage, Hyrum & Eliza Aller to W. R. Barber
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 ac
T5S, R46E, Sec. 9, NESW, NWSE, part, 24.5 ac
T5S, R46E, Sec. 9, SENE, part, 4.5 ac INCORRECT
T5S, R46E, Sec. 9, NESW, part 1.8 ac INCORRECT
Recorded Book 30 of Mortgages, page 245.

$$40 + 15 + 32 = 87 \text{ ac}$$

$$5 + 16 = 21 \text{ ac}$$

2/12/1927

Release of Mortgage, to W.R. Barber by Hyrum & Eliza Aller
Mortgage filed 10/17/1918. Book 30, page 245.

2/16/1927

Warranty Deed, Hyrum & Eliza Aller to Frederick & Alice Wolfley
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 ac
T5S, R46E, Sec. 9, NESW, NWSE, part, 20.55 acres
T5S, R46E, Sec. 9, SENE, part 4.5 acres
T5S, R46E, Sec. 9, NESE, part 1.8 acres
Total of 147.15 acres
Recorded Book 77 of Deeds, page 9.

$40 \pm 15 \pm 32 = 87 \text{ ac}$
 $5 \pm 16 = 21 \text{ ac}$

3/7/1927

Warranty Deed, Hyrum & Eliza Aller to Frederick & Alice Wolfley
T5S, R46E, Sec. 9, SWNE, S1/2NW, 120 ac
T5S, R46E, Sec. 9, NESW, NWSE, part, 20.85 acres
T5S, R46E, Sec. 9, SENE, part 4.5 acres
T5S, R46E, Sec. 9, NESE, part 1.8 acres
Total of 147.15 acres
Recorded Book 7 of Deeds, page 9.

$40 \pm 15 \pm 32 = 87 \text{ ac}$
 $5 \pm 16 = 21 \text{ ac}$

12/7/1994

Affidavit of Gilbert Haderlie
Lived in Caribou County since birth 1/10/1907
Neighbor to Wolfley's
Acquired Haderlie property in 1930
Tincup Creek tributary to Salt River runs through Wolfley property
In 1927 diversion works were in place

2/1/2006

Caribou County Assessor's Office Property Description Card
Owner: Gregory J. Wolfley, et al
3444 East Leroy Drive
Idaho Falls, ID 83406
T9S, R46E, Sec. 9, TR4, 142 ac less 26 acres

OWNERSHIP RECORD AND DESCRIPTION

side

Well
Irrigation = 0
Stock = 2

TAX CODE		PARCEL NUMBER	

AA-2

136329 - 14 10T TO EARL SCOTT
136330 VN INT TO ALICE 4-10-89

6. SUMMARY OF LAND AND IMPROVEMENT VALUES

[illegible]

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

In the Matter of:

EVIDENCE OF PRIORITY
No. A24-10029

Alice Wolfley and
E. Scott Wolfley, Claimants

AFFIDAVIT
of
Gilbert Haderlie

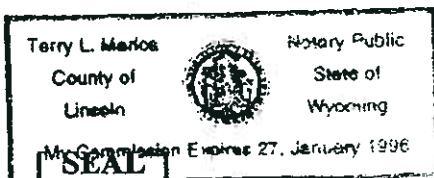
I, Gilbert Haderlie, hereby depose and say as follows:

1. I am a resident of Caribou County, Idaho, where I have lived for the past 87 years. My birthday is January 10, 1907.
2. In 1927, I lived on land owned by my Haderlie ancestry in Caribou County, Idaho close to Freedom, Wyoming. My mother Anna Barbara Haderlie owned the land in 1927. This land was adjacent to the ranch of F. Earl and Alice Wolfley who had settled on their Caribou property in the 1926-1927 period. I later acquired the Haderlie property belonging to my mother, in the early 1930s. Thus, my knowledge of the Wolfley property comes from being a neighbor to them in those early times.
3. The Tincup Creek tributary to Salt River runs through the ranch of F. Earl and Alice Wolfley. To the best of my personal knowledge and observation, in 1927 the diversion works were in place and F. Earl and Alice Wolfley began to divert water from the Tincup Creek to their own beneficial irrigation use on their ranch in Caribou County.

DATED this 7th day of December, 1994.

Gilbert Haderlie
Gilbert Haderlie

SUBSCRIBED AND SWORN to before me this 7th day of December, 1994.



Terry L. Maries
Notary Public

12-7-1994

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

In the Matter of:

EVIDENCE OF PRIORITY
No. A24-10029

Alice Wolfley and
E. Scott Wolfley, Claimants

AFFIDAVIT
of
Gilbert Haderlie

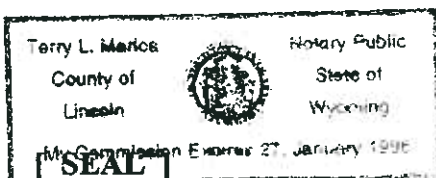
I, Gilbert Haderlie, hereby depose and say as follows:

1. I am a resident of Caribou County, Idaho, where I have lived for the past 87 years. My birthday is January 10, 1907.
2. In 1927, I lived on land owned by my Haderlie ancestry in Caribou County, Idaho close to Freedom, Wyoming. My mother Anna Barbara Haderlie owned the land in 1927. This land was adjacent to the ranch of F. Earl and Alice Wolfley who had settled on their Caribou property in the 1926-1927 period. I later acquired the Haderlie property belonging to my mother, in the early 1930s. Thus, my knowledge of the Wolfley property comes from being a neighbor to them in those early times.
3. The Tincup Creek tributary to Salt River runs through the ranch of F. Earl and Alice Wolfley. To the best of my personal knowledge and observation, in 1927 the diversion works were in place and F. Earl and Alice Wolfley began to divert water from the Tincup Creek to their own beneficial irrigation use on their ranch in Caribou County.

DATED this 7th day of December, 1994.

Gilbert Haderlie
Gilbert Haderlie

SUBSCRIBED AND SWORN to before me this 7th day of December, 1994.



Terry L. Marlos
Notary Public

MICROFILMED

NOV 0 / 1990

12-7-1994

ENTRY NO.

SHEET NO.23

INSTRUMENT NO. 8350.

Hyrum Aller and Eliza M. Aller,
his wife,

Grantors,

to

Frederick Earl Wolfley and
Alice B. Wolfley, his wife,
Grantees.

W A R R A N T Y D E E D .

Dated: February 16th 1927,

Recorded: March 7th 1927,

at 10:07 o'clock A. M.

in Book "7" of Deeds at

page 9.

Consideration: \$5000.00.-

Have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm all the following described real estate situated in on Tincup County of Caribou State of Idaho, to-wit:

The Southwest quarter of the Northeast quarter and the South half of the Northwest Quarter of Section Nine (9), in Township Five (5) South of Range Forty-six (46) East of the Boise Meridian, and containing One Hundred Twenty (120) Acres of land,

Also commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section Nine (9), and running thence South Thirty-two (32) rods; thence West One Hundred Twenty-three (123) rods; thence North Thirty-two (32) rods; thence East One Hundred Twenty-three (123) rods to the place of beginning, containing Twenty and 85/100 (20.85) acres of land more or less.

Also commencing at a point Seventy-one (71) rods West of the South-east Corner of the North-east Quarter of said section Nine (9), and running thence North Eighty (80) rods; thence West Nine (9) rods; thence South Eighty (80) rods; thence East Nine (9) rods to the place of beginning, and containing Four and One-half (4½) acres, more or less.

Also commencing Seventy-one (71) rods West of the South-east Corner of the North-east Quarter of Section Nine (9), and running thence South Thirty-two (32) rods; thence West Nine (9) rods; thence North Thirty-two (32) rods; thence East Nine (9) rods to the place of beginning, containing One and 80/100 (1.80) acres, more or less.

A total acreage is contained herein of One Hundred Forty-seven and 15/100 (147.15) acres of land, more or less.

CARIBOU COUNTY ABSTRACT COMPANY

SODA SPRINGS, IDAHO

3-7-1927

ENTRY NO.
#2.

SHEET NO. 24

Signed: Hyrum Aller, Eliza M. Aller.

Witnesses: Langton Barber, S. R. Rogers.

Acknowledged: In the State of Utah, County of Cache, February 16th 1927,- Hyrum Aller and his wife Eliza M. Aller,- before Langton Barber, a Notary Public in and for said State, residing at Lewiston, Utah. My Commission Expires Mar. 23, 1928. Notarial Seal affixed.

oooooooooooo

This Indenture, Made this 16th day of February
 in the year of our Lord one thousand nine hundred and twenty-seven between
 Myrum Aller and his wife, Eliza ^{M.}Aller
 of Lewiston, County of Cache
 State of Utah the parties of the first part, and
 Frederick Earl Wolfley and his wife, Alice B. Wolfley
 of County of Caribou
 State of Idaho the parties of the second part,

Witnesseth. That the said parties of the first part, for and in consideration of the sum of
 Five Thousand and No/100 - - - - - DOLLARS
 of the United States of America, to in hand paid by the said
 parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
 and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
 of the second part, and to their heirs and assigns forever, all the following described real estate
 situated in on Tincup County of Caribou State of Idaho, to wit:

The Southwest quarter of the Northeast quarter and the South Half of the
 Northwest Quarter of Section Nine (9), in Township Five (5) South of Range Forty-
 six (46) East of the Boise Meridian, and containing One Hundred Twenty (120)
 Acres of land. ALSO commencing at the Northeast Corner of the Northwest Quarter of
 the Southeast Quarter of Section Nine (9), and running thence South Thirty-two (32)
 rods; thence West One Hundred Twenty-three (123) rods; thence North Thirty-two (32)
 rods; thence East One Hundred Twenty-three (123) rods to the place of beginning,
 containing Twenty and 85/100 (20.85) acres of land, more or less.

Also commencing at a point Seventy-one (71) rods West of the South-east Corner
 of the North-east Quarter of said Section Nine (9), and running thence North Eighty
 (80) rods; thence West Nine (9) rods; thence South Eighty (80) rods; thence East
 Nine (9) rods to the place of beginning, and containing Four and One-half (4 ½)
 acres, more or less.

Also commencing Seventy-one (71) rods West of the South-east Corner of the
 North-east Quarter of Section Nine (9), and running thence South Thirty-two (32)
 rods; thence West Nine (9) rods; thence North Thirty-two (32) rods; thence East
 Nine (9) rods to the place of beginning, containing One and 80/100 (1.80) acres,
 more or less.

A total acreage is contained herein of One Hundred Forty-seven and 15/100
 (147.15) acres of land, more or less.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, 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 parties of the first part.

On Here and to Hold. All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their 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 parties of the second part their 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 seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF
Langton Barber
S. Rogers
Hiram Aller
Eliza M. Aller
Seal
Seal
Seal
Seal

State of Idaho, Utah
County of Cache } ss.
On this 16th day of February in the year 1927, before me
Langton Barber, a Notary Public in and for said State, personally
appeared Hiram Aller and his wife, Eliza M. Aller

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Langton Barber
Notary Public, Residing at Idaho.

8350

No.

WARRANTY DEED

Hyrum Aller and his wife

Eliza M. Aller

— TO —

Frederick Earl Wolfley and

Alice B. Wolfley

Dated Feb. 16, 1927.

State of Idaho,

County of } ss.

I hereby certify that this instrument was filed

for record at request of

State Bank

at 7 minutes past 10

o'clock M, this day

of March, A. D. 1927

in my office, and duly recorded in Book 17

of Deeds at page 9

Colin Chester
Ex-Officio Recorder.

By

L. A. Smith, Secretary

Fees, \$ 1.40

duzd Statesman Shop, Boise, Idaho. 611-A

INDEXED COMPARED

RELEASE OF MORTGAGE

IN CONSIDERATION of the full payment of the indebtedness secured, thereby, I,

W. R. Barber

the mortgagee named therein, do hereby release, cancel, satisfy and discharge that certain mortgage executed by
Hyrum Aller and his wife Eliza Aller

mortgagor W. R. Barber mortgagee, dated
Oct. 2nd, 1918, 19____, securing note for \$ 2000.00, which mortgage
was filed for record Oct. 17th, 1918, 19____ and recorded in Book 30 of Mortgages, at Page 245
of the Records of Bannock County, State of Idaho; and I hereby authorize
and empower the County Recorder of said County to fully cancel and discharge said mortgage of record.

Witness my hand this 12th day of February W R Barber A. D. 1927
Signed in the presence of _____

W R Barber

STATE OF ~~Idaho~~ Wyoming

COUNTY OF ~~Idaho~~ Lincoln } SS

On this 12th day of February in the year 1927
before me, David Bennion, a Notary Public in and for said
County, personally appeared W. R. Barber

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.

My Commission expires Oct. 16th, 1927

David Bennion

Notary Public

Address: Afton, Wyoming.

My Commission expires Oct. 16th, 1927

2-12-1927

8349

Release of Mortgage

TO

STATE OF IDAHO

County of

Laneham

SS

Agnes Fredman State Book

I, the undersigned County Recorder within and for said County, do hereby certify that this instrument was filed for record in my office on the

7th of *March*

A. D. 19*27*, at *1:05* o'clock *A*. M., and duly

recorded in Vol. *1* of *Releases* at

page *604*

Colin Chester

County Recorder.

By

Donachy Carter

Deputy.

INDEXED

RELEASED

COMPARED

ENTRY NO.

SHEET NO. 21
INSTRUMENT NO. 8349.

W. R. Barber,

Releasor

to

Hyrum Aller and Eliza M.
Aller, his wife,
Releasees.

RELEASE OF MORTGAGE.
Dated: February 12th 1927,
Recorded: March 7th 1927,
at 10:05 o'clock A. M.
in Book "1" of Releases of
Mortgages at page .
Consideration: Full payment.

Do hereby release, cancel, satisfy and discharge that certain mortgage executed by Hyrum Aller and his wife Eliza M. Aller, mortgagors to me W. R. Barber, mortgagee, dated Oct. 2nd, 1918, 19 securing note for \$2000.00, which mortgage was filed for record Oct. 17th, 1918, 19 and recorded in Book 30 of Mortgages, at page 245 of the records of Bannock County, State of Idaho; and I hereby authorize and empower the County Recorder of said County to fully cancel and discharge said mortgage of record.

Signed: W. R. Barber, W. R. Barber.

Witness:

Acknowledged: In the State of Wyoming, County of Lincoln, February 12th 1927, - W. R. Barber, - before David Bennion, a Notary Public in and for said County, residing at Afton, Wyoming. My Commission expires Oct. 16th 1927. Notarial Seal affixed.

oooooooooooo

CARIBOU COUNTY ABSTRACT COMPANY

SODA SPRINGS, IDAHO

2-12-1927

12/28/05

Note to File:

I COGOed Deed 10/02/1918 and determined that the third and fourth piece are in error. Part 3 is also included in part 1. The shapes appear correct but they need to be ½ mile east of COGOed location.

Barbara

10-2-1918

of Two thousand dollars ----- DOLLARS,
do by these presents Grant, Bargain, Sell and Convey unto the said party of the second part,
and to his heirs and assigns forever, all that certain real property situate in the County
of _____ and State of Idaho, and bounded and particularly described as follows,

to-wit: The South West Quarter of the N.E. 1/4 and the South 1/2 of the N.W. 1/4
of Section 9, Twp. Five South of Range 46 East of the Boise Meridian
containing 120 acres of land, also: -

beginning at the N.E. corner of the E.W. 1/4 of the S.E. 1/4 of Section nine
in Twp five North of Range 46 East of the Boise Meridian and running
thence South 32 rods, thence West 123 rods, thence North 32 rods, thence
East 123 rods to the place of beginning containing 24 1/2 acres of land
be there ore or less, also: -

beginning at a point 71 rods west of the S.W. corner of the N.W. 1/4 of Section
nine, Twp. 5 South of Range 46 East of the Boise Meridian and
running thence North 80 rods, thence West 9 rods, thence South 80 rods,
thence East 9 rods to the place of beginning containing 4 1/2 acres of
land be there more or less, also: -

beginning at a point 71 rods east of the S.W. corner of the N.W. 1/4 of S. 9.
Twp. 5, S. of R. 46 E. of S. 1/4, running S. 32 rods, thence W. 9 rods together with the
thence East 9 rods, thence West 9 rods to a place of beginning containing 1 1/2 acres
tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

And said parties of the first part hereby agree to keep the buildings on said premises fully
insured against loss by fire in some reliable fire insurance company, with loss, if any, payable to
the part of the second part as mortgagee, as interest may appear.

THIS GRANT is intended as a mortgage to secure the payment of one certain promis-
sory note of even date herewith, executed and delivered by the said Eliza H. Allen and
Eliza H. Allen, his wife, to the said party of the second part
for Two thousand dollars with interest at 10% per annum from date
until paid, payable semi-annually.

And these presents shall be void if such payment be made. But in case default shall be made
in the payment of said principal sum of money or any part thereof as provided in the said
note, or if the interest be not paid as therein specified, then it shall be optional with the said
party of the second part his executors, administrators or assigns to
consider the whole of said principal sum expressed in said note as immediately due and pay-
able; and immediately to enter into and upon all and singular the above described premises, and to
sell and dispose of the same according to law, and out of the money arising from such sale, to retain

Part 1

Part 2

4.5 ac

1.8 ac

Part 4

32=528

123=2029.5

71=1171.5

80=1320

9=148.5

This Indenture, Made the 2nd. day of October

in the year of our Lord One Thousand Nine Hundred and Eighteen between Myrran Aller and Eliza M. Aller, his wife

of Freedom County of Lincoln, State of Wyoming
parties of the first part, and W.R. Barberof Fremont, County of Lincoln, State of Wyoming
the part of the second part,

WITNESSETH, That the said parties of the first part for and in consideration of the sum of Two thousand dollars ----- DOLLARS, do by these presents Grant, Bargain, Sell and Convey unto the said part of the second part, and to his heirs and assigns forever, all that certain real property situate in the County of Lincoln and State of Idaho, and bounded and particularly described as follows, to-wit: The South west Quarter of the N.E. $\frac{1}{4}$ and the South $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of Section 9, Twp. five South of Range 46 East of the Boise Meridian containing 120 acres of land, also;— Beginning at the N.E. corner of the E. $\frac{1}{4}$ of the S. $\frac{1}{4}$ of Section nine in Twp five North of Range 46 East of the Boise Meridian and running thence South 32 rods, thence West 123 rods, Thence North 32 rods, thence East 123 rods to the place of beginning containing 24 $\frac{1}{2}$ acres of land be there more or less, also;— Beginning at a point 71 rods west of the S.E. corner of the N.W. $\frac{1}{4}$ of Section nine Twp. 5 South of Range 46 East of the Boise Meridian and running thence North 80 rods, thence West 9 rods, thence South 80 rods, thence East 9 rods to the place of beginning containing 4 $\frac{1}{2}$ acres of land be there more or less, also;— Beginning at a point 71 rods west of the S.E. corner of the N.W. $\frac{1}{4}$ of S. 9. Twp. 5. S. of R. 46 E. of B. running S. 32 rods, thence W. 9 rods together with the thence S. 80 rods, thence East 9 rods to place of beginning 4 $\frac{1}{2}$ acres tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

And said parties of the first part hereby agree to keep the buildings on said premises fully insured against loss by fire in some reliable fire insurance company, with loss, if any, payable to the part of the second part as mortgagee, as interest may appear.

THIS GRANT is intended as a mortgage to secure the payment of one certain promissory note of even date herewith, executed and delivered by the said Myrran Aller and Eliza M. Aller, his wife, to the said part of the second part for Two thousand dollars with interest at 10% per annum from date until paid, payable semi-annually.

And these presents shall be void if such payment be made. But in case default shall be made in the payment of said principal sum of money or any part thereof as provided in the said note, or if the interest be not paid as therein specified, then it shall be optional with the said party of the second part his executors, administrators or assigns to consider the whole of said principal sum expressed in said note as immediately due and payable; and immediately to enter into and upon all and singular the above described premises, and to sell and dispose of the same according to law, and out of the money arising from such sale, to retain the principal and interest which shall then be due on the said promissory note, together with the costs of foreclosure suit, including 100.00 dollars counsel fees and also the amounts of all such payments of taxes, assessments, incumbrances or insurance as may have been made by said second party his heirs, executors, with the interest on the same, rendering the overplus of the purchase money (if any there shall be) unto the said Myrran Aller and Eliza M. Aller his wife.

parties of the first part, their heirs, executors, administrators or assigns.

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

George M. Cullloch

Myrran. Aller (Seal)

Eliza M. Aller (Seal)

STATE OF IDAHO, Wyoming. }
County of Lincoln } ss.

On this 2nd, day of October in the year 1918, before
me, R. P. Baldwin, a Notary Public in and
for said County, personally appeared Hyrum Allen and Eliza H. Allen his wife,
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they 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.

R. P. Baldwin

Notary Public.

NO
MORTGAGE--Short Covenant

TO

Dated 19

State of Idaho, }
County of Lincoln } ss.

I hereby certify that this instrument
was filed for record at the request of
Hyrum Allen

at 01 minutes past 1
o'clock M., this 17

day of Oct A. D. 1918
at my office and duly recorded in
Book 31 of Mortgages at page
345.

C. W. Jensen
Ex-Officio Recorder.

By *William Springer*
Fee, \$1.60

Freedom, Wyo
PACED

ENTRY NO.

INSTRUMENT NO.
SHEET NO 20

Hyrum Aller and Eliza
M. Aller, his wife,
Mortgagors,

to

W. R. Barber,
Mortgagee.

M O R T G A G E .

Dated: October 2nd 1918.

Recorded: October 17th 1918
at 1:01 o'clock P. M.
in Book "5" of Mortgages
at page 87.

Consideration-- \$2000.00

Grant, Bargain, Sell and Convey land situate in the County of
Bannock, State of Idaho, to-wit:

The South West Quarter of the N. E. $\frac{1}{4}$ and the South $\frac{1}{2}$ of the
N. W. $\frac{1}{4}$ of Section 9, Twp. five South of Range 46 East of the
Boise Meridian, containing 120 acres of land.

Also: Beginning at the N. E. corner of the N. W. $\frac{1}{4}$ of the S. E. $\frac{1}{4}$
of Section nine, Twp. five North of Range 46 East of the Boise
Meridian, and running thence South 32 rods, thence W. 123 rods,
thence North 32 rods; thence East 123 rods to the place of be-
ginning, containing $24\frac{1}{2}$ acres of land be there more or less,

Also: Beginning at a point 71 rods West of the S. E. corner
of the N. W. $\frac{1}{4}$ of Section nine Twp. 5 South of Range 46 East of
the Boise Meridian, and running thence North 80 rods; thence West
9 rods, thence South 80 rods, thence East 9 rods to the place of
beginning, containing $4\frac{1}{2}$ acres of land be there more or less.

Also: Beginning at a point 71 rods West of the S. E. corner of
the N. W. $\frac{1}{4}$ of S. 9, Twp. 5 S., of R. 46 E. of B. M., running
S. 32 rods, thence W. 9 rods, thence N. 32 rods, thence East 9
rods to place of beginning, 1.8 acres.

Signed: Hyrum Aller, Eliza M. Aller.

Witnesses: George McCulloch.

Acknowledged: In the State of Wyoming, County of Lincoln, October 2nd
1918-Hyrum Aller and Eliza M. Aller, his wife-before P. P. Baldwin, a
Notary Public in and for the State of Wyoming.. Notarial Seal affixed.

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Transcribed from Bannock County Records, Book 30 of Mortgages, page
245.

Instrument No. 64895.

ooooooo

CARIBOU COUNTY ABSTRACT COMPANY

SODA SPRINGS, IDAHO

10-2-1918

ENTRY NO.

INSTRUMENT NO.

SHEET NO. 22

John T. Nelson and Imo Nelson,
his wife,

Grantors,

to

Hyrum Aller,

Grantee.

WARRANTY DEED.

Dated: June 2nd 1917.

Recorded: October 17th 1918

at 1:00 o'clock P. M.

in Book "5" of Deeds at

page 289.

Consideration--\$4,000.00.

Grant, Bargain, Sell, and Convey and Confirm land situate in the
County of Bannock, State of Idaho, to-wit:

The South-west $\frac{1}{4}$ of the North East $\frac{1}{4}$ and the South $\frac{1}{2}$ of the
North west quarter of Section nine, Twp. five, South of Range 46
East of the Boise Meridian, containing 120 acres of land.

Also: Beginning at the North-east corner of the North-west $\frac{1}{4}$ of
the South-East $\frac{1}{4}$ of Section nine Twp. five South of Range 46
East of the Boise Meridian, and running thence South 32 rods; thence
West 123 rods; thence North 32 rods; thence East 123 rods to the
place of beginning, containing $24\frac{1}{2}$ acres.

Also: Beginning at a point 71 rods W. of South-East corner of
the North-West $\frac{1}{4}$ of Section nine, Twp. five South of Range 46
East of the Boise Meridian, and running North 80 rods; thence
West nine rods; thence South 80 rods; thence East nine rods to
the place of beginning, containing $4\frac{1}{2}$ acres of land.

Also: Beginning at a point 71 rods West of the South-East cor-
ner of the North-West $\frac{1}{4}$ of Section 9 Twp. 5 South of Range 46
East of the Boise Meridian, running thence South 32 rods; thence
West 9 rods; thence North 32 rods; thence East 9 rods to the place
of beginning, containing 1.8 acres of land.

Signed: John T. Nelson., Imo Nelson.

Witness: P. P. Baldwin.

Acknowledged: In the State of Wyoming, County of Lincoln, June 2nd
1917-John T. Nelson and Imo Nelson-before P. P. Baldwin, a Notary Public
in and for the State of Wyoming. Notarial Seal affixed.

Transcribed from Bannock County Records, Deed Record No. 35, page
522.

Instrument No. 64894.

CARIBOU COUNTY ABSTRACT COMPANY

SODA SPRINGS, IDAHO

6-2-1917

ORDER NO. 4218
ABSTRACT NO. 2853

INSTRUMENT NO. 53637
SHEET NO 16-

THE UNION CENTRAL LIFE INSURANCE
COMPANY

MORTGAGEES

TO

JOHN T. NELSON AND IMO
NELSON, his wife

MORTGAGORS

DISCHARGE OF IDAHO REAL ESTATE
MORTGAGE.

Dated: Jan 9, 1917
Recorded: March 15, 1917
at 10:55 A.M. in Book 4
of Releases at page 534
Consideration-Full Payment

THIS IS TO CERTIFY, that the certain mortgage
to THE UNION CENTRAL LIFE INSURANCE COMPANY executed by John
T. Nelson and Imo Nelson, his wife dated October 6th, 1916,
and recorded in Book 28, page 135, of the records of
Bannock County, Idaho has been fully satisfied and the
Recorder is hereby authorized to cancel the same of record
no money having been advanced thereon.

Signed: THE UNION CENTRAL LIFE INSURANCE CO.

By: George L. Williams

Attest: Louise Breiling, Treasurer, Corporate Seal

Acknowledged: Jan; 9, 1917--George L Williams,
known to be the Secretary of the corporation that executed
the instrument and acknowledged that such corporation
executed the same before D. W. Pottenger, a Notary Public
in and for the County of Hamilton, State of Ohio.
Notarial Seal Affixed. Commission expires Nov, 22, 1917.

1-9-1917

Continuation of Abstract of Title.

Sheet No. 12

Miller & Viole, First Mortgage Loans, Salt Lake City, Utah.
#49824

Abstract No.

John T. Nelson and
Imo Nelson, husband and wife.

Character of Instrument, Mortgage.
Date of Instrument, October 6th, 1916.
Date of Record, October 24th, 1916, at 1:02 P.M.
Book of Mortgages Page Records of
Bannock County, State of Idaho.
Consideration, \$ \$1500.00

Grantors,

TO

The Union Central Life
Insurance Company, a corpora-
tion.

Acknowledgment.

Date October 19, 1916, acknowledged before
P. P. Baldwin, a Notary Public
in and for Lincoln County, State of Wyoming.
Is official seal attached? Yes.
Is the acknowledgment regular? Yes.

Grantees.

What is the date of maturity? January 1st, 1927,

\$ ~~XXXXXX~~ U. S. Internal Revenue Stamps attached and duly cancelled.

When is the interest payable? Annually.

When principal and interest payable? Cincinnati, Ohio.

DESCRIPTION: Lands in Bannock --- County, State of Idaho.

The Southwest quarter of the Northeast quarter, and the South half of the Northwest quarter of Section Nine, in Township Five South of Range Forty-six, East of the Boise Meridian, and containing one hundred twenty acres of land. Also commencing at the Northeast corner of the Northwest quarter of the Southeast quarter of said Section nine, and running thence South thirty-two rods; thence West one hundred twenty-three rods; thence North thirty-two rods; thence East one hundred twenty-three rods to the place of beginning, and containing twenty and 85/100 acres of land, more or less. Also commencing seventy one rods West of the Southeast corner of the Northeast quarter of said Section nine; and running thence North eighty rods; thence West nine rods; thence South eighty rods; thence East nine rods to the place of beginning, and containing four and one-half acres of land, more or less. Also commencing seventy one rods West of the Southeast corner of the Northeast quarter of said Section Nine; and

If released on margin of record give VERBATIM COPY of RELEASE.

NOTE: Are there any irregularities or defects in instrument or release?

10-6-1916

Sheet No. 13

Instrument No.

running thence South Thirty-two rods; thence West Nine rods; thence North Thirty-two rods; thence East Nine rods to the place of beginning, and containing one and 80/100 acres of land, more or less.

A total acreage is contained herein of one hundred forty seven and 15/100 acres of land, more or less.

Together with a full primary water right for one hundred forty-seven and 15/100 acres of land, water coming from Tincup Creek.

Together with all the improvements, privileges and appurtenances thereunto belonging and all rights of homestead exemption; together with all ditch and water rights of every nature, however evidenced, used on the said land or belonging to same or said mortgagors or which may be hereafter acquired or used upon said land.

ORDER NO. 4218
ABSTRACT NO. 2853

Sheet No. 17-
Instrument No. 53338

JOHN F. HADERLIE and
MARTHA HADERLIE
GRANTORS

D E E D

TO

JOHN W. NELSON
GRANTEE

Date: June 10, 1916
Recorded: March 15, 1917
at 10:56 A. M. in Book
32 of Deeds at page 486
Consideration-\$2000.00

and confirm
Grant, Bargain, Sell and Convey lands situate
in the County of Bannock, State of Idaho.

The Southwest quarter of the Northeast quarter
and the South half of the Northwest quarter of Section Nine
(9) in Township five (5) South of Range forty six east of
Boise Meridian in Idaho, containing one hundred and twenty
(120) acres. Also beginning at the Northeast corner of the
Northwest quarter of the Southeast quarter of Section nine
(9) Township five (5) South of range forty six east of Boise
Meridian in Idaho, and running thence South thirty two (32)
rods; thence West one hundred and twenty three rods, thence
North thirty two (32) rods, to place of beginning containing
twenty four (24) one half acres together with all water
rights, ditches and canals thereunto belonging.

Signed: John J. Haderlie, Martha Haderlie
Witness: Charles H. Haderlie

Acknowledged: June 10, 1916--John J.
Haderlie and Martha Haderlie before Charles H. Haderlie, a
Notary Public in and for the County of Bannock, State of
Idaho, Notarial Seal affixed. Commission expires April
23, 1919.

6-10-1916

ORDER NO. 4218
ABSTRACT NO 2853

Instrument No. 53539
SHEET NO. 18-

JOHN J. HADERLIE and
MARTHA HADERLIE
GRANTORS

TO

HOHN T. NELSON
GRANTEE

D E E D

Date: June 10, 1916
Recorded: March 15, 1917
at 10:57 A.M. in Book 32
of Deeds at page 487
Consideration--\$2000.00

Grant, Bargain, Sell and ~~Convey~~ ^{and confirm} lands situate
in the County of Bannock, State of Idaho.

Beginning at a point Seventy one rods west of the
Southeast corner of the Northeast quarter of Section nine (9)
of Township five (5) South, Range forty six (46) East Boise
Meridian and thence North eighty (80) rods; Thence West nine
(9) rods; thence South Eighty (80) rods; thence East nine
(9) rods to place of beginning containing four and one half
acres of land.

Also beginning at a point Seventy one rods west
of the Southeast corner of the Northeast quarter of Section
nine (9) Township five (5) South Range forty six east of the
Boise Meridian and running thence South thirty two (32) rods;
Thence West nine (9) rods; thence North thirty two (32) rods;
thence east nine (9) rods to place of beginning containing
one and eight tenths (1 8/10) acres together with all water
rights, ditches and canals thereunto belonging.

Signed: John J. Haderlie. Martha Haderlie
Witness: Charles H. Haderlie

Acknowledged: June 10, 1916--John J. Haderlie
and Martha Haderlie, before Charles H. Haderlie a Notary
Public in and for the County of Bannock, State of Idaho,
Notarial Seal affixed. Commission expires April 23, 1919

6-10-1916

Continuation of Abstract of Title.

Sheet No. 10

Miller & Vele, First Mortgage Loans, Salt Lake City, Utah.
46798.

Abstract No.

Inger C. Nelson, a widow.

Character of Instrument, Warranty Deed.

Date of Instrument, May 13, 1916.

Date of Record, May 19, 1916, 10:49 A.M. in
Book "30" of Deeds, Page 400 Records of
Bannock County, State of Idaho.

Consideration, \$ 2000.00

TO

Grantors,

John J. Haderlie.

Acknowledgment.

Date May 13, 1916 acknowledged before

Charles H. Haderlie a H.P.

in and for Bannock County, State of Idaho

Is official seal attached? Yes

Is the acknowledgment regular? Yes

Does wife duly acknowledge on examination without the hearing of
her husband? XXX

Grantees.

Does wife join throughout instrument? XXX

\$ XXX U. S. Internal Revenue Stamps attached and duly canceled.

Names of witnesses, Charles H. Haderlie,
John T. Nelson.

Was corporate seal attached? XXX

Granting words, Grant, bargain, sell and convey and confirm.

Covenants, Warrant and forever defend.

Are there any Conditions, Limitations or Recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bannock County, State of Idaho.

The southwest quarter of the northeast quarter and the south half of the northwest quarter of Section Nine in Township Five South of Range Forty-six East of the Boise Meridian, containing one hundred twenty acres. Also: beginning at the northeast corner of the northwest quarter of the southeast quarter of Section Nine, Township Five South of Range Forty six East of Boise Meridian, in Idaho, and running thence south thirty two rods; thence west one hundred and twenty three rods; thence north thirty two rods; thence east one hundred and twenty-three rods to place of beginning, containing twenty four and one half acres be there more or less. Also all water rights and ditches thereunto belonging.

5-13-1916

Continuation of Abstract of Title.

Sheet No. **11**

Miller & Vile, First Mortgage Loans, Salt Lake City, Utah.

Abstract No.

46797

Inger C. Nelson, a widow.

Character of Instrument. Warranty Deed.

Date of Instrument, May 13, 1916.

Date of Record, May 19, 1916, 10:48 A.M. in

Book "30" of Deeds, Page 489 Records of

Bannock County, State of Idaho.

Consideration, \$ 2000.00

TO
Grantors,

John J. Haderlie.

Acknowledgment.

Date May 13, 1916, acknowledged before

Charles H. Haderlie, a N. P.

in and for Bannock County, State of Idaho

Is official seal attached? Yes

Is the acknowledgment regular? Yes

Does wife duly acknowledge on examination without the hearing of
her husband? **Yes**

Grantees.

Does wife join throughout instrument? **Yes**

\$ **xxx** U. S. Internal Revenue Stamps attached and duly canceled.

Names of witnesses, Charles H. Haderlie,
John T. Nelson.

Was corporate seal attached? **xxx**

Granting words, Grant, bargain, sell and convey and confirm.

Covenants, Warrant and Defend.

Are there any Conditions, Limitations or Recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bannock County, State of Idaho.

Commencing at a point Seventy one rods west of the Southeast corner of the northeast quarter of Section Nine of Township Five South of Range forty Six East of Boise Meridian, and running thence North eighty rods; thence west nine rods; thence south eighty rods; thence east nine rods to the place of beginning, containing four and one half acres; Also; beginning at a point Seventy-one rods west of the southeast corner of the northeast quarter of Section nine of Township Five South of Range forty-six East of Boise Meridian, and running thence south thirty two rods; thence west nine rods; thence north thirty two rods; thence east nine rods to place of beginning, containing one and eight tenths acres; Also all water rights and ditches thereunto belonging.

5-13-1916

Continuation of Abstract of Title.

Sheet No. 3.

Miller & Vile, First Mortgage Loans, Salt Lake City, Utah.

Abstract No. 45796

United States of America. By Wm.
H. Taft, President, M. P. LeRoy,
Secretary and H. W. Sanford, Re-
corder of the General Land Office.

Character of Instrument, Patent.
Date of Instrument, September 1, 1910.
Date of Record, May 19, 1916, 10:47 A.M. in
Book "9" of Patents, Page 41 Records of
Bannock County, State of Idaho.
Consideration, \$ Full payment.

Grantors,

TO

Inger C. Nelson.

Grantees.

Acknowledgment.

Date 1 . acknowledged before
a
in and for County, State of
Is official seal attached?
Is the acknowledgment regular?
Does wife duly acknowledge on examination without the hearing of
her husband?

Does wife join throughout instrument?

\$ U. S. Internal Revenue Stamps attached and duly canceled.

Names of witnesses,

Was corporate seal attached?

Granting words,

Covenants,

Are there any Conditions, Limitations or Recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bannock County, State of Idaho.

The southwest quarter of the northeast quarter and the south half
of the northwest quarter of Section nine in Township five south of Range
forty-six east of the Boise Meridian, Idaho, containing one hundred twenty
acres, according to the Official Plat of the survey of the said lands,
returned to the General Land Office by the Surveyor General.

Instrument bears the seal of the General Land Office.

9-1-1910

H.D.
Blackfoot 07020.

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, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain", and the Acts supplemental thereto, the claim of Inger C. Nelson has been established and duly consummated, in conformity to law, for the southwest quarter of the northeast quarter and the south half of the northwest quarter of section nine in Township five South of Range forty six East of the Boise Meridian, Idaho, containing one hundred twenty acres, 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 claimant the tract of land above described: TO HAVE AND TO HOLD the said tract of land, with the appurtenances thereof, 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 connection with such water rights as may be recognized and acknowledged by the local

T55, R46E, S16N
T55, R46E, S16N

Claim A24-10029
Doc Source Claimant- Claimant obtained
Tr. Carbon County Court House Circa 1995
Date 5/12/00 Sig. B. Coulter

226

PATENT RECORD No. 1

granted a right of way thereon for ditches or canals constructed by the authority of the United States. IN TESTIMONY WHEREOF, I, William H. Taft, 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 first day of September in the year of our Lord one thousand nine hundred and thirty fifth. Independence of the United States the one hundred and thirty fifth.

(SEAL) BY THE PRESIDENT: Wm. H. Taft, By M. P. Le Roy, Secretary.

Recorded: Patent Number 150132. H.W. Sanford, Recorder of the General Land Office.

Filed for record at 10:47 o'clock A.M., May 19th, A.D., 1916, and recorded at the request of John J. Haderlie. C.W. Pomeroy, Recorder, By Sidonia Gosse, Deputy. Fee \$1.00.

5-19-1916

Continuation of Abstract of Title.

Sheet No. 9

Miller & Vicle, First Mortgage Loans, Salt Lake City, Utah.

Abstract No. _____

Arthur R. Clark and Ida Clark,
his wife.

Character of Instrument, Warranty Deed.

Date of Instrument, July 26, 1909.

Date of Record, February 5, 1910, 3:16 P.M.

Book "19" of Deeds, Page 548 Records of

Bannock County, State of Idaho.

Consideration, \$ 2.00

Grantors,

TO

Eringer C. Nelson.

Grantees.

Acknowledgment.

Date July 26, 1909. acknowledged before

Charles H. Haderlie a N. P.

in and for Bannock County, State of Idaho.

Is official seal attached? Yes

Is the acknowledgment regular? Yes

Does wife duly acknowledge on examination without the hearing of
her husband? _____

Does wife join throughout instrument? Yes

\$ _____ U. S. Internal Revenue Stamps attached and duly canceled.

Names of witnesses, Charles H. Haderlie

Was corporate seal attached? xxx

Granting words, Grant bargain sell and convey and confirm

Covenants, Warrant and Forever Defend.

Are there any Conditions, Limitations or Recitals? _____

Are there any irregularities or defects? _____

DESCRIPTION: Lands in Bannock County, State of Idaho.

Beginning at a point seventy-one rods west of the southeast corner
of the northeast quarter of section nine of township five south of range
forty-six east of Boise Meridian and running thence south thirty-two rods,
thence west nine rods, thence north thirty-two rods, thence east nine rods
to the place of beginning and containing one and eight tenths acres.

7-26-1909

Continuation of Abstract of Title.

Sheet No.

7

Miller & Vile, First Mortgage Loans, Salt Lake City, Utah.

Abstract No.

16131

Daniel J. Clark and Mary A. Clark,
his wife.

Character of Instrument, Warranty Deed.

Date of Instrument, July 1, 1905.

Date of Record, February 3, 1910, 3:17 P.M.

Book "19" of Deeds, Page 549 Records of

Bannock County, State of Idaho.

Consideration, \$ 30.00

Grantors,

TO

Inger C. Nelson.

Acknowledgment.

Date July 1, 1905, acknowledged before

Charles H. Haderlie a N. P.

in and for Bannock County, State of Idaho

Is official seal attached? Yes

Is the acknowledgment regular? Yes

Does wife duly acknowledge on examination without the hearing of
her husband? Yes

Grantees,

Does wife join throughout instrument? Yes

\$ XXX U. S. Internal Revenue Stamps attached and duly canceled.

Names of witnesses, C. H. Haderlie, John T.

Was corporate seal attached? XXX

Nelson.

Granting words, Grant, bargain, sell and convey and confirm.

Covenants, Warrant and forever defend.

Are there any Conditions, Limitations or Recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bannock County, State of Idaho.

Beginning at the northeast corner of the northwest quarter of the
southeast quarter of Section nine, township five south of range forty-
six east of Boise Meridian, in Idaho, thence going south thirty two rods;
thence one hundred and twenty three rods west; thence north thirty two
rods; thence east one hundred and twenty three rods to place of beginning,
containing in all twenty four and one half acres of land be there more or
less.

7-1-1905

Continuation of Abstract of Title.

Sheet No. 6

Miller & Vicle, First Mortgage Loans, Salt Lake City, Utah.
#5767

Abstract No.

United States of America.

Character of Instrument, Patent.

Date of Instrument, June 30, 1905

Date of Record, December 4, 1905, 1:10 P.M.

Book "5" of Patents, Page 153 Records of

Bannock County, State of Idaho.

Consideration, \$ Full payment.

Grantors,

TO

Daniel J. Clark.

Acknowledgment.

Date 1, acknowledged before

in and for County, State of

Is official seal attached?

Is the acknowledgment regular?

Does wife duly acknowledge on examination without the hearing of her husband?

Grantees.

Does wife join throughout instrument?

\$ U. S. Internal Revenue Stamps attached and duly canceled.

Names of witnesses,

Was corporate seal attached?

Granting words,

Covenants,

Are there any Conditions, Limitations or Recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bannock County, State of Idaho.

The northeast quarter of the southwest quarter, the west half of the southeast quarter of Section Nine and the northwest quarter of the northeast quarter of ~~the~~ Section Sixteen, in Township Five South of Range Forty-six East of the Boise Meridian, Idaho, containing 160 acres, according to the Official Plat of the survey of the said lands, returned to the General Land Office by the Surveyor General.

Instrument bears the seal of the General Land Office.

6-30-1905

Continuation of Abstract of Title.

Sheet No. 8

Miller & Vile, First Mortgage Loans, Salt Lake City, Utah.

Abstract No. _____

#5266

United States of America.

Character of Instrument, Patent.Date of Instrument, April 18, 1905.Date of Record, September 7, 1905, 3:15 P.M.Book "5" of Patents, Page 135 Records ofBannock County, State of Idaho.Consideration, full payment.

Grantors,

TO

Acknowledgment.

Arthur R. Clark.

Date _____, I _____, acknowledged before

a _____

in and for _____ County, State of _____

Is official seal attached? _____

Is the acknowledgment regular? _____

Does wife duly acknowledge on examination without the hearing of her husband? _____

Grantees,

What is the date of maturity? _____ 19 _____

\$ _____ U. S. Internal Revenue Stamps attached and duly cancelled.

When is the interest payable? _____

When principal and interest payable? _____

DESCRIPTION: Lands in Bannock County, State of Idaho.

The east half of the southeast quarter of Section Nine and the west half of the southwest quarter of Section Ten, in Township Five South of Range Forty-six East of the Boise Meridian, Idaho, containing 160 acres, according to the Official Plat of the survey of the said lands, returned to the General Land Office by the Surveyor General.

Instrument bears the seal of the General Land Office.

If released on margin of record give VERBATIM COPY of RELEASE.

NOTE: Are there any irregularities or defects in instrument or release? _____

4-18-1905

ORDER NO. 4218
ABSTRACT NO. 2853

SHEET NO. 19.
INSTRUMENT NO. 59263

UNITED STATES OF AMERICA
GRANTOR

TO

WALTER R. BARBER
GRANTEE

P A T E N T

Dated: October 10, 1902
Recorded: Dec. 11, 1917
at 4:13 P.M. in Book
of Patents at page
Consideration--Full Pay't

Whereas, Walter R. Barber, assignee by means conveyed of Edward Hansen of Bingham County, Colorado, has deposited in the General Land Office of the United States, a certificate of register of the Land Office at Blackfoot Idaho, whereby it appears that full payment has been made by the said Walter R. Barber, 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 lots numbered five and six and the Southwest quarter of Section three, the South East quarter of the South East quarter of Section four; the East half of the North East quarter of Section nine; and the Lots numbered one and two and the North West quarter of Section ten in Township five, South of Range Forty-six East of Boise Meridian in Idaho, containing six hundred and twenty-one acres and forty-five hundredths of an acre., according to the Official Plat of the survey of the said lands returned to the General Land Office by the Surveyor General. The said tract of land has been purchased by said Walter R. Barber.

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 cases made and provided have given and granted, and by these presents do give and grant unto the said Walter R. Barber and to his heirs the tract above described, to have and to hold the same

To Have and To Hold the same:

Together with all the rights privileges immunities, and appurtenances of whatsoever nature belonging unto the said Walter R. Barber, and to his heirs and assigns forever,

Signed: By the president: T. Roosevelt
by the Secretary: F. M. McKean
by C. H. Bush, Recorder of General Land Office.

United States General Land Office Seal affixed.

10-10-1902

Continuation of Abstract of Title.

Sheet No. 5

Miller & Viole, First Mortgage Loans, Salt Lake City, Utah.

Abstract No. _____

Walter R. Barber and Clara Barber,
his wife.

Character of Instrument, Warranty Deed.
Date of Instrument, August 30, 1902;
Date of Record, February 3, 1910, 3:18 P.M.
Book "17" of Deeds, Page 564 Records of
Bannock County, State of Idaho.
Consideration, \$7.00

Grantors,

TO

Inger C. Nelson.

Grantees.

Acknowledgment.

Date August 30, 1902, acknowledged before
W. W. Maughan a N. P.
in and for Cache County, State of Utah
Is official seal attached? Yes
Is the acknowledgment regular? Yes
Does wife duly acknowledge on examination without the hearing of
her husband? Yes

Does wife join throughout instrument? Yes \$ XXX U. S. Internal Revenue Stamps attached and duly canceled.

Names of witnesses, A. G. Barber, W. W. Maughan Was corporate seal attached? XXX

Granting words, Grant, bargain, sell and convey and confirm
Covenants, Warrant and forever defend.

Are there any Conditions, Limitations or Recitals? _____

Are there any irregularities or defects? _____

DESCRIPTION: Lands in Bannock County, State of Idaho.

Commencing at a point seventy-one rods west of the southeast corner of the northeast quarter of section nine of township five south of range forty six east of Boise Meridian, and running thence north eighty rods; thence west nine rods, thence south eighty rods, thence east nine rods to the place of beginning, and containing four and one half acres.

8-30-1902

Continuation of Abstract of Title.

Sheet No.

4

Miller & Vile, First Mortgage Loans, Salt Lake City, Utah.

Abstract No.

George B. Rogers, Receiver,

Character of Instrument, Receivers Receipt.

Date of Instrument, December 27, 1901.

Date of Record, September 8, 1902, 8:15 A.M.

Book "12" of Deeds, Page 438 Records of

Bannock County, State of Idaho.

Consideration, \$ 661.45

TO

Grantors,

Walter R. Barber.

Acknowledgment.

Date , acknowledged before

in and for County, State of

Is official seal attached?

Is the acknowledgment regular?

Does wife duly acknowledge on examination without the hearing of her husband?

Grantees.

Does wife join throughout instrument?

\$ U. S. Internal Revenue Stamps attached and duly canceled.

Names of witnesses,

Was corporate seal attached?

Granting words,

Covenants,

Are there any Conditions, Limitations or Recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bannock County, State of Idaho.

Lots 5 and 6 and the southwest quarter of Section 3, the east half of the southeast quarter of Section 4, the east half of the northeast quarter of Section 9 and Lots 1 and 2 and the northwest quarter of Section 10, in Township 5 South of Range 46 East of the Boise Meridian, Idaho, containing 661.45 acres, according to the Official Plat of the survey of the said lands, returned to the General Land Office by the Surveyor General.

Across face is written NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, Tp. 5 S.R.46 E.B.M. cancelled by Relinquishment April 26, 1902.

T5S. R46E Sec. 9 E $\frac{1}{2}$ NE

12-27-1901

Sheet No. 2

NOTICE OF WATER RIGHT.

Claimants, --

Soren Nelson and Inger C. Nelson.

Date, --

September 28, 1901.

Recorded, --

October 7, 1901, 11:30 A.M. in Book "2" of Water Locations, at page 109 of the Records of Bannock County, Idaho.

Subscribed and
Sworn to, --

Before J. H. Haderlie, a Justice of the Peace in and for Bannock County, State of Idaho, September 28, 1901.

DESCRIPTION AND REMARKS.

To all concerned Notice is hereby given: 1st. That Soren Nelson and Inger C. Nelson of Freedom, hereby claim the use of the waters of Tincup Creek to the extent of Five Cubic feet per second. 2d. It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows; Commencing at corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 9, Tp. 5 S. R. 46 E. B. M., thence running through the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Sec. 9 in a Southeasterly direction for 1/4 of a mile, then due East 1/2 mile through the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 9, Tp. 5 S. R. 46 E. B. M. in above description. 3d. The purpose for which said water is intended to be used is for agricultural purposes. The place of intended use is on their homesteads. 4th. It is intended to divert said water by means of a canal four feet wide and three feet deep. The general course of the proposed canal is southeast and east. The length of the proposed canal is three fourths of a mile. It is intended to use said water for irrigating the following described land. The NE $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, Tp. 5 S. Range 46 E. B. M. and the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, Tp. 5 S. R. 46 E. B. M. and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4 and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 4, Tp. 5 S. R. 46 E. B. M. It is intended to have the works for diversion and use of said waters as the above canal has been completed and the water used for Eleven years.

Witness our hands at Freedom Bannock Co., Idaho, this 28th day of September, 1901.

Soren Nelson,
Inger Nelson.

G. H. Bent
Recorder

aff. of claimants, that the statements in said notice are true and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at or near the point of diversion on Sep. 28th 1901, at 6:00 o'clock P.M.

NOV 07 1901

9-28-1901

✦ Abstract of Title ✦

#2853.

MILLER & VIELE

First Mortgage Loans

SALT LAKE CITY.

UTAH

CAPTION

ABSTRACT OF TITLE to the following described lands situated in the County of

Bannock..... and State of..... Idaho.....

(Give full description of lands as described in Mortgage)

The southwest quarter of the northeast quarter and the south half of the northwest quarter of Section Nine, in Township Five South of Range Forty-six, East of the Boise Meridian, and containing one hundred twenty acres of land. Also commencing at the northeast corner of the northwest quarter of the southeast quarter of said Section Nine, and running thence South thirty-two rods; thence West one hundred twenty-three rods; thence North thirty-two rods; thence East one hundred twenty-three rods to the place of beginning, and containing twenty and $85/100$ acres of land, more or less. Also commencing seventy one rods West of the southeast corner of the northeast quarter of said Section Nine; and running thence North eighty rods; thence West nine rods; thence South eighty rods; thence East nine rods to the place of beginning, and containing four and one-half acres of land, more or less. Also commencing seventy one rods West of the Southeast corner of the northeast quarter of said Section Nine; and running thence South Thirty-two rods; thence West Nine rods; thence North thirty-two rods; thence East Nine rods to the place of beginning, and containing one and $80/100$ acres of land, more or less. A total acreage is contained herein of one hundred forty seven and $15/100$ acres of land, more or less.

Prepared for,

Miller & Viele,

Salt Lake City, Utah.

MICROFILM

NOV 0 / 1930

Certificate of Abstracter.

1
2 I Hereby Certify, That the foregoing Abstract is a correct exhibit of every
3 instrument-record or writing conveying or affecting the title of James T. Nelson
4 to the land described in the Caption upon the records of Bannock County,
5 State of Idaho.

6 I Further Certify, That I have made an examination of the following records,
7 to wit: Clerk, Auditor & Recorder of Bannock County, Idaho.
8
9
10

11 and that there are no pending suits nor liens against said premises not shown in said
12 Abstract, and that all due taxes, including taxes for year 1915, are paid. The taxes
of the year 1916 are now accruing.

13 I Further Certify, That there are no defects in said title, either of record or
14 otherwise, not shown in said Abstract, of which I have any knowledge.

15 I Further Certify, That said James T. Nelson,
16 is in peaceable possession of said premises. (This may be stated to be upon personal
17 knowledge, or reliable information.)

18 This Abstract consists of Fifteen pages, numbered consecutively,
19 including Caption and Certificate.

20 This Certificate is made to THE UNION CENTRAL LIFE INSURANCE COMPANY,

21 Dated at Pocatello, Idaho, this Twenty-fourth day
22 of October, 1918.
at 1:02 P.M.

BANNOCK ABSTRACT & TRUST COMPANY,

By [Signature] Secretary.

23
24 Recertified as above to _____

25 _____ Abstracter.

26 Recertified as above to _____

27 _____ Abstracter.

28 NOTICE.—All instruments should be abstracted from the records, and not from the original instru-
29 ments; that is to say, when an abstracter files an instrument for record, he should wait until it has been
30 actually recorded and then make an abstract of it from the records.

Loan No. _____

Serial _____ Date _____

ABSTRACT OF TITLE

FOR
MORTGAGE LOAN

TO

John A. McKeown

By _____

The National Central Life Insurance Company

of

Cincinnati, Ohio

TITLE ACREEGE

ABSTRACT IN PARTS

1. Title shown to _____

2. Title not returned to _____

3. Title approved to _____

EXAMINATIONS

By Home Office Title Examiners

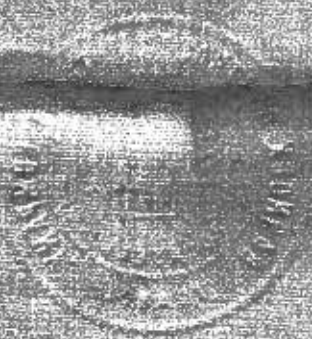
1st _____

2nd _____

3rd _____

4th _____

5th _____



ENTRY NO.

SHEET NO.25.

T A X S H E E T .

Taxes up to and including the year 1926 have been paid in full.
Taxes for the year 1927 are now accruing, but are not yet due and will
be delinquent the fourth Monday in December 1927.

oooooooo

CERTIFICATE OF ABSTRACTER

No. 495

Caribou County Abstract Company hereby certifies that the foregoing abstract of title, consisting of ~~-- six --~~ sheets numbered from 20 to 25 both inclusive, includes all instruments, records, judgments, files and proceedings, which are matters of record in the Public Offices in the County of Caribou, State of Idaho, affecting the title to, or constituting liens upon the following described property situate in said County, to-wit:

as described in the caption of this abstract
Subsequent to the 1st day of June, 1918

Said Company further certifies that there are no unpaid taxes against said premises, that there are no unredeemed tax sales thereof, and that no tax deeds have been given on said premises, except as hereinbefore stated.

This Certificate is made to Freedom State Bank.
at the request of Freedom State Bank.

Dated at Soda Springs, Idaho, this 7th day of
March A. D. 1927, @ 5:00 P. M.

CARIBOU COUNTY ABSTRACT COMPANY

By

A. de Schermer

Manager



CARIBOU COUNTY ABSTRACT COMPANY
SODA SPRINGS, IDAHO

ORDER NO. 4218
ABSTRACT NO. 2853

C E R T I F I C A T E .

The undersigned hereby certifies that the foregoing abstract of title, consisting of Sheets numbered from 1 to 19 both inclusive, comprises a true abstract of all conveyances, deeds, trust deeds, land contracts, mortgages, levy of exectuin, suits pending, tax sales, tax deeds, probate proceedings, special proceedings, bankruptcy and insolvency proceedings, unsatisfied judgments in State Courts, rendered in the County of Bannock, and

That there have been no judgments rendered by the United States District Court while in session in said County against any of the within named grantees, affecting the title herein described, and any other matters not herein specified, or record in the public offices in the County of Bannock, and State of Idaho, prior to the 1st day of June, 1918 at 5:00 o'clock P.M., affecting the title to or constituting liens upon the following described real estate situate in said County, to-wit:

The Southwest quarter of the Northeast quarter, the South half of the Northwest quarter of Section nine, and a Tract in the Southeast quarter of the Northeast quarter, and a tract in the Northeast quarter of the Southeast quarter, the Northwest quarter of the Southeast, and the Northeast quarter of the Southwest quarter of Section Nine, in Township five South of Range Forty-six, East of the Boise Meridian, in Idaho.

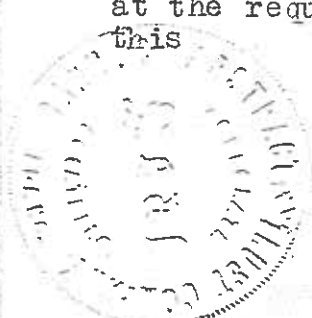
REPORT ON TAXES: Taxes up to and including the first half of 1917 have been fully paid.

THIS CERTIFICATE IS made for John T. Nelson.
at the request of Freedom State Bank.

This 1st day of June 1918.
BANNOCK ABSTRACT & TRUST COMPANY.

BY

G. S. Cibels
MGR.





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Earl Scott Wolfley
3444 East LeRoy Drive
Idaho Falls, ID 83406

COPY

June 28, 2005

Re: Snake River Basin Adjudication (SRBA)
Claim 24-10029

Subject: CHANGE IN WATER RIGHT OWNERSHIP

Response Date: July 12, 2005

Dear Mr. Wolfley;

Thank you for your phone call on Tuesday, June 28, 2005. I've enclosed the "Notice of Change in Water Right Ownership" as you requested.

We do have on file a copy of the Patent issued on May 19, 1916 to I.C. Nelson and the Posted Notice for water dated September 28, 1901 filed by Mr. Nelson. However, these are the only documents we have that support this claim. Please provide a copy of the chain of documents that connect I.C. Nelson to your sons. This should include a copy of the warranty deeds. Also please include a copy of the plat, survey map or aerial photo with the appropriate area marked.

Since this water right claim is not yet partially decreed, there is no filing fee due. We expect the Court to issue partial decrees sometime later this year, so please submit the ownership change documents soon.

If you have any questions please feel free to call us at 547-3993.

Respectfully,

Pauline Bassett

Enclosure: Form 42-248/42-1409(6) Notice of Change in Water Right Ownership



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

31 May 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

COPY

Gregory J. Wolfley
2929 West 15000 South
Bluffdale, UT 84065

SECOND REQUEST

Re: Snake River Basin Adjudication (SRBA)
Claim 24-10029

Subject: CHANGE IN OWNERSHIP & EVIDENCE OF PRIORITY

Response Date: 17 June 2005

Dear Claimant(s),

We have been advised that you are the current owner of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property, we need Form 42-248/42-1409(6) completed, signed and returned. I have enclosed the form for your convenience.

In the adjudication review process there is no filing fee. However, we will need a copy of the plat, survey map or aerial photo with the appropriate area marked and a copy of the warranty deed.

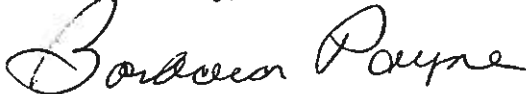
For your reference, I have enclosed the brochure entitled "Evidence of Priority". The brochure describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

We do have on file the Affidavit of Gilbert Haderlie dated December 7, 1994, a letter dated November 28, 1994 from Alice and Earl Wolfley, a copy of the Notice of Water Right, apparently taken from an abstract, and a copy of a patent dated May 19, 1916.

However, after reviewing these documents, we are unable to establish a chain of title to verify that the intent of the Posted Notice was performed and that the water was used continually since 1901. Please provide this office with a copy of the original Posted Notice, not a transcribed copy from an abstract. Also please provide documents that establish a chain of title from that Posted Notice to you as current owners. If such documentation cannot be obtained to support a 1901 priority date, a later priority date will need to be considered.

Please submit the documentation by the above response date referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed brochure, please feel free to contact me at 547-3993.

Respectfully,

A handwritten signature in cursive script, appearing to read "Barbara Payne".

Barbara Payne

Enclosure:

Form 42-248/42-1409(6) "Change in Water Right Ownership"
Evidence of Priority brochure



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

22 November 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Gregory J. Wolfley
2929 West 15000 South
Bluffdale, UT 84065

COPY

Re: Snake River Basin Adjudication (SRBA)
Claim 24-10029

Subject: CHANGE IN OWNERSHIP & EVIDENCE OF PRIORITY

Response Date: 20 December 2004

Dear Claimant(s),

We have been advised that you are the current owner of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property, we need Form 42-248/42-1409(6) completed, signed and returned. I have enclosed the form for your convenience.

In the adjudication review process there is no filing fee. However, we will need a copy of the plat, survey map or aerial photo with the appropriate area marked and a copy of the warranty deed.

For your reference, I have enclosed the brochure entitled "Evidence of Priority". The brochure describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

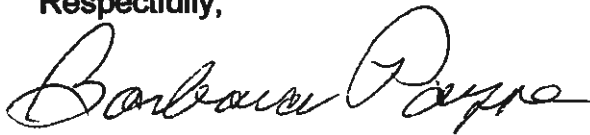
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Please submit the documentation by the above response date referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed brochure, please feel free to contact me at 547-3993.

Respectfully,

A handwritten signature in cursive script, appearing to read "Barbara Payne".

Barbara Payne

Enclosure:

Form 42-248/42-1409(6) "Change in Water Right Ownership"
Evidence of Priority brochure

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	24-10029				

COPY

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Alice or Earl Scott Wolfley
3444 E LeRoy Dr, Idaho Falls, ID
4. New Owner/Claimant(s) _____
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address _____
- City, State and ZIP Code _____
- New Telephone Number () _____
5. Date you acquired the property _____

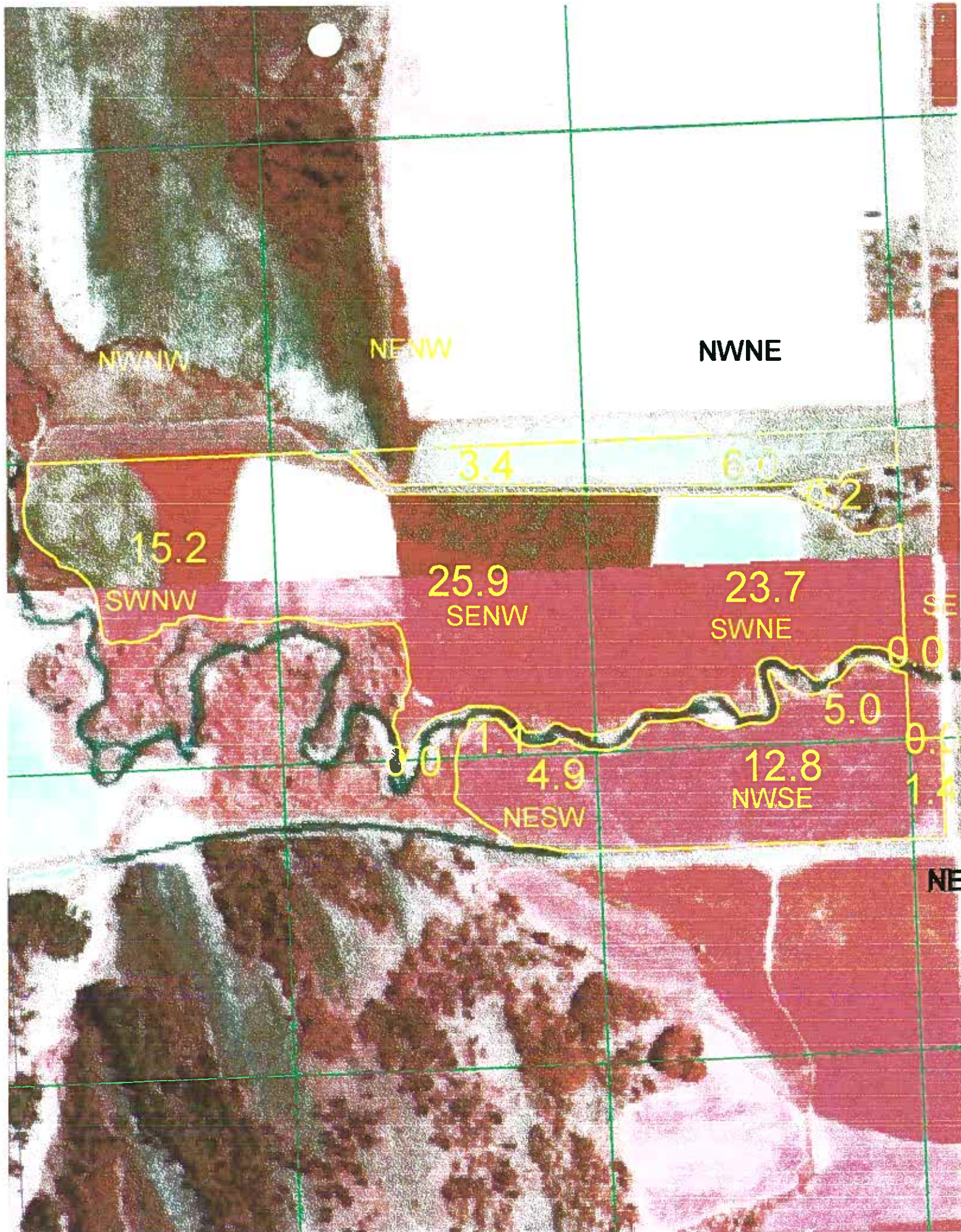
Letter needs to include request for a copy of the original Posted Notice, not one out of the abstract.

Also chain of title to verify that the intent of the Posted notice was performed.

Was the water used continually since 1901.

Based on information in the file we could recommend a 1927 priority date.

11-1804/BT



24-10029

I.C. Nelson
Patent 5-19-1916
T5S, R46E, 9,
SW NE
S $\frac{1}{2}$ NW

I Nelson
Posted Notice 5cfs
9-28-1901
POW
T5S, R46E, 9
NE NW
NW NE
S $\frac{1}{2}$ NW
SW NE
T5S, R46E, 4
SE SW
SW SE

Parcel Numbers:

11770

1177A

0544A

05480

1199A

11770

5, 46, 9

no record of qtr / qtr

non-irrigated 121 ac.

dry grazing 21 ac.

1177A

5, 46, 9

SWNE

rural res. tract 26 ac.

To: File A24-10029
Fr: Bryce A. Contor
Date: 5/12/2000



Re: Priority Date

Claimed priority date is 1927 per abstract of title and affidavit of neighbor. However, Mr. Wolfley showed me today a land patent obtained from the Caribou County recorder. The date is illegible, but the "instrument number" is 46796, and the notation at the bottom is that it was "Transcribed from Bannock County Records, Patent Record No. 9, Page 41."

The 1927 abstract of title references a "Notice of Water Right" dated October 1, 1907 and recorded in "Book 2 of Water Locations, at page 109 of the Records of Bannock County, Idaho."

Copies of what Mr. Wolfley brought in are attached.

At claims review, it may be appropriate to consider inviting Mr. Wolfley to amend his claimed, based on the combination of the posted notice and the patent.

Mr. Wolfley is going to try to get a copy of the original Notice of Water right from the Bannock County records.

Earl Scott Wolfley
3444 E. Leroy Drive
Idaho Falls, Idaho 83406
(208) 523-6043

November 28, 1994

Dave Carlson, Water Right Agent
State of Idaho
Department of Water Resources, Adjudications
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

RE: EVIDENCE OF PRIORITY
Snake River Basin Adjudication (SRBA)
Alice Wolfley and Earl Scott Wolfley, Claimants
No. A24-10029

Dear Mr. Carlson:

Enclosed is the necessary documentation to support the priority date (06/01/1927) for our beneficial use water right claim. This proof is in the form of the *Affidavit of Gilbert Haderlie*, who has personal knowledge by actual observation that in 1927 the diversion works were in place and F. Earl and Alice Wolfley began to divert water from the Tincup Creek to their own beneficial irrigation use on their ranch in Caribou County, the same property along the Tincup Creek for which this water right is claimed.

We would, therefore, request that the Department of Water Resources recommend that the Notice be decreed by the appropriate court as soon as possible.

Even though Mr. Haderlie is able to establish the priority date in 1927, we believe documentation may exist which would place the priority date at an earlier year. We wish to reserve the right to produce further documentation at a later date which may substantiate an earlier priority date.

Please contact us if anything further is required to establish this claim.

Sincerely,



Alice Wolfley



Earl Scott Wolfley,
CLAIMANTS

NOV 07 1994

enc: *Affidavit of Gilbert Haderlie*

Earl Scott Wolfley
3444 E. Leroy Drive
Idaho Falls, Idaho 83406
(208) 523-6043

November 28, 1994

Dave Carlson, Water Right Agent
State of Idaho
Department of Water Resources, Adjudications
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

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Please contact us if anything further is required to establish this claim.

Sincerely,



Alice Wolfley



Earl Scott Wolfley,
CLAIMANTS

MICROFILMED

NOV 07 1990

enc: *Affidavit of Gilbert Haderlie*



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

May 20, 1998

KARL J. DREHER
DIRECTOR

ALICE WOLFLEY
EARL SCOTT WOLFLEY
~~3617 S SARAH AVE~~ 3444 E. Leroy Drive
~~IDAHO FALLS ID 83402-4711~~ IF 83406

Re: Snake River Basin Adjudication (SRBA)
Water Rights#24-10028 & 24-10029
Change of Address

Dear Water Right Holders:

IDWR has been notified the address presently is incorrect. Although we have reached you at the we need your written confirmation this is your correct address before we can change our records. Future to your water right(s) can be sent only to the address water right(s) or as otherwise changed by you.

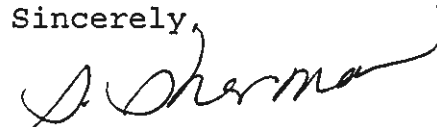
6-3-99- Mr. Wolfley says he wants mail to come to 3444 E Leroy. This original address Jennifer Hoagland

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Please return the letter by June 10, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

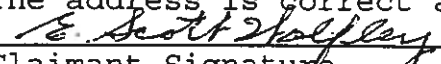
Sincerely,


Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.


Claimant Signature

Telephone No.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

May 20, 1998

KARL J. DREHER
DIRECTOR

ALICE WOLFLEY
EARL SCOTT WOLFLEY
3617 S SARAH AVE
IDAHO FALLS ID 83402-4711

06-29-98
e response. ps

Re: Snake River Basin Adjudication (SRBA)
Water Rights #24-10028 & 24-10029
Change of Address

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Please return the letter by June 10, 1998. Thank you for your help.

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Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

return fee due 50¢

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1201 North Orchard Street, P.O. Box 8372
Boise, Idaho 83726-0098

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS



POSTAGE
7032488
U.S. POSTAGE
0295

IMPORTANT WATER RIGHT INFORMATION

24-10028
ALICE WOLFLEY
EARL SCOTT WOLFLEY
3444 E LEROY DRIVE
IDAHO FALLS ID 83406

WOLFLEY 634063005 1897A 05/13/96
WOLFLEY SARAH AVE
IDAHO FALLS ID 83402-4711

2024-10029

Handwritten barcode-like markings.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

May 20, 1998

KARL J. DREHER
DIRECTOR

ALICE WOLFLEY
EARL SCOTT WOLFLEY
3617 S SARAH AVE
IDAHO FALLS ID 83402-4711

Re: Snake River Basin Adjudication (SRBA)
Water Rights#24-10028 & 24-10029
Change of Address

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Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

IDAHO DEPT. OF WATER RESOURCES
EASTERN REGION

CONVERSATIONAL MEMORANDUM

DATE: 25 Oct. 1954

PAGE: 1 OF 1

CLAIM NUMBER: A24-10029

NAME OF PARTY: Scott Wolkley

EMPLOYEE: AB Ruben

RE: Mr. Wolkley called in response to a letter
from Dave Carlson requesting evidence of priority
by month's end.

Due to family emergencies he would not be able
to comply with the request by the appointed date. So,
he wanted an extension of time.

I talked to Dave. He said sometime this winter
would be fine.

Told Mr. Wolkley what Dave had said — Mr.
Wolkley said he have it in by mid-Nov. I told
him the sooner the better.

RECORDED
NOV 07 1954

SCANNED

Log for claim 24-10029

AUG 6 2001
Spatial Dynamics LTD

5/2/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s46e	9	SWNE	40	35	
05s46e	9	SWNW	15	15	POD placement?
05s46e	9	SENW	32	30	POD placement?
05s46e	9	NESW	5	4.9	
05s46e	9	NESE	2	1.4	
05s46e	9	NWSE	16	13	
Totals:			110	99.3	

Notes

3-8-06 Added to FI. + SS, BP

Idaho Department of Water Resources



SRBA Recommendation:

24-10716

(Irrigation)

Legend

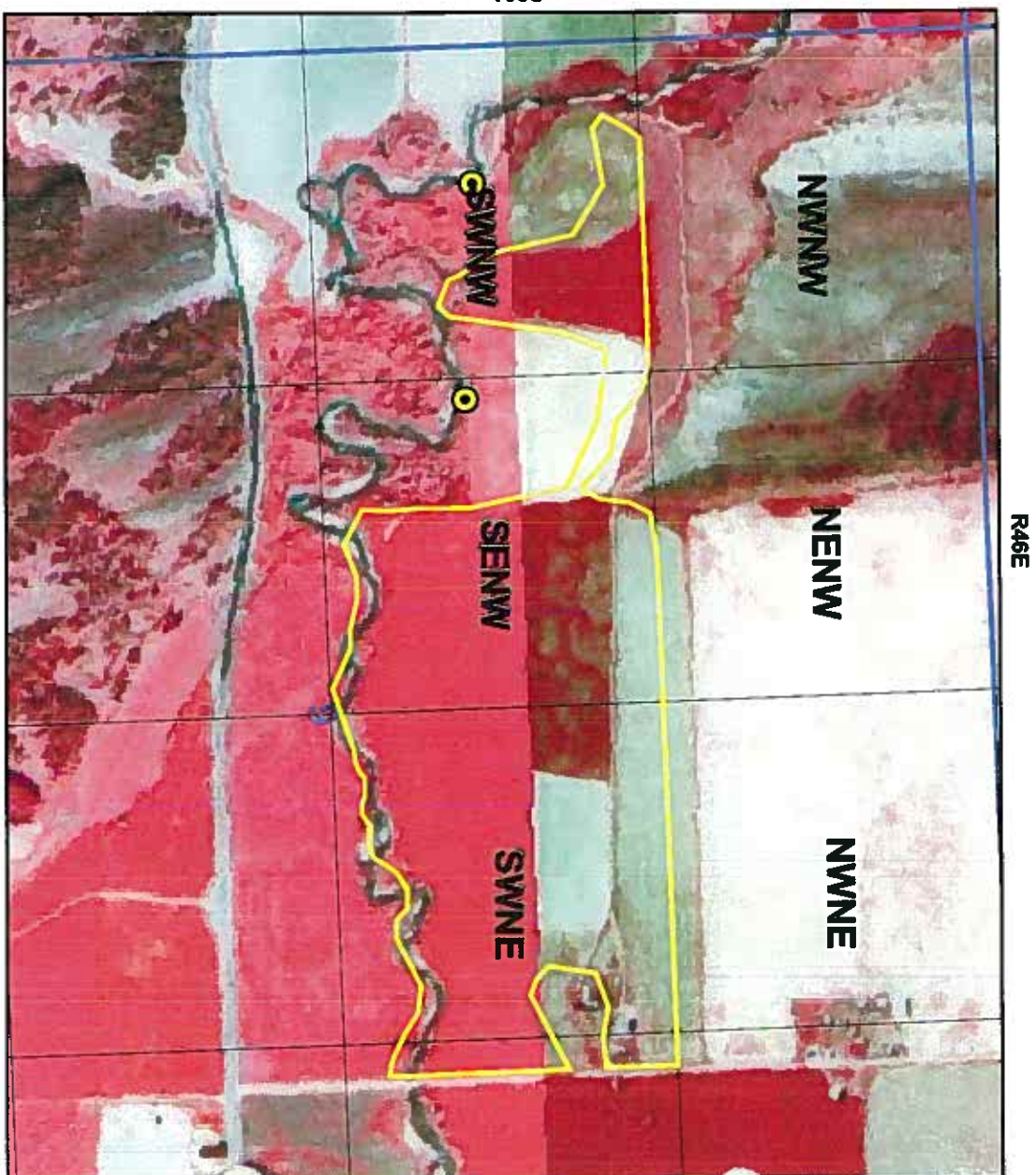
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Caribou County
IDWR Basin 24



T05S



Prepared by C. BIRD
On Tuesday, July 25, 2006
1987/88 Aerial Photography

07/25/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 24-10716
NAME AND ADDRESS: L. SCOTT WOLFLEY
8346 W EASTMAN PL
LAKEWOOD CO 80227
GREGORY J WOLFLEY
8346 W EASTMAN PL
LAKEWOOD CO 80227
SOURCE: TINCUP CREEK
QUANTITY: 1.370 CFS
PRIORITY DATE: 10/07/1901
POINT OF DIVERSION: T05S R46E S9 SWSMNW Within CARIBOU County
T05S R46E S9 SWSSENW Within CARIBOU County
PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
IRRIGATION
04/15 10/31
QUANTITY 1.370 CFS
PLACE OF USE: IRRIGATION Within CARIBOU County

T05S R46E S09	SWNE	33.00	T05S R46E S09	SENE	3.00
T05S R46E S09	SWNW	8.60	T05S R46E S09	SENW	24.00
68.6 ACRES TOTAL					

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 24-10029.

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

CIVIL CASE NUMBER: 39576

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

Ident. Number 24-10716
Date Received: 2/7/1990
Receipt No:
Received By:

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

1. Name of Claimant(s)

GREGORY J WOLFLEY Phone: (303) 980-8114

8346 W EASTMAN PL
LAKEWOOD CO USA 80227

L. SCOTT WOLFLEY Phone: (303) 980-8114

8346 W EASTMAN PL
LAKEWOOD CO USA 80227

2. Date of Priority: 10/07/1901

3. Source: TINCUP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

Township Range Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S 46E 9	SW NW	CARIBOU	
05S 46E 9	SE NW	CARIBOU	

5. Description of diverting works:

HEADGATE AND DITCHES

6. Water is used for the following purposes:

Purpose IRRIGATION
From To C.F.S.
04/01 11/01 2.02
(or) A.F.A

7. Total Quantity Appropriated is: 2.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township		Range		Section		1/4 of 1/4		Lot		Use		Acres	
05S	46E	9	SW	NE	IRRIGATION	40		35		IRRIGATION		20	
			SE	NW	IRRIGATION	6		20		IRRIGATION		20	
			SW	NW	IRRIGATION	101		101		Section Acres		101	
					Total Acres	101		101		Total Acres		101	

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED 5/12/2000 TO CHANGE PRIORITY DATE TO OCTOBER 7, 1901, TO REFLECT "NOTICE OF A WATER RIGHT" RECORDED IN BANNOCK COUNTY AND LAND PATENT. MORE DOCUMENTATION WILL BE PROVIDED DURING THE NEXT YEAR.

This right is a split from former right 24-10029 .

15. Basis of Claim: Beneficial Use

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.

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

Signature of Claimant(s): L. S. Williams Date: 2-28-06

Date: 2-28-06

State of Idaho
County of Bannock
)
) SS.

Subscribed and sworn (or affirmed) before me this 28th day

Cindy E. Bird
Notary Public

Residing at Java Mt Spring
My commission Expires May 1, 2007



Number of attachments: 9

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

CIVIL CASE NUMBER: 39576

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

Ident. Number 24-10029
Date Received: 2/7/1990
Receipt No: E011987
Received By:

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

1. Name of Claimant(s)

GREGORY J WOLFLEY Phone: (303) 980-8114
8346 W EASTMAN PL
LAKEWOOD CO USA 80227

L. SCOTT WOLFLEY Phone: (303) 980-8114
8346 W EASTMAN PL
LAKEWOOD CO USA 80227

2. Date of Priority: 10/07/1901

3. Source: TINCUP CREEK , TINCUP CREEK Trib. to: SALT RIVER , SALT RIVER

4. Point of Diversion:

Township Range Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S 46E 9	SW NW	CARIBOU	
05S 46E 9	SE NW	CARIBOU	

5. Description of diverting works:

HEADGATE AND DITCHES

6. Water is used for the following purposes:

Purpose IRRIGATION
From To C.F.S. 4/01 11/01 2.2
(or) A.F.A

7. Total Quantity Appropriated is:
2.2 C.F.S.

8. Total consumptive use:

02/24/2006

24-10029

(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.

16. Signature(s)

15. Basis of Claim: Beneficial Use

CLAIM AMENDED 5/12/2000 TO CHANGE PRIORITY DATE TO OCTOBER 7, 1901, TO REFLECT "NOTICE OF A WATER RIGHT" RECORDED IN BANNOCK COUNTY AND LAND PATENT. MORE DOCUMENTATION WILL BE PROVIDED DURING THE NEXT YEAR.

14. Remarks:

13. Other Water Rights Used:

12. Do you own the property listed above as place of use? No

11. Place of use in counties: CARIBOU

Township		Range		Section		1/4 of 1/4 Lot		Use		Acres	
05S		46E		9		SW		NE		40	
								NE		40	
								SE		2	
								NW		32	
								SW		15	
								NE		5	
								SW		16	
								SE		110	
								IRRIGATION		110	
								IRRIGATION		Total Acres	
								IRRIGATION		110	

10. Place of use:

9. Non-irrigation uses:

02/08/2006

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

IDaho DEPARTMENT OF WATER RESOURCES

RIGHT NUMBER: 24-10029

NAME AND ADDRESS: ALICE WOLFLEY

3444 E LEROY DR

IDaho FALLS ID 83406

EART SCOTT WOLFLEY

3444 E LEROY DR

IDaho FALLS ID 83406

SOURCE:

TINCUP CREEK

TRIBUTARY: SALT RIVER

QUANTITY:

2.200 CFS

PRIORITY DATE:

10/07/1901

POINT OF DIVERSION:

T055 R46E S9 SWNW within CARIBOU County

T055 R46E S9 SENW within CARIBOU County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

2.200 CFS

PLACE OF USE:

IRRIGATION within CARIBOU County

T055 R46E S09

SWNE

40.00

T055 R46E S09

SWNW

15.00

T055 R46E S09

SESW

32.00

T055 R46E S09

SESW

5.00

T055 R46E S09

NESE

2.00

T055 R46E S09

WSE

16.00

110 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

DISALLOWED

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

CIVIL CASE NUMBER: 39576

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

Ident. Number: A24-10029
Date Received: 2 / 7 / 1990
Receipt No: E011987
Received By: _____

COPY

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

1. Name:	ALICE WOLFLEY	208-523-6054
Address:	3444 E LEROY DRIVE	
	IDAHO FALLS ID	
OR		
Name:	EARL SCOTT WOLFLEY	208-523-6054
Address:	3444 E LEROY DRIVE	
	IDAHO FALLS ID	
		83406

2. Date of Priority: OCT 7, 1901

3. Source: TINCUP CRK Trib. to: SALT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
05S	46E	9	SW	NW	CARIBOU
			SE	NW	CARIBOU

5. Description of diverting works:
HEADGATE AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.200		
7. Total Quantity Appropriated is:	2.200 C.F.S. (and/or)				
8. Total consumptive use is	275.0 Acre Feet Per Annum.				

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	46E	9	SW	NE	IRR	40.0
			SW	NW	IRR	15.0
			SE	NW	IRR	32.0
			NE	SW	IRR	5.0
			NE	SE	IRR	2.0
			NW	SE	IRR	16.0
						110.0
						110.0

11. Place of use in counties: CARIBOU

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

13. Other water Rights Used:

NONE

14. Remarks:

CLAIM AMENDED 5/12/2000 TO CHANGE PRIORITY DATE TO OCTOBER 7, 1901, TO REFLECT "NOTICE OF A WATER RIGHT" RECORDED IN BANNOCK COUNTY AND LAND PATENT. MORE DOCUMENTATION WILL BE PROVIDED DURING THE NEXT YEAR.

15. Basis of Claim: BENEFICIAL USE

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/we do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

Date:

Date: 5-12-2000



State of Idaho)
County of Bonneville)
SS.)
Subscribed and sworn (or affirmed) before me this _____ day of May 20 00

Bryce A. Contor
Notary Public

Residing at Mud Lake, ID.
My Commission Expires 10/14/2005

COPY

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

CIVIL CASE NUMBER: 39576

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

Ident. Number: A24-10029
Date Received: 2/07/1990
Receipt No: 5011987/82
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	ALICE WOLFLEY	208-523-6054
Address:	3444 E. LEROY DRIVE	
	IDAHO FALLS, ID	
OR		
Name:	EARL SCOTT WOLFLEY	208-523-6054
Address:	3444 E. LEROY DRIVE	
	IDAHO FALLS, ID	
	83406	
2. Date of Priority:	JUN 01, 1927	
3. Source:	TINCUP CRK	
4. Point of Diversion:		
	Trib. to: SALT RIVER	

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
05S	46E	9	SW	NW	CARIBOU
			SE	NW	CARIBOU

5. Description of diverting works:
HEADGATE AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.200		

7. Total Quantity Appropriated is:
2.200 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 275.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A24-10029

Page

1

Date: 02/07/90

COPY

RECORDED
NOV 06 1992



A2410029

10. Place of use:

Township	05S	Range	46E	Section	9	1/4 of 1/4	Use	Lot	Acres
----------	-----	-------	-----	---------	---	------------	-----	-----	-------

SW	NE	IRR	40.0
SW	NW	IRR	15.0
SE	NW	IRR	32.0
NE	SW	IRR	5.0
NE	SE	IRR	2.0
NW	SE	IRR	16.0

Section Acres

110.0

Total Acres

110.0

11. Place of use in counties: CARIBOU

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

13. Other water rights used:

NONE

14. Remarks:

15. Basis of claim: BENEFICIAL USE

AZ4-10029

Page

2

Date: 02/07/90

RECORDED
NOV 06 1992

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

COPY

For individuals:

I/we do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): E. Scott Hickey

Date: 2-7-90

Date: _____

State of Idaho

) SS.
)

County of Bonneville

Subscribed and sworn (or affirmed) before me this 7th day

of Feb 19 90

Notary Public

Residing at Betty J. Thompson, Notary Public
Residing at Bear Falls, Idaho

My Commission Expires: 6-30-94

Seal

