

CONTRACT FOR PERPETUAL WATER RIGHT.

Mike Cola,

Grantor,

Dated, ...

-to-

Recorded, April 27th, 1938.

Onie W. Herlin,

Grantee.

Book "H" of Agreements, at
page 264.

Consideration, \$1.00.

Witnessed.

Acknowledged April 25th, 1938 before T. P. Wormward,
Notary Public for Idaho, residing at Kellogg. (Seal)

Whereas, the said party of the second part heretofore had purchased a certain tract of land from said party of the first part herein, in the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 35, Township 49 N. R. 1 E. B. M., and upon which said Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), as above stated, there are two springs, and from which there is a pipe line leading to the premises of the party of the second part, but that the deed of said first party to the second party herein does not mention said springs and said pipe line to the property of said second part, the said Onie W. Herlin.

Now, therefore, it is hereby contracted and agreed between said parties hereto for and in consideration of the sum of One (\$1.00) dollar in hand paid by the party of the first part, the receipt of which is hereby acknowledged, that said second party, the said Onie W. Herlin, is to have the perpetual water right, and to construct and maintain a water pipe line for domestic and irrigation purposes from said springs located on Northeast quarter of Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 35, Township 49 N. R. 1 E. B. M., and to that certain tract of land heretofore conveyed to said Onie W. Herlin and wife by Mike Cola and wife on July 3, 1931, and recorded in Book 64 of Deeds at page 155.

It being understood and agreed that the water tank, located at said springs is in need of repair and will from time to time hereafter require repairs thereon, and that the said party of the second part, the said Onie W. Herlin, agrees to pay one half of the expense connected with keeping said tank located at said springs, in repair.

pg 25 of Abstract of Title # 4757
Jane Price
JANE PRICE

PRICE FAMILY TRUST PIN RP49N01E357600



x SPRING

