

07/09/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13861

NAME AND ADDRESS: SCHIESS BROTHERS
C/O LYLE SCHIESS
498 W 675 S
VICTOR ID 83455

ERVIN SCHIESS
498 W 675 S
VICTOR ID 83455

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.095 CFS
165.00 AFY

PRIORITY DATE: 05/16/1977

POINT OF
DIVERSION:

T04N R45E S31 SWNWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/15	1.095 CFS 165.00 AFY
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T04N R45E S31 Lot 2 SWNW 24.00	T04N R45E S31 Lot 3 NWSW 31.00	
	55 ACRES TOTAL		

Right Nos. 22-13859 and 22-13861 are limited to the irrigation of a combined total of 55 acres in a single irrigation season.

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 - License

This right is a split from former right 22-7241 .



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

October 17, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SCHIESS BROTHERS
C/O LYLE SCHIESS
498 W 675 S
VICTOR ID 83455

RE: Notice of Change of Water Right Ownership (NCO) for 22-13861 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Bobby Kern
Office Specialist II

Enclosure

cc Holden Kidwell Hahn & Crapo PLLC

SCANNED
NOV 03 2008

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

In Re SRBA)

Water Rights: 22-13861

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

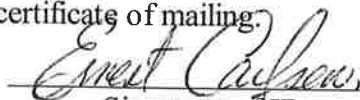
- ☐ Address change
- ☒ Substitution of Party SCHIESS-SCHIESS
- ☐ I.C. § 42-222 transfer

- ☐ point of diversion ☐ place of use
- ☐ period of use ☐ nature of use
- ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Oct 25, 2008



Signature of IDWR Representative

SCANNED

NOV 03 2008

CERTIFICATE OF MAILING

I certify that on October 29, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:

SCHIESS BROTHERS
C/O LYLE SCHIESS
498 W 675 S
VICTOR ID 83455

ERVIN SCHIESS
498 W 675 S
VICTOR ID 83455

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

SCHIESS BROTHERS
C/O LYLE SCHIESS
498 W 675 S
VICTOR ID 83455

4. One copy to:

Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Bobby Kern

Signature of person or attorney mailing the form

SCANNED

NOV 03 2008

10/17/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13861

NAME AND ADDRESS: SCHIESS BROTHERS
C/O LYLE SCHIESS
498 W 675 S
VICTOR ID 83455

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.095 CFS
165.00 AFY

PRIORITY DATE: 05/16/1977

POINT OF
DIVERSION:

T04N R45E S31 SWNWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	1.095 CFS 165.00 AFY

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S31 Lot 2 SWNW	24.00	T04N R45E S31 Lot 3 NWSW	31.00
--------------------------	-------	--------------------------	-------

55 ACRES TOTAL

Right Nos. 22-13859 and 22-13861 are limited to the irrigation of a combined total of 55 acres in a single irrigation season.

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 - License

This right is a split from former right 22-7241 .

SCANNED
NOV 03 2008



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
E-MAIL rharris@holdenlegal.com

October 16, 2008

Jonie Barg
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, Id 83402

RE: Notice of Change of Water Right Ownership for Water Right No. 22-13861.

Dear Jonie:

Pursuant to your request, we are enclosing the Notice of Change of Water Right Ownership with Lyle Schiess' signature page.

Thank you for your kind assistance with this matter. If you have any questions, please feel free to contact us at your convenience.

Sincerely,

Cheri Vandermeulen
Secretary for Robert L. Harris

Enclosures

G:\WPDATA\RLH\Schiess Brothers\Jonie Barg ltr 101608.wpd:cdv

SCANNED

NOV 03 2008

RECEIVED

OCT 17 2008

Established in 1896

Department of Water Resources
Eastern Region



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
E-MAIL rharris@holdenlegal.com

October 9, 2008

Jonie Barg
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, Id 83402

RE: Notice of Change of Water Right Ownership for Water Right No. 22-13861.

Dear Jonie:

Enclosed with this letter is a Notice of Change of Water Right Ownership for Water Right No. 22-13861. Also enclosed is a copy of a Death Certificate for Mr. William E. Schiess, who is more commonly known as Ervin Schiess. Water Right No. 22-13861 was split from a former water right, Water Right No. 22-7241. This was done recently by you, and in the process of that split, Ervin was included as an owner of Water Right No. 22-13861 along with Schiess Brothers. Ervin is now deceased, and we have included a copy of his Death Certificate. Additionally, the Notice of Change of Water Right Ownership was signed by Jacqueline Schiess and she is the personal representative of Ervin Schiess' estate. A copy of the Letters of Administration are enclosed with this letter.

We request that Ervin's name be removed from Water Right No. 22-13861, and that only Schiess Brothers be listed as the owners. We note that this is consistent with other water rights that Schiess Brothers owns, namely Water Right Nos. 22-7030, 22-7228B, and 22-13859.

We appreciate your kind attention to this matter. If you have any questions, please let us know. As we discussed on the phone, there is a pending sale of the property that may be upheld unless this issue is resolved. We therefore request that to the extent possible, you expedite this Notice of Change of Water Right Ownership. We sincerely appreciate your attention to this matter.

Best Regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

RECEIVED

OCT 09 2008

Department of Water Resources
Eastern Region

Enclosures

SCANNED

NOV 03 2008

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
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
	Adj. 22-13861 OK				

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 rights(s) or claims(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 your water rights(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	<u>Schiess Brothers c/o Lyle Schiess & Ervin Schiess</u> <u>498 W. 675 S., Victor, ID 83455</u>
4. New Owner/Claimant(s)	<u>Scheiss Brothers</u>
New Mailing Address	Name connector (check one): [] and [] or, [] and/or <u>c/o Lyle Schiess, 498 W. 675 S.</u>
City, State and ZIP Code	<u>Victor, ID 83455</u>
New Telephone Number	<u>208-787-2468</u>
5. Date you acquired the property	<u>N/A</u>

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OCT 17 2008

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock,
Water right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

7. Schiess Bro by Lyle Schiess Lyle Schiess, Partner, for Schiess Brothers
Signature and title (if applicable)

For IDWR Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ Date _____ WR _____ Date _____

SCANNED
NOV 03 2008

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
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
	Adj. 22-13861	OK			

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

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- 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 your water rights(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county.)
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3. Name and Address of Former Owner/Claimant Schiess Brothers c/o Lyle Schiess & Ervin Schiess
498 W. 675 S., Victor, ID 83455
4. New Owner/Claimant(s) Scheiss Brothers
Name connector (check one): ☐ and ☐ or, ☐ and/or
New Mailing Address c/o Lyle Schiess, 498 W. 675 S.
City, State and ZIP Code Victor, ID 83455
New Telephone Number 208-787-2468
5. Date you acquired the property N/A

SCANNED
NOV 03 2008

RECEIVED

OCT 09 2008

Department of Water Resources
Eastern Region

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock,
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Irrigation		
Stock		
Domestic		
Other		
Totals		
Water right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

7.

Ervin Schiess
Signature and title (if applicable)

*Personal Representative of Estate of William
E. Schiess (aka Ervin Schiess)*

For IDWR Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ Date _____ WR _____ Date _____

SCANNED
NOV 03 2008



COOPERATIVE CENTER FOR
HEALTH STATISTICS - VITAL
STATISTICS

450 W. STATE ST.
BOISE, IDAHO 83720

CERTIFICATE OF DEATH

DATE FILED: APRIL 13, 1992

STATE FILE NUMBER: 92-01908

DECEDENT: WILLIAM ERVIN SCHIESS

DATE OF DEATH: APR. 09, 1992 PLACE OF DEATH: VICTOR, IDAHO

DATE OF BIRTH: JUNE 10, 1909 PLACE OF BIRTH: IDAHO

AGE: 82 YEARS SEX: MALE VETERAN? NO

MARITAL STATUS: MARRIED SPOUSE (MAIDEN) : RUBY LAVAUNT MILLER

SOCIAL SECURITY NUMBER: 519-14-4573 RESIDENCE: VICTOR, IDAHO

FATHER: ULRICH SCHIESS, JR.
FATHER'S BIRTHPLACE: SWITZERLAND
MOTHER (MAIDEN): ALICE VICTORIA NIELSEN
MOTHER'S BIRTHPLACE: UTAH

MORTUARY: WADE FUNERAL HOME
MORTICIAN: MARK L. WADE

DRIGGS, IDAHO
DISPOSITION: BURIAL

CERTIFYING PHYSICIAN: LAWRENCE T. CURTIS, MD

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

METASTATIC ADENO CARCINOMA LUNG

1 YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

NONE LISTED

DATE ISSUED: APRIL 15, 1992

*This is to certify that this is a true and correct reproduction or abstract of the official record
filed with the Idaho Department of Health & Welfare, Boise, Idaho.*

RICHARD W. BLAIR, CLERK

DO NOT ACCEPT UNLESS ON SECURITY PAPER WITH EMBOSSED SEAL OF IDAHO
DEPT. OF HEALTH & WELFARE CLEARLY APPEARED
Section 39-275, Idaho Code

HWH0139

SCANNED

NOV 03 2008

DEPARTMENT OF HEALTH AND WELFARE

271610

Robert E. Farnam, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.
1000 Riverwalk Drive, Suite 200
P. O. Box 50130
Idaho Falls, Idaho 83405-0130
Telephone: (208) 523-0620
Telefax: (208) 523-9518
Idaho State Bar Number 1240

1:46 AM

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE)
)
 OF)
)
 WILLIAM E. SCHIESS,)
)
 Deceased.)
)

Case No.: CV 07-231

LETTERS OF ADMINISTRATION

1. Jacquelyn Schiess was duly appointed and qualified as personal representative of the estate of the above named decedent on the 26 day of July, 2007, by the Magistrate acting as Registrar with all authority pertaining thereto.
2. Administration of the estate is unsupervised.
3. These letters are issued to evidence the appointment, qualification, and authority of said personal representative.

STATE OF IDAHO)
County of Teton) ss. WITNESS, my signature and the seal of this court, this 26 day of July, 2007.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the original thereof, on file in my office.

Dated 30 July, 2007

C. W. C.
Magistrate

By Gaelene Hernandez
Deputy Clerk

G:\WPDA\BUREAU\550\Reopen.LA.wpd:jh

/s/ Colin W. Luke
Magistrate

SCANNED
NOV 03 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

July 9, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

THE SCHIESS REVOCABLE TRUST
4145 E RIRIE HWY
IDAHO FALLS ID 83401

RE: Notice of Change of Water Right Ownership (NCO) for
22-2058 (Split into 22-13859 & 22-13860) and 22-7241 (Split into 22-13861 &
22-13862) and Notice of Completed Administrative Proceeding (NCAP)

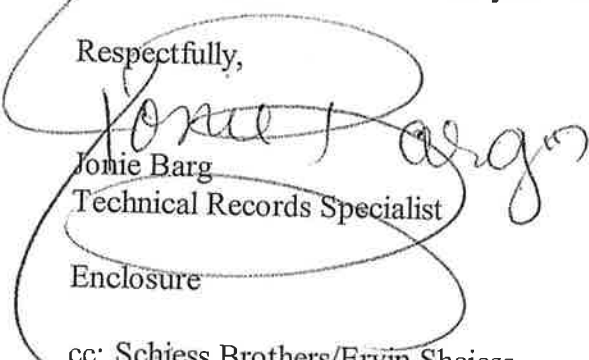
Dear SIR/MADAM:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jonie Barg
Technical Records Specialist

Enclosure

cc: Schiess Brothers/Ervin Schiess

SCANNED

AUG 04 2008

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

In Re SRBA)

Water Rights: 22-7241
(Split into 22-13861 & 22-13862)

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party SCHIESS BROTHERS/SCHIESS-SCHIESS REVOCABLE TRUST
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: July 24, 2008

Ernest Carlson

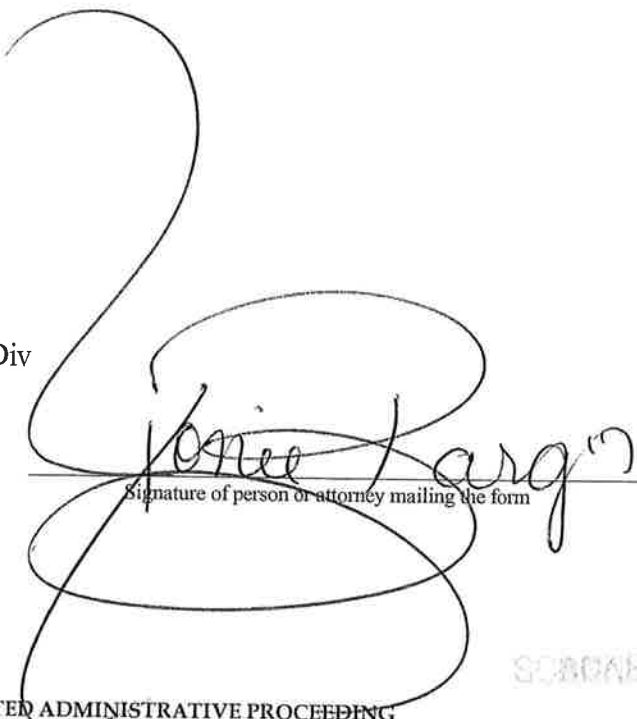
Signature of IDWR Representative

SCANNED
AUG 04 2008

CERTIFICATE OF MAILING

I certify that on July 28, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Schiess Brothers Ervin Schiess
c/o Lyle Schiess 498 W 675 S
498 W 675 S Victor ID 83455
Victor ID 83455
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
The Schiess Revocable Trust
4145 E Ririe Hwy
Idaho Falls ID 83401
4. One copy to:
Each party in the subcase, or attorney of record
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

06/9/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER

22-7241

CLAIM DISPOSITION REASON

Disallowed

Split into: 22-13861 and 22-13862

SCANNED
AUG 04 2008

07/09/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13862

NAME AND ADDRESS: THE SCHIESS REVOCABLE TRUST
4145 E RIRIE HWY
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.095 CFS
165.00 AFY

PRIORITY DATE: 05/16/1977

POINT OF
DIVERSION:

T04N R45E S31 SWNWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	1.095 CFS 165.00 AFY

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S31 Lot 4 SWSW	21.00	T04N R45E S31	SESW	34.00
--------------------------	-------	---------------	------	-------

55 ACRES TOTAL

Right Nos. 22-13860 and 22-13862 are limited to the irrigation of a combined total of 55 acres in a single irrigation season.

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 - License

This right is a split from former right 22-7241 .

SCANNED

AUG 04 2008

07/09/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13861

NAME AND ADDRESS: SCHIESS BROTHERS
C/O LYLE SCHIESS
498 W 675 S
VICTOR ID 83455

ERVIN SCHIESS
498 W 675 S
VICTOR ID 83455

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.095 CFS
165.00 AFY

PRIORITY DATE: 05/16/1977

POINT OF
DIVERSION:

T04N R45E S31 SWNWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

1.095 CFS
165.00 AFY

PLACE OF USE:

IRRIGATION in TETON County

T04N R45E S31 Lot 2 SWNW 24.00 T04N R45E S31 Lot 3 NWSW 31.00

55 ACRES TOTAL

Right Nos. 22-13859 and 22-13861 are limited to the irrigation of a combined total of 55 acres in a single irrigation season.

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 - License

This right is a split from former right 22-7241 .

SCANNED

AUG 04 2009

DEV ✓

**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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-2058	AdJ	X			
22-7241	AdJ	X			
22-1186	WR 25 D/S	OK			

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 on file with the county Planning and Zoning or Recorder's Office).

OR

- D. 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 or equivalent **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)

Schiess Brothers

RECEIVED
JUN 30 2008

4. New Owner/Claimant(s)

With The Schiess Revocable Trust

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

4145 E. Ririe Hwy

City, State and ZIP Code

Idaho Falls, ID 83401

New Telephone Number

(208) 542-2473

Email: jacque.schiess@yahoo.com

5. Date you acquired the property

July 31, 1994

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Jaqueline Schuss
A. J. Schuss

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:Received by BMADate 4/30/08

Receipted by _____

Date _____

Processed by _____ AJ

Date _____

Receipt Amt. \$25.00Receipt No. E034196

WR _____

Date _____

103 8 4 2003

month as support money for said minor, until further order of this court.

Done at Chambers at Idaho Falls, Idaho, March 2, 1935.

C. J. Taylor
District Judge, Ninth Judicial
District of Idaho, Teton County

Filed for Record at the Request of S. H. Atchley at 30 Minutes past 9 O'clock A.M. this
5th day of March 1935

L. W. Hastings Recorder.
Bertha Durtschi Deputy.

Instrument 27493

IN THE PROBATE COURT OF TETON COUNTY, STATE OF IDAHO

IN THE MATTER OF THE ESTATE OF	I	FILED
ULRICH SCHIERS, JR.,	:	Mar 23 1935
DECEASED.	I	F. M. Reynolds
		ORDER SETTLING FINAL ACCOUNT AND DECREE OF DISTRIBUTION.

Comes now William E. Schiess, administrator of the estate of Ulrich Schiers, Jr., deceased, by his attorney, S. H. Atchley, and proves to the satisfaction of the court that his final account and petition for distribution herein was filed and rendered in this court March 13, 1935; that on the same day an order was made by this court fixing March 23, 1935, at 10 o'clock A.M. of said day for the settlement and hearing thereof; that due and legal notice of the Time and Place of said settlement and hearing has been given as required by law; and the said account and petition being now presented to the court and no person appearing to except to or to contest the same, the court, after hearing the evidence and being satisfied that all the taxes upon said property of said estate have been paid, and there is no inheritance tax due or payable in this case, now settles said account and orders distribution as follows:

IT IS ORDERED, ADJUDGED AND DECREED by the court that said administrator has in his possession belonging to said estate no personal property or cash, but that he has the following real estate, to-wit:

Lots 2, 3 and 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 4 North, Range 45 E.B.M.

That the foregoing described land is the residue of said Estate.

That the same be distributed to the heirs as follows, to-wit:

To Mary Schiess Hibbert: Beginning at the Northwest Corner of Lot 2, Section 31, Township 4 North, Range 45 E.B.M., and running thence South 32 rods, thence East 80 rods, thence North 32 rods, thence West 80 rods, to place of beginning, containing 16 Acres.

To Edwin E. Schiess: Beginning at a point 32 rods South of the Northwest Corner of Lot 2, Section 31, Township 4 North, Range 45 E.B.M., and running thence East 20 rods, thence South 128 rods, thence West 20 rods, thence North 128 rods, to place of beginning, containing 16 Acres.

To Charles U. Schiess: Beginning at a point 32 rods South and 20 rods East of the Northwest Corner of Lot 2, Section 31, Township 4 North, Range 45 E.B.M., and running thence East 20 rods, thence South 128 rods, thence West 20 rods, thence North 128 rods, to place of beginning- 16 Acres.

To Edna Schiess Walton: Beginning at a point 32 rods South and 40 rods East of the Northwest Corner of Lot 2, Section 31, Township 4 North, Range 45 E.B.M., and running thence East 20 rods, thence South 128 rods, thence West 20 rods, thence North 128 rods, to place of beginning- 16 Acres.

To Caroline Schiess Mecham: Beginning at a point 32 rods South and 60 rods East of the Northwest Corner of Lot 2, Section 31, Township 4 North, Range 45 E.B.M., and running thence East 20 rods, thence South 128 rods, thence West 20 rods, thence North 128 rods, to place of beginning, containing 16 Acres.

X To William E. Schiess: Beginning at the Southwest Corner of Lot 4, Section 31, Township 4 North, Range 45 E.B.M., and running thence North 80 rods, thence East 40 rods, thence South 80 rods, thence West 40 rods, to place of beginning, containing 20 acres.

X To David E. Schiess: Beginning at a point 40 rods East of the Southwest Corner of Lot 4, Section 31, Township 4 North, Range 45 E.B.M., and running thence North 80 rods, thence East 40 rods, thence South 80 rods, thence West 40 rods, to the place of beginning, containing 20 Acres.

X To Evelyn Schiess Mecham: Beginning at the Southwest Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 4 North, Range 45 E.B.M., and running thence North 80 rods, thence East 37 rods, thence South 80 rods, thence West 37 rods, to place of beginning, containing 16 $\frac{1}{2}$ Acres.

X To Nephi Schiess: Beginning at a point 37 rods East of the Southwest Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 4 North, Range 45 E.B.M., and running thence North 80 rods,

David
Schiess

SCANNED

APR 04 1935

thence East 43 rods, thence South 80 rods, thence West 43 rods, to place of beginning, containing 21.5 Acres.

A lane one rod wide is reserved for the use of said heirs across the North end of the four last-mentioned tracts of land.

That all of said heirs to said estate are above 21 years of age.

The residue of said estate, if any there be, shall be distributed to said heirs, share and share alike.

Dated March 23, 1935.

Probate Jdige Seal.

F. M. Reynolds

Probate Judge

Filed for Record at the Request of S. H. Atchley at 30 Minutes past 10 A.M. O'clock A.M. this 26th day of April 1935

\$1.20

L. W. Hastings Recorder.

Instrument 27610

IN THE PROBATE COURT OF TETON COUNTY, IDAHO

IN THE MATTER OF THE ESTATE OF

MICHAEL R. GERAGHTY,

DECEASED.

I

I

DECREE OF FINAL

DISTRIBUTION.

F I L E D

May 6- 1935

F. M. Reynolds

Probate Judge

BE IT REMEMBERED: That Ernest Geraghty and Olga Hill, administrators of the estate of Michael R. Geraghty, deceased, filed in the court on April 26, 1935, their petition, praying that a decree of final distribution be entered in this case.

That it appears from the records and files herein that due notice of the hearing on said petition has been given as required by this court and as is required by law, due proof of which is on file herein.

And thereupon said petition came on for hearing before this court this day at the time and place fixed in said notice, and from the evidence submitted in that regard the court finds:

That Ernest Geraghty and Olga Hill, petitioners, are the duly appointed, qualified and acting administrators of said estate, by order of this court;

That true and full inventory of all the property of said estate was filed herein January 23, 1935, covering all the property which came into the possession and knowledge of said administrators;

That notice to creditors of said deceased has been published according to law, and that the decree of this court has been entered heretofore in this matter, decreeing that due and legal notice to creditors of said deceased has been given; that all personal property taxes have been paid, and that said estate is in proper condition to be closed;

That more than six months have elapsed prior to the filing of said petition for distribution since the first publication of said notice to creditors, and that the time for presentation of claims against the estate by creditors had expired prior to the filing of said petition for distribution herein;

That final account of said administrators, filed in connection with said petition for distribution, has been settled and confirmed by this court;

That the value of said estate has been fixed, and it appears therefrom that no transfer tax is due from said estate;

That all of the property herein described, and all of the property of which the deceased died possessed, was acquired by him and his surviving wife, Margaret Geraghty, of Felt, Idaho, through and by their joint efforts as husband and wife, and not otherwise, and all of said property was, at the time of the death of deceased, the community property of said deceased and his surviving wife, Margaret Geraghty;

That the said Michael R. Geraghty died intestate, and therefore said community property descended and must be decreed in accordance with the laws of Idaho in such cases made and provided;

That the said deceased left surviving him as the only issue of his body, the following children:

Ernest Geraghty, a son, 42 years of age;

Olga Hill, a daughter, age 39 years, both of Felt, Idaho.

That by virtue of the property hereinafter described having been the community property of said deceased and his surviving wife, Margaret Geraghty, the said Margaret Geraghty is, and was, prior to and at the time of the death of said deceased, the owner in her own right of an undivided one-half interest in all the property hereinafter described, and that by virtue of the same being community property of said parties, and for the reason

RECEIVED

121296

SEP 14 1995

PERSONAL REPRESENTATIVES DEED

TETON Co. Id.
Clerk Recorder

THIS DEED made this 8 day of July, 1995,
between JACQUELYN SCHIESS, Personal Representative of the Estate
of William Ervin Schiess, deceased, of Victor, Teton County,
Idaho, hereinafter referred to as Grantor, and THE SCHIESS
REVOCABLE TRUST, of Victor, Teton County, Idaho, hereinafter
referred to as Grantee.

WHEREAS, Grantor is the qualified Personal Representative of
the Estate of William Ervin Schiess, filed as Case No. 698P in
Teton County, Idaho; and

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

THEREFORE, for valuable consideration received, Grantor
conveys to Grantee the following described real property located
in Teton County, Idaho:

Beginning at the Southwest Corner of Lot 4, Section 31,
Township 4 North, Range 45 E.B.M. and running thence
North 80 rods, thence East 40 rods, thence South 80
rods, thence West 40 rods to place of beginning,
containing 20 acres.

TO HAVE AND TO HOLD said premises, together with the rents,
issues and profits thereof, and the tenements, hereditaments and
appurtenances thereunto belonging or appertaining unto the said
Grantee.

WITNESS the hand and seal of the Grantor this 8 day of

July, 1995.

121296

FILED

AT THE REQUEST OF

William R. Dalling

AT 26 MINUTES PAST 10 a M

DATE Sept. 14, 1995

Asa J. Drake

CLERK OF RECORDER

BY Nora Rigby
DEPUTY

Jacquelyn Schiess
JACQUELYN SCHIESS
Personal Representative of the
Estate of William Ervin
Schiess

Filmed _____
Indexed _____
Platted _____

SCANNED

STATE OF IDAHO

121296

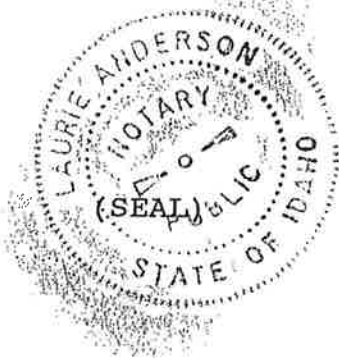
County of

Bonneville

ss.

On this 8 day of July, 1994, before me,
a Notary Public in and for said State,
personally appeared JACQUELYN SCHIESS known to me to be the
person whose name is subscribed to the within and foregoing
instrument as the Personal Representative of the Estate of
William Ervin Schiess, deceased, and acknowledged to me that she
subscribed her name to the said instrument 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.



Laurie Anderson
NOTARY PUBLIC FOR IDAHO
Residing at 1111 N. 1st St.
My Commission Expires: 2-24-00

RECEIVED

121297

SEP 14 1995

QUITCLAIM DEED

TETON Co. Id.
Clerk Recorder

THIS INDENTURE made the 8 day of July, in the year of our Lord, one thousand nine hundred and ninety ~~two~~ ^{four}, between RUBY M. SCHIESS of the County of Teton and State of Idaho, the party of the first part, and THE SCHIESS REVOCABLE TRUST of the County of Teton and State of Idaho, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever quit claim unto the said party of the second part, and to its heirs and assigns all the certain lot, piece, or parcel of land situate, lying and being in the County of Teton and State of Idaho, and bounded and described as follows, to-wit:

Beginning at the Southwest Corner of Lot 4, Section 31, Township 4 North, Range 45 E.B.M. and running thence North 80 rods, thence East 40 rods, thence South 80 rods, thence West 40 rods to place of beginning, containing 20 acres.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part and to its heirs and assigns forever.

121297

IN WITNESS WHEREOF, the said party of the first part does hereunto set his hand the day and year first above written.

Signed, sealed and delivered in the presence of

Ruby M. Schiess
RUBY M. SCHIESS

STATE OF IDAHO)
County of Bonneville) ss.

On this 8 day of July, 1992, before me, the undersigned, _____, a Notary Public in and for the State of Idaho, personally appeared RUBY M. SCHIESS, known to me to be the person whose name is subscribed to the foregoing instrument 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 hereinabove first written.



Laurie Anderson
NOTARY PUBLIC FOR IDAHO
Residing at Shoshone Falls
My Commission Exp: 2-24-00

121297

FILED

AT THE REQUEST OF

William R. Dalling

AT 27 MINUTES PAST 10 a M

DATE Sept. 14, 1995

Asa J. Drake

CLERK OF RECORDER

BY Nora Higby
DEPUTY

WARRANTY DEED

THIS INDENTURE, Made the 11th day of May, in the year of our Lord, One Thousand Nine Hundred and Sixty-five, between David E. Schiess and Lydia Schiess, his wife, of the County of Teton, and State of Idaho, the parties of the first part, and William E. Schiess and Ruby Schiess, his wife, of the County of Teton, and 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 Ten Dollars and other Valuable consideration ----- DOLLARS lawful money of the United States of America to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said parties of the second part and to their heirs and assigns forever all that certain lot, piece or parcel of land situate, lying and being in the County of Teton, and the State of Idaho, and bounded and described as follows, to-wit:

East half of the Southwest quarter of the Southwest quarter (Lot Four) of Section thirty-one (31), Township four North, Range 45, East Boise Meridian;

The within described property was received by the grantor, David E. Schiess as an inheritance in the estate of Ulrich Schiess, deceased, dated the 23rd March, 1935, and recorded in Book 59, Page 138 of the records of Teton County, Idaho.

Internal revenue stamps in the amount of \$1.66 attached and cancelled.

together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any wise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises together with all appurtenances and privileges thereunto incident, unto the said parties of the second part, to their heirs and assigns forever. And the said parties of the first part and their heirs, the said premises in the quiet and peaceful 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 or persons whatsoever, lawfully claiming or to claim the same, shall and will warrant any, or 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

/s/ David E. Schiess (SEAL)

/s/ Mrs. Lydia Schiess (SEAL)

(SEAL)

STATE OF IDAHO, }
County of Teton, } ss.

On the 11th day of May, in the year 1965, before me, the undersigned, a notary public, in and for said County and State, personally appeared David E. Schiess and Lydia Schiess, 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.

(SEAL)

My Commission Expires Dec. 31, 1965.

/s/ H. S. Forbush
Notary Public residing at Driggs, Idaho

STATE OF IDAHO, }
County of Teton, } ss.

I hereby certify that this instrument was filed for record at the request of William E. Schiess at 45 minutes past 9 o'clock A.M., this 30 day of June, 1965.

Fees, \$1.50

Dwight C. Stone Ex-Officio Recorder.

By /s/ Kay C. Sessions Deputy.

RECORDED

AUG 04 1965

RECEIVED

SEP 14 1995

121292

PERSONAL REPRESENTATIVES DEED

TETON Co. Id.
Clerk Recorder

THIS DEED made this 8 day of July, 1992,
between JACQUELYN SCHIESS, Personal Representative of the Estate
of William Ervin Schiess, deceased, of Victor, Teton County,
Idaho, hereinafter referred to as Grantor, and THE SCHIESS
REVOCABLE TRUST, of Victor, Teton County, Idaho, hereinafter
referred to as Grantee.

WHEREAS, Grantor is the qualified Personal Representative of
the Estate of William Ervin Schiess, filed as Case No. 698P in
Teton County, Idaho; and

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

THEREFORE, for valuable consideration received, Grantor
conveys to Grantee the following described real property located
in Teton County, Idaho:

East half of the Southwest quarter of the Southwest
quarter (Lot Four) of Section thirty-one (31), Township
four North, Range 45, East Boise Meridian.

TO HAVE AND TO HOLD said premises, together with the rents,
issues and profits thereof, and the tenements, hereditaments and
appurtenances thereunto belonging or appertaining unto the said
Grantee.

WITNESS the hand and seal of the Grantor this 8 day of

July, 1992.

121292

FILED

AT THE REQUEST OF

William R. Dalling

AT 22 MINUTES PAST 10 a M

DATE Sept. 14, 1995

Asa J. Drake

CLERK OF RECORDER

BY Nora Rigby

DEPUTY

Filmed _____
Indexed _____
Platted _____

Jacquelyn Schiess
JACQUELYN SCHIESS
Personal Representative of the
Estate of William Ervin
Schiess

SCANNED

AUG 04 1995

STATE OF IDAHO

121292

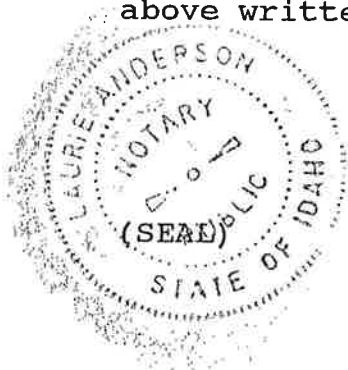
County of

Bonneville

) ss.

On this 8 day of July, 1992, before me, y, a Notary Public in and for said State, personally appeared JACQUELYN SCHIESS known to me to be the person whose name is subscribed to the within and foregoing instrument as the Personal Representative of the Estate of William Ervin Schiess, deceased, and acknowledged to me that she subscribed her name to the said instrument 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.



Laurie Anderson
NOTARY PUBLIC FOR IDAHO
Residing at Idaho Falls
My Commission Expires: 2-24-00

RECEIVED

121293

SEP 14 1995

QUITCLAIM DEED

TETON Co. Id.
Clerk Recorder

THIS INDENTURE made the 8 day of July, in the four year of our Lord, one thousand nine hundred and ninety two, between RUBY M. SCHIESS of the County of Teton and State of Idaho, the party of the first part, and THE SCHIESS REVOCABLE TRUST of the County of Teton and State of Idaho, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever quit claim unto the said party of the second part, and to its heirs and assigns all the certain lot, piece, or parcel of land situate, lying and being in the County of Teton and State of Idaho, and bounded and described as follows, to-wit:

East half of the Southwest quarter of the Southwest quarter (Lot Four) of Section thirty-one (31), Township four North, Range 45, East Boise Meridian.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part and to its heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part does hereunto set his hand the day and year first above written.

121293

Signed, sealed and delivered in the presence of

Ruby M. Schiess
RUBY M. SCHIESS

STATE OF IDAHO

County of Bonneville) ss.

On this 8 day of July, 1992, before me,
the undersigned, _____, a Notary Public in
and for the State of Idaho, personally appeared RUBY M. SCHIESS,
known to me to be the person whose name is subscribed to the
foregoing instrument 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 hereinabove first written.



Laurie Anderson
NOTARY PUBLIC FOR IDAHO
Residing at Idaho Falls, ID
My Commission Exp: 2-24-00

121293

FILED

AT THE REQUEST OF

William R. Dalling

AT 23 MINUTES PAST 10 a.m.

DATE Sept. 14, 1995

Asa J. Drake
CLERK OF RECORDER

BY Nora Rigby
DEPUTY

Filed _____
Indexed _____
Platted _____

WARRANTY DEED

THIS INDENTURE, Made the 20 day of June, in the year of Our Lord, One Thousand Nine Hundred and Fifty, between Evelyn Mecham and Evan Mecham, her husband, of the County of Teton, and State of Idaho, the parties of the first part, and William L. Schiess and Ruby Schiess, his wife of the County of Teton, and 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 Ten and no/100 DOLLARS lawful money of the United States of America to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said parties of the second part and to their heirs and assigns forever all that certain lot, piece or parcel of land situate, lying and being in the County of Teton, and the State of Idaho and bounded and described as follows, to-wit:

Tax No. 827, described: Beginning at the Sw Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, 31-4-45, running thence North 80 rods, thence East 37 rods, thence South 80 rods, thence West 37 rods, to place of beginning, containing 18 $\frac{1}{2}$ acres more, or less.

Revenue stamps attached and cancelled \$2.20 R.M.S. July 6th, 1950

together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any wise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises together with all appurtenances and privileges thereunto incident, unto the said parties of the second part, to their heirs and assigns forever. And the said parties of the first part and their heirs, the said premises in the quiet and peaceful possession of the said parties of the second part the heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person or persons whatsoever, lawfully claiming or to claim the same, shall and will warrant any, or 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

RAY McCLERLOW

EVAN MECHAM (SEAL)

EVELYN MECHAM (SEAL)

(SEAL)

STATE OF IDAHO, }
Bingham } ss.
County of TETON, }

On the 29 day of June, in the year 1945, before me, Ray Mc Clellow, a notary public in and for said County and State, personally appeared Evan Mecham and Evelyn Mecham known to me to be the person 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.

(Notarial seal)

Ray McClellow
Notary Public

My commission expires Jan 14, 1953

STATE OF IDAHO, }
County of Teton, }

I hereby certify that this instrument was filed for record at the request of Ruby Schiess at 47 minutes past 10 o'clock A. M., this 8 day of July, 19 50

Fees, \$ 1.20

Dwight C. Stone

Ex-Officio Recorder.

By

Louise Drake

Deputy.

RECORDED
JUL 10 1950

Instrument #50946/X

WARRANTY DEED

THIS INDENTURE, Made this First day of October in the year of our Lord One Thousand Nine Hundred and fifty-two between Evelyn Mecham and Evan L. Mecham, her husband of Blackfoot, County of Bingham, State of Idaho the parties of the first part, and William R. Schiess and Ruby Schiess, his wife of Victor, County of Teton, 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 One Dollar and other valuable consideration DOLLARS lawful money of the United States of America to to them in hand paid by the said parties of the second part, the receiptwhereof is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever; All that certain lot, piece, or parcel of land situate, lying and being in the County of Teton, State of Idaho, bounded and more particularly described as follows, to-wit:

Tax No. 827, described as follows: Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter Section 31, Township 4 North, Range 45 EBN, running thence North 80 rods, thence East 37 rods, thence South 20 rods, thence West 37 rods, to place of beginning.

Return Stamp in and of \$2.20 has been furnished, attached is cancelled 12-7-52 (83)
Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, an 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 or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Evelyn Mecham (Seal)
Evan L. Mecham (Seal)

Orson Packham

STATE OF IDAHO)
County of Bingham) ss.

On this 20 day of October in the year 1952, before me Orson Packham a Notary Public in and for said County and State, personally appeared Evelyn Mecham and Evan L. Mecham, her husband, 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.

(Notarial Seal)

Orson Packham, Notary Public.
Residence Blackfoot, Idaho

Filed for record at the request of Dwight W. Lookli at 35 minutes past 10 o'clock a.m. this 31st day of October, A.D. 1952 and recorded in Book 77 of Deeds at page 379.

\$1.20

Dwight C. Stone, Recorder
By Marjorie Bates, Deputy

Instrument #51006/X

CORPORATION WARRANTY DEED

THIS INDENTURE, Made this 10th day of March, in the year of our Lord one thousand nine hundred and fifty between San Diego Fruit and Produce Company a corporation duly organized and existing under the laws of the State of California and having its principal office in Idaho at in the County of party of the first part, and Parley S. Remmel & Lettie J. Remmel, his wife; Leon P. Remmel and Fay T. Remmel, his wife, and Max H. Remmel and Denise Remmel, his wife, of Rexburg, County of Madison, State of Idaho parties of the second part,

WITNESSETH, That the said party of the first part, having been hereunto duly authorized by resolution of its Board of Directors, for and in consideration of the sum of One dollar and other valuable consideration - DOLLARS, lawful money of the United States of America, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate situated in County of Teton, State of Idaho, to-wit:

The East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Thirteen (13), Township Three (3) North, Range Forty-five East Boise Meridian.

The West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Thirteen (13), and the West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Twenty-four (24), all in Township Three (3) North, Range Forty-five East Boise Meridian.

The East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Fourteen (14), and the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Twenty-three (23), all in Township Three (3) North, Range Forty-five East Boise Meridian.

The West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Fourteen (14), and the North Half of the Northwest Quarter of the Northeast Quarter (N $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Twenty-three (23), all in Township Three (3) North, Range Forty-five (45) East Boise Meridian.

Beginning at the Quarter Corner between Sections 23 and 24, Township Three (3) North, Range Forty-five East of the Boise Meridian, and running thence South 89°-44' East 14.354 chains, thence Southeast 111.25 chains, thence East 21.5 chains, thence South 0°-31' East 4.364 chains; thence North 82°-40' West 80.52 chains, thence North 0°-41' East 8.0 chains, thence South 82°-46' East 60.77 chains to the point of beginning and containing 79.66 acres, more or less.

COPIED

AUG 6-4 1953

RECEIVED

SEP 14 1995

121290

PERSONAL REPRESENTATIVES DEED

TETON Co. Id.
Clerk Recorder

THIS DEED made this 8 day of July, 1992,
between JACQUELYN SCHIESS, Personal Representative of the Estate
of William Ervin Schiess, deceased, of Victor, Teton County,
Idaho, hereinafter referred to as Grantor, and THE SCHIESS
REVOCABLE TRUST, of Victor, Teton County, Idaho, hereinafter
referred to as Grantee.

WHEREAS, Grantor is the qualified Personal Representative of
the Estate of William Ervin Schiess, filed as Case No. 698P in
Teton County, Idaho; and

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

THEREFORE, for valuable consideration received, Grantor
conveys to Grantee the following described real property located
in Teton County, Idaho:

Tax No. 827, described as follows: Beginning at the
Southwest corner of the Southeast Quarter of the
Southwest Quarter Section 31, Township 4 North, Range
45 EBM, running thence North 80 rods, thence East 37
rods, thence South 80 rods, thence West 37 rods, to
place of beginning.

TO HAVE AND TO HOLD said premises, together with the rents,
issues and profits thereof, and the tenements, hereditaments and
appurtenances thereunto belonging or appertaining unto the said
Grantee.

WITNESS the hand and seal of the Grantor this 8 day of

July, 1992.

121290

FILED

AT THE REQUEST OF

William L. Dalling

AT 20 MINUTES PAST 10 a M.

DATE Sept. 14, 1995

Asa J. Drake

CLERK OF RECORDER

BY Nora Rigby

DEPUTY

Jacquelyn Schiess
JACQUELYN SCHIESS
Personal Representative of the
Estate of William Ervin
Schiess

Filmed _____
Indexed _____
Platted _____

121290

STATE OF IDAHO

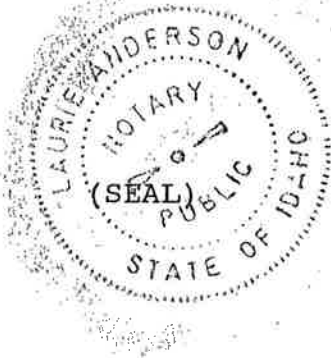
County of

Bonneville

ss.

On this 8 day of July, 1998, before me, a Notary Public in and for said State, personally appeared JACQUELYN SCHIESS known to me to be the person whose name is subscribed to the within and foregoing instrument as the Personal Representative of the Estate of William Ervin Schiess, deceased, and acknowledged to me that she subscribed her name to the said instrument 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.



Laurie Anderson
NOTARY PUBLIC FOR IDAHO
Residing at Idaho Falls, ID
My Commission Expires: 2-28-00

RECEIVED

121291

SEP 14 1995

QUITCLAIM DEED

TETON Co. Id.
Clerk Recorder

THIS INDENTURE made the 8 day of July, in the four year of our Lord, one thousand nine hundred and ninety ~~two~~, between RUBY M. SCHIESS of the County of Teton and State of Idaho, the party of the first part, and THE SCHIESS REVOCABLE TRUST of the County of Teton and State of Idaho, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever quit claim unto the said party of the second part, and to its heirs and assigns all the certain lot, piece, or parcel of land situate, lying and being in the County of Teton and State of Idaho, and bounded and described as follows, to-wit:

Tax No. 827, described as follows: Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter Section 31, Township 4 North, Range 45 EBM, running thence North 80 rods, thence East 37 rods, thence South 80 rods, thence West 37 rods, to place of beginning.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part and to its heirs and assigns forever.

121291

IN WITNESS WHEREOF, the said party of the first part does
hereunto set his hand the day and year first above written.

Signed, sealed and delivered in the presence of

Ruby M. Schiess
RUBY M. SCHIESS

STATE OF IDAHO)
County of Bonneville) ss.

On this 8 day of July, 1994, before me,
the undersigned, _____, a Notary Public in
and for the State of Idaho, personally appeared RUBY M. SCHIESS,
known to me to be the person whose name is subscribed to the
foregoing instrument 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 hereinabove first written.



Laurie Anderson
NOTARY PUBLIC FOR IDAHO
Residing at Idaho Falls
My Commission Exp: 2-24-00

121291

FILED

AT THE REQUEST OF

William R. Dalling

AT 21 MINUTES PAST 10 a M

DATE Sept. 14, 1995

Asa J. Drake
CLERK OF RECORDER

BY Nora Lighty
DEPUTY

SCANNED
Filed _____
Indexed _____
Platted _____

WARRANTY DEED

For Value Received, LYLE R. SCHIESS and KELLY SCHIESS, husband and wife, and LYNN R. SCHIESS and PENNY SCHIESS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto WILLIAM E. SCHIESS and RUBY M. SCHIESS, husband and wife, whose current address is Cedron via Driggs, Idaho 83422, the Grantees, the following described premises, in Teton County, Idaho, to wit:

Beginning at a point 37 rods East of the SW corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T. 4 N., R. 45 E., B.M., thence North 80 rods, thence East 43 rods, thence South 593 feet, thence West 189.75 feet, thence South 279 feet, thence West 221.18 feet, thence South 448 feet, more or less, to the south line of said Section 31, thence West 265.57 feet, more or less, to the point of beginning. Contains 16 acres, more or less.

Subject to existing easements for roads, highways, ditches, canals, laterals, power and transmission lines, also applicable zoning, building and other ordinances.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: January 11, 1985.

FILE R. SCHIESS

Kelly Schiess 106087
KELLY SCHIESS FILED

LYNN R. SCHIESS

Penny Schless Lynn Schless
PENNY SCHLESS

STATE OF IDAHO)
County of Teton) ss

106087
FILED
AT THE REQUEST OF
Bess Lynn Schiess
AT 05 MINUTES PAST 2 P. M.
DATE *June 11, 1990*
E. Wayne Schiess
CLERK OF RECORDER
BY *Nora Hill*
DEPUTY

On this 29 day of January, 1985, before me the undersigned, a Notary Public in and for said State, personally appeared Lyle R. Schiess and Kelly Schiess, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Dorothy C. Wiegman
Notary Public
Residing at: Helena, MT
Commission expires: 9-28-2011

STATE OF IDAHO)
) ss
County of Teton)

On this 29 day of January, 1985, before me the undersigned, a Notary Public in and for said State, personally appeared Lynn R. Schiess and Penny Schiess, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Notary Public
 Residing at: Florida
 Commission expires: 9-18-87

FILED
AT 20 MINUTES PAST 11 A. M. 96283
DATE Feb. 19, 1985
E. Wayne Schuess
CLERK OF DIST. COURT
Bernice R. Reese

FILMED
INDEXED ☒
PLATED

RECEIVED

SEP 14 1995

121294

PERSONAL REPRESENTATIVES DEED

TETON Co. Id.
Clerk Recorder

THIS DEED made this 8 day of July, 1992,
between JACQUELYN SCHIESS, Personal Representative of the Estate
of William Ervin Schiess, deceased, of Victor, Teton County,
Idaho, hereinafter referred to as Grantor, and THE SCHIESS
REVOCABLE TRUST, of Victor, Teton County, Idaho, hereinafter
referred to as Grantee.

WHEREAS, Grantor is the qualified Personal Representative of
the Estate of William Ervin Schiess, filed as Case No. 698P in
Teton County, Idaho; and

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

THEREFORE, for valuable consideration received, Grantor
conveys to Grantee the following described real property located
in Teton County, Idaho:

Beginning at a point 37 rods East of the SW corner of
the SE1/4SW1/4 of Section 31, T. 4 N., R. 45 E., B.M.,
thence North 80 rods, thence East 43 rods, thence South
593 feet; thence West 189.75 feet, thence South 279
feet, thence West 221.18 feet, thence South 448 feet,
more or less, to the south line of said Section 31,
thence West 265.57 feet, more or less, to the point of
beginning. Contains 16 acres, more or less.

Subject to existing easements for roads, highways,
ditches, canals, laterals, power and transmission
lines, also applicable, zoning, building and other
ordinances.

TO HAVE AND TO HOLD said premises, together with the rents,
issues and profits thereof, and the tenements, hereditaments and
appurtenances thereunto belonging or appertaining unto the said
Grantee.

WITNESS the hand and seal of the Grantor this 8 day of
July, 1992.

Jacquelyn Schiess
JACQUELYN SCHIESS
Personal Representative of the
Estate of William Ervin
Schiess

STATE OF IDAHO

121294

County of

Bonneville

SS.

On this 8 day of July, 1992, before me,
a Notary Public in and for said State,
personally appeared JACQUELYN SCHIESS known to me to be the
person whose name is subscribed to the within and foregoing
instrument as the Personal Representative of the Estate of
William Ervin Schiess, deceased, and acknowledged to me that she
subscribed her name to the said instrument 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.



Laurie Anderson
NOTARY PUBLIC FOR IDAHO
Residing at Idaho Falls, ID
My Commission Expires: 2-24-00

121294

FILED

AT THE REQUEST OF

William R. Dalling

AT 24 MINUTES PAST 10 a. M.

DATE Sept. 14, 1995

Asa J. Drake

CLERK OF RECORDS

BY Nora Rigby
DEPUTY

Filed _____
Indexed _____
Platted _____

RECEIVED

121295

SEP 14 1995

QUITCLAIM DEED

TETON Co. Id.
Clerk Recorder

THIS INDENTURE made the 8 day of July, in the year of our Lord, one thousand nine hundred and ninety ^{four} ~~two~~, between RUBY M. SCHIESS of the County of Teton and State of Idaho, the party of the first part, and THE SCHIESS REVOCABLE TRUST of the County of Teton and State of Idaho, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever quit claim unto the said party of the second part, and to its heirs and assigns all the certain lot, piece, or parcel of land situate, lying and being in the County of Teton and State of Idaho, and bounded and described as follows, to-wit:

Beginning at a point 37 rods East of the SW corner of the SE1/4SW1/4 of Section 31, T. 4 N., R. 45 E., B.M., thence North 80 rods, thence East 43 rods, thence South 593 feet; thence West 189.75 feet, thence South 279 feet, thence West 221.18 feet, thence South 448 feet, more or less, to the south line of said Section 31, thence West 265.57 feet, more or less, to the point of beginning. Contains 16 acres, more or less.

Subject to existing easements for roads, highways, ditches, canals, laterals, power and transmission lines, also applicable, zoning, building and other ordinances.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

SEARCHED
INDEXED
SEP 14 1995

121295

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part and to its heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part does hereunto set his hand the day and year first above written.

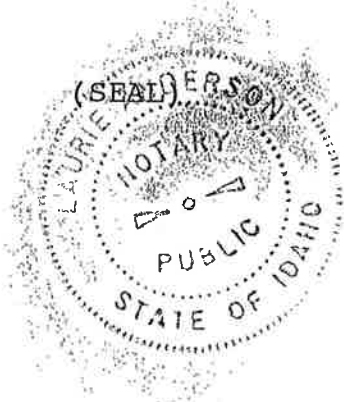
Signed, sealed and delivered in the presence of

Ruby M. Schiess
RUBY M. SCHIESS

STATE OF IDAHO)
County of Bonneville) ss.

On this 8 day of July, 1998, before me, the undersigned, _____, a Notary Public in and for the State of Idaho, personally appeared RUBY M. SCHIESS, known to me to be the person whose name is subscribed to the foregoing instrument 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 hereinabove first written.



Laurie Anderson
NOTARY PUBLIC FOR IDAHO
Residing at Idaho Falls
My Commission Exp: 2-24-00

121295

FILED

AT THE REQUEST OF

William R. Dalling

AT 25 MINUTES PAST 10 a.m.

DATE Sept. 14, 1995

Joan J. Drake

CLERK OF RECORDER

BY Aora Legby

DEPUTY

SCANNED

Filmed _____
Indexed _____
Platted _____

On this 9th day of October, 1939, before me, L. W. Hastings, Auditor & Recorder in and for said County, personally appeared J. H. Kunz, known to me to be the chairman of the Board of County Commissioners of said Teton County, who executed the foregoing instrument, and acknowledged to me that he executed the same as such officer.

(Seal of Auditor & Recorder)

L. W. Hastings
County Auditor.
Teton County, Idaho

I hereby certify that this instrument was filed for record at the request of Frank Harrop at 15 minutes past 3 o'clock P.M., this 28th day of November, A.D. 1939

Fees, \$1.00.

By L. W. Hastings Ex-Officio Recorder.
Lois Choules, Deputy.

Instrument 33824

WARRANTY DEED

THIS INDENTURE, Made the 30th day of November, in the year of Our Lord, One Thousand Nine Hundred and 38, between Jesse Foster and Veva Foster, his wife, of the County of Teton, and State of Idaho, the parties of the first part, and Sam Woolstenhulme, divorced, of the County of Teton, and State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One (\$1.00, and other good and valuable consideration)---DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents Grant, Bargain, Sell and Convey and Conform unto the said party of the second part and to his heirs and assigns forever all that certain lot, piece or parcel of land situate, lying and being in the County of Teton, and the State of Idaho, and bounded and described as follows, to wit:

Beginning at the Southwest Corner of Lot Two (2), Block Eleven (11), Victor Townsite, and running thence North 205 feet, thence East 70 feet, thence South 205 feet, thence West 70 feet, to the place of beginning, being the property described and included in Tax No. 438 of Teton county, Idaho,

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the rents, issues and profits thereof,

TO HAVE AND TO HOLD, All and singular the said premises, together with all appurtenances and privileges thereunto incident, unto the said party of the second part to his heirs and assigns forever. And the said parties of the first part and their heirs, the said premises in the quiet and peaceful possession of the said party of the second part his heirs and assigns, against the said parties of the first part and their heirs, and against all and every person or persons whoseover, lawfully claiming or to claim the same, shall and will warrant any, and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have herunto set their hands and seals the day and year first above written.

Signed, sealed and delivered
in the presence of

Jesse Foster (SEAL)
Veva Foster (SEAL)
(SEAL)

STATE OF IDAHO }
COUNTY OF TETON } SS.

On the 30th day of November, in the year of 1938, before me, the undersigned a Notary Public in and for said County and State, personally appeared Jesse Foster and Veva Foster 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 writton.

(Notarial Seal)

Shelby H. Atchley
Notary Public for Idaho
Residing at Driggs, Idaho

Filed for record at the request of Sam Woolstenhulme at 10 o'clock A.M., this 29th day of November, 1939

Fees. \$1.00

By L. W. Hastings Recorder.
Lois Choules Deputy.

Instrument 33836

WARRANTY DEED

THIS INDENTURE, Made the 23rd day of April, in the year of Our Lord, One Thousand Nine Hundred and 38, between Edna Schiess Walton and Dana Walton, her husband, of the County of _____, and State of Idaho, the parties of the first part, and William E. Schiess and Ruby M. Schiess, his wife, of the County of Teton, and State of Idaho, the parties of the second part.

DEED RECORD, No. 67

CAPITAL STOCK PUBLICATION CO., INC. 48329

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Four hundred Fifty (\$450.00)-----DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents Grant, Barain, Sell and Convey and Conform unto the said parties of the second part and to their heirs and assigns forever all that certain lot, piece or parcel of land situate, lying and being in the County of Teton, and the State of Idaho, and bounded and described as follows, to wit:

Tax # 825, described as follows: Beginning at a point 32 rods South and 40 rods East of the Northwest Corner of Lot Two (2), Section Thirty-one (31), Township Four (4) North, Range Forty-five (45) E. B. M., and running thence East 20 rods, thence South 128 rods, thence West 20 rods, thence North 128 rods, to place of beginning, containing 16 acres.

(\$50 Documentary Stamp attached and cancelled, dated 12/4/39, initialed W. E. S.)

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

TO HAVE AND TO HOLD, All and singular the said premises, together with all appurtenances and privileges thereunto incident, unto the said parties of the second part to their heirs and assigns forever. And the said parties of the first part and their heirs, the said premises in the quiet and peaceful 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 or persons whosoever, lawfully claiming or to claim the same, shall and will warrant any, 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
Bill Petersen
Chris Gettrup

Edna Schiess Walton (SEAL)
Dana Walton (SEAL)
(SEAL)

STATE OF Idaho }
COUNTY OF Lemhi } SS.

On the 4th day of May, in the year of 1938, before me, Edna Schiess Walton and Dana Walton in and for said County and State, personally appeared Edna Schiess Walton and Dana Walton 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.

(Notarial Seal)

May V. Stone
Notary Public,
Residing at Leadore Ida

Filed for record at the request of Wm. S. Schiess at 50 minutes past 1 o'clock P.M., this 4th day of December, 1939

Fees, \$1.00

L. W. Hastings
Recorder.

Instrument 33853

RESOLUTION

WHEREAS, the Village of Driggs, a municipal corporation of the State of Idaho has heretofore acquired and is now the owner of the hereinafter described real property, and,

WHEREAS, the State of Idaho, acting by and through the Department of Public Works desires to acquire said land for highway and kindered purposes, said property being described as follows, to-wit:

A tract of land lying situate in Tax No. 176 in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section Thirty-five (35), Township Five (5) North, Range Forty-five (45) East Boise Meridian, and more particularly described as follows, to-wit:

Beginning at the North Quarter Corner of Section Thirty-five (35) Township Five (5) North, Range Forty-five (45) East Boise Meridian, running thence West 278.5 feet to the real point of beginning, thence Westerly along the North line of said Section 35, for a distance of 125 feet, thence at right angles southerly 120.5 feet, thence at right angles Easterly a distance of 90 feet, thence at right angles Northerly a distance of 21.5 feet, thence at right angles Easterly a distance of 35 feet, thence at right angles Northerly a distance of 99 feet to the place of beginning, containing 0.325 acres, more or less.

WHEREAS, it is deemed to the best interests of the public that said request be granted;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Trustees of the said Village of Driggs be and he is hereby authorized and directed to execute in the name of the said Village of Driggs, for a consideration of One Dollar, a quitclaim deed conveying said property to the State of Idaho.

(Corporate Seal)

VILLAGE OF DRIGGS
BY V. Penfold
Chairman, Board of Trustees
BY H. G. Moss
Village Trustee
BY Frank Bauman
Village Trustee
BY Vandes A. Price
Village Trustee
BY Frank O. Paul
Village Trustee

WITNESSETH:
A. W. Clark
Clerk of said Village
(S E A L)

I hereby certify that the above Resolution was passed at a Special meeting of the Board of Trustees of the Village of Driggs, held on the 27th day of October, 1939.
(Corporate Seal)
(S E A L)

A. W. Clark
Clerk of said Village