

11/14/2002

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

RIGHT NUMBER: 29-10363  
NAME AND ADDRESS: MARY JO RHEAD  
PO BOX 50  
ARIMO ID 83214  
  
KENT RHEAD  
PO BOX 50  
ARIMO ID 83214

SOURCE: POND TRIBUTARY: MARSH CREEK  
QUANTITY: 0.320 CFS  
PRIORITY DATE: 07/10/1930  
POINT OF DIVERSION:

T10S R37E S7 SESW Within BANNOCK County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.300 CFS       |
| STOCKWATER            | 01/01 12/31          | 0.020 CFS       |

PLACE OF USE:

IRRIGATION Within BANNOCK County

T10S R37E S07 SESW 13.0 T10S R37E S18 NENW 2.0

STOCKWATER Within BANNOCK County

T10S R37E S07 SESW T10S R37E S18 NENW

15 ACRES TOTAL

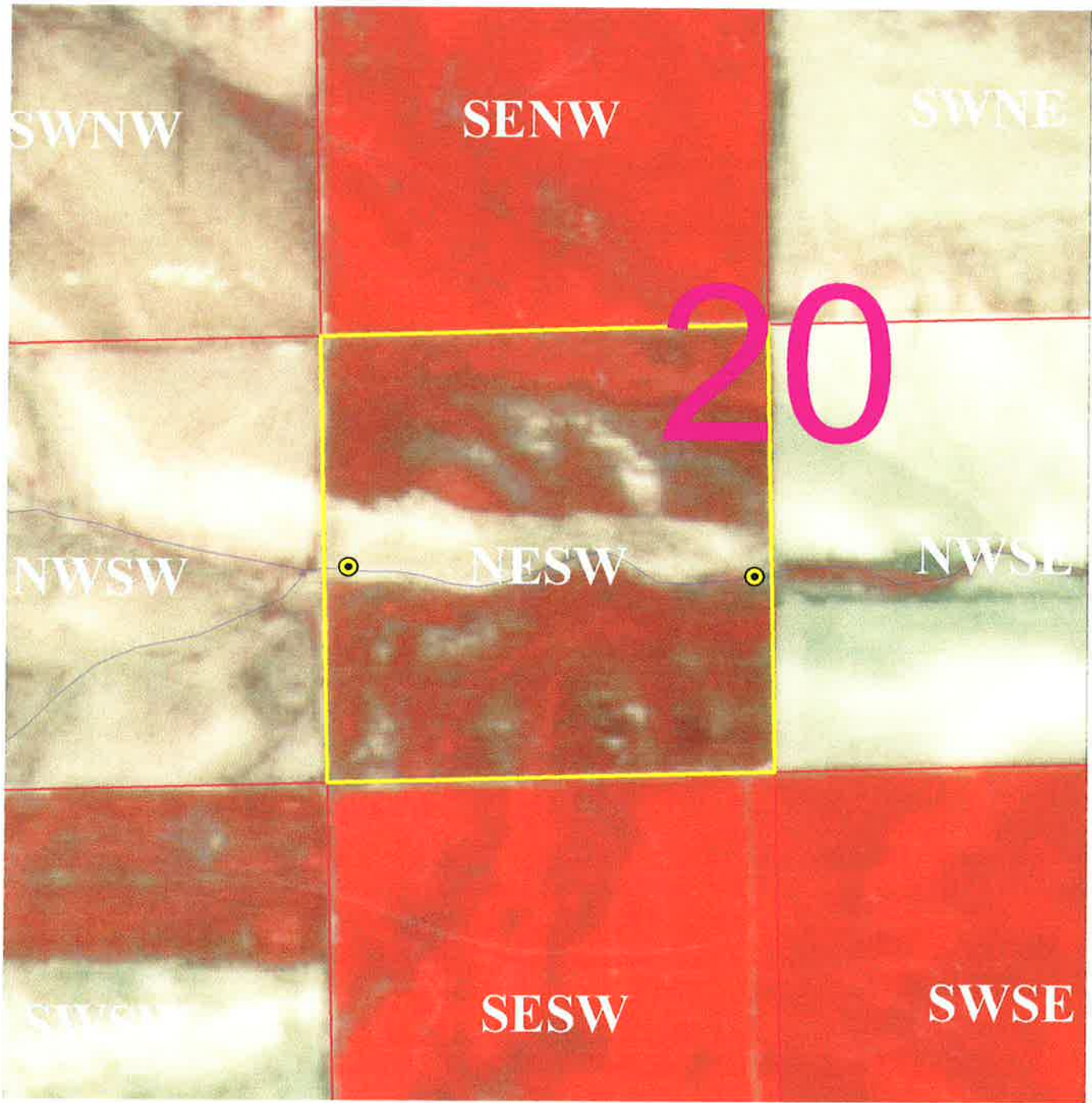
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Beneficial Use

SOURCE IS ALSO KNOWN AS JENKINS-FINK POND

Township , 10S36E





Irrigated Area



Section Line



Roads



Place of Diversion



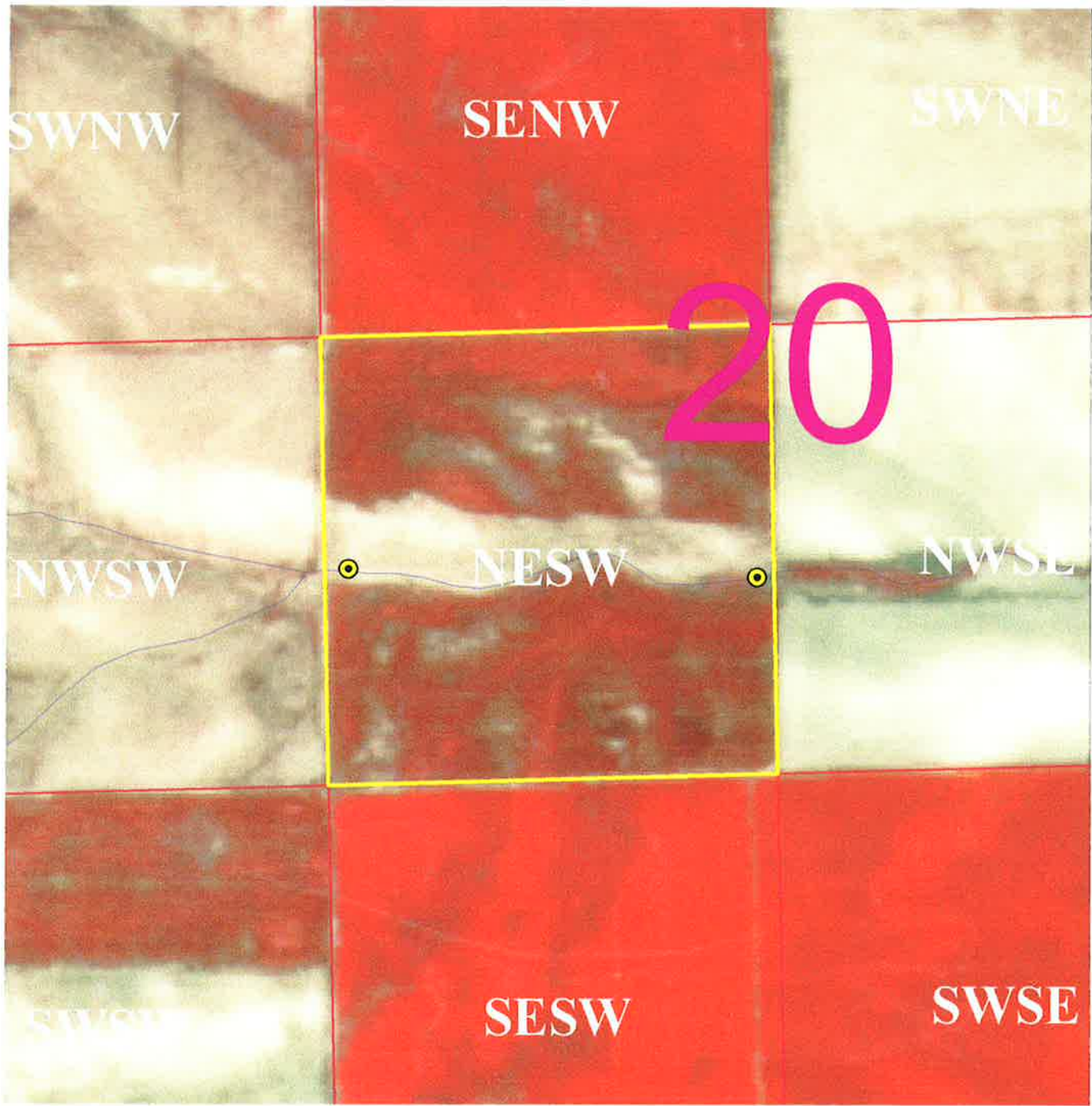
Quarter Section Line



Streams and Canals



Township , 10S36E



 Irrigated Area

 Section Line

 Roads

 Place of Diversion

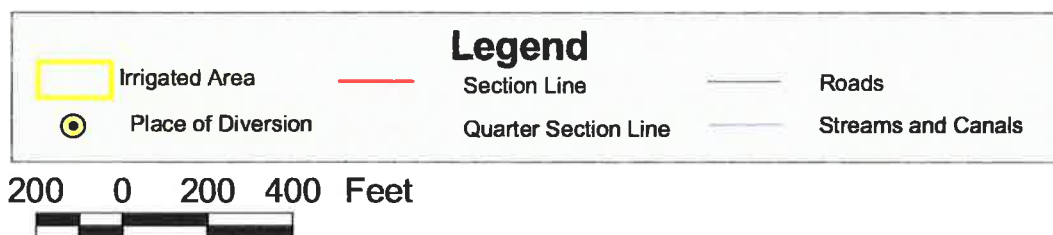
 Quarter Section Line

 Streams and Canals

**Legend**



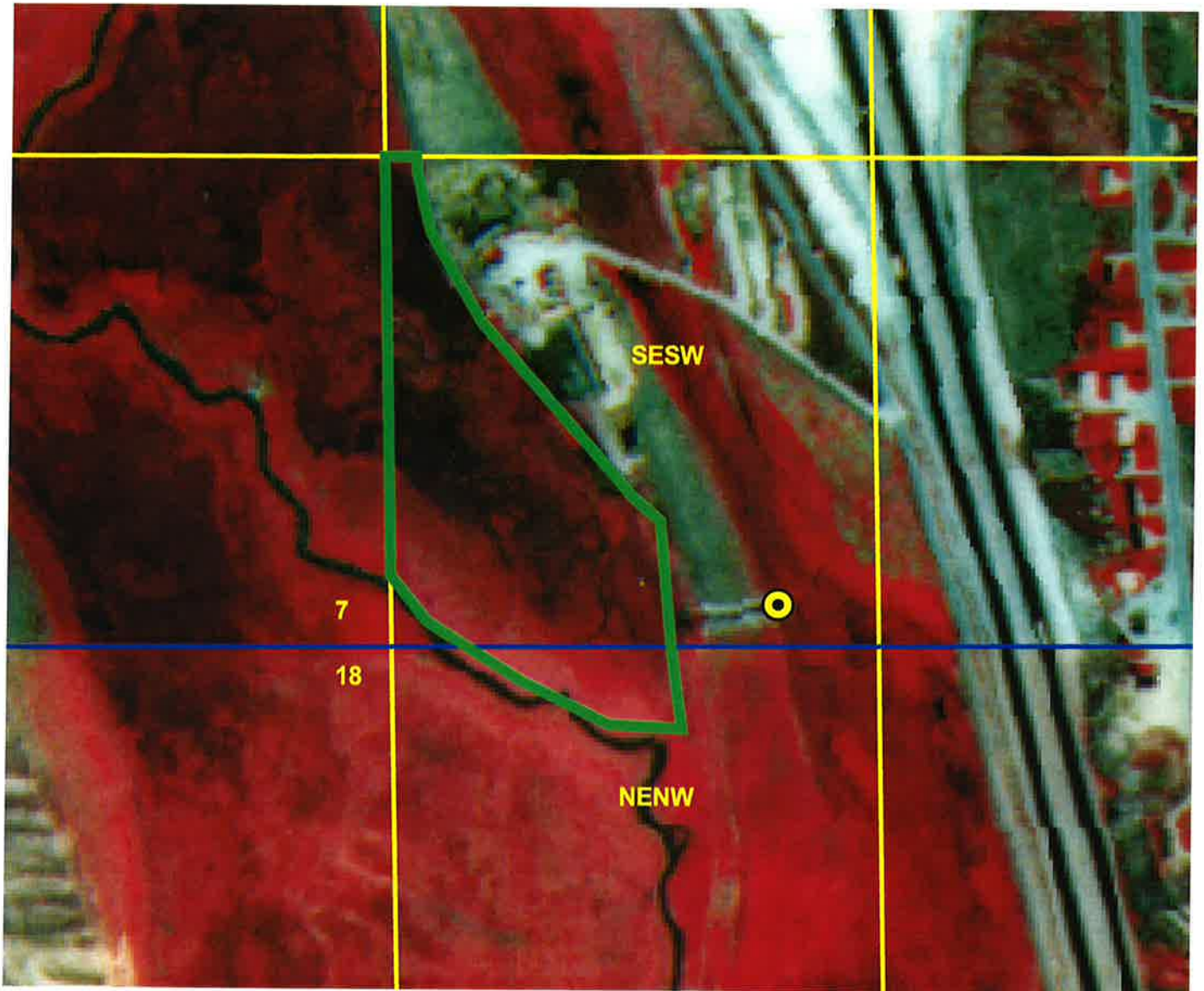
Figure 1 is a 3x3 grid map of the Pacific Northwest, showing eight 20-degree by 20-degree cells. The central cell is highlighted in yellow and labeled '20' in large pink text. The cells are labeled with compass directions: SWNW, SENW, SWNE, NWSW, NESW, NWSE, SWSW, SESW, and SWSE. The central cell (NESW) contains a value of 40.0. The map shows a grayscale image of the region with a red line indicating a boundary or path.



# IDAHO DEPARTMENT OF WATER RESOURCES

29-10363

T10S, R37E SEC. 7, 18



**ACRES IRRIGATED- 15**



**POINT OF DIVERSION**



**PLACE OF USE**

**GIS: PLACE OF USE  
POINT OF DIVERSION  
1987/1988 NAPP PHOTOS  
DAVE CARLSON**

29-10363 pond / pod  
(cut in bank)  
look East toward Arimo



29-16363 Look west  
(cut in bank)



Trail to Henderson Pond



Dave

02/13/2003

NOTICE OF ERROR  
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-10363

MARY JO RHEAD  
PO BOX 50  
ARIMO ID 83214

KENT RHEAD  
PO BOX 50  
ARIMO ID 83214

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-22-03 SIGNATURE: Kent Rhead  
Please print your name: KENT Rhead

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED  
MAR 25 2003  
Department of Water Resources  
Eastern Region

RECEIVED

AUG 13 2001

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim. Department of Water Resources  
Eastern Region

[ ] Water Right Number(s): 29-7275 29-7342 29-7536  
29-10353p.d. 29-10354p.d. 29-10356p.d.  
29-10357 29-10358p.d. 29-10363  
29-12847p.d.

[ ] Old Mailing Address: Spencer J. Olson  
*Current residence →* 610 Saddlebrook  
Malad Ida 83252

[X] New Mailing Address: Spencer J. Olson  
P.O. Box 256  
Malad Idaho 83252

[ ] Telephone Number: 208-766-2452

[ ] Signature of Claimant: Spencer J. Olson

[ ] Date: Aug 10, 2001

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

AUGUST 14, 2001

DEAR MR. OLSON;

WATER RIGHT NUMBERS A29-7275, A29-7342, A29-7536, A29-10353, A29-10354, A29-10356, A29-10357, A29-10358, A29-10363 AND A29-12847 HAVE BEEN CHANGED TO REFLECT THE ADDRESS ON THE FRONT OF THIS CARD.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT THIS OFFICE AT 208-525-7161.

RESPECTFULLY SUBMITTED,

*Cheri Vandermeulen*

CHERI VANDERMEULEN  
RECORDS CLERK



SPENCER J OLSON  
PO BOX 256  
MALAD ID 83252



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

August 7, 2001

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

SPENCER J OLSON  
PO BOX 256  
MALAD CITY ID 83252-0256

RE: CHANGE OF ADDRESS FOR A29-07275, A29-07342,  
A29-07536, A29-10353, A29-10354, A29-10356, A29-10357,  
A29-10358, A29-10363 AND A29-12847

Dear Mr. Olson:

It has come to our attention that your mailing address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Spencer J Olson  
610 Saddlebrook  
Malad ID 83252

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

**Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.**

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

*Cheri Vandermeulen*

Cheri Vandermeulen  
Records Clerk

Enclosure(s)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
1301 North Orchard Street, P.O. Box 83720  
Boise, Idaho 83720-0098

Return Service Requested



OLSE 610

SPENCER J OLSON  
610 SADDLEBROOK  
MALAD, ID 83252

RECEIVED  
AUG 03 2001  
Department of Water Resources  
Southern Region

OLSE 610  
RETURN TO SENDER  
OLSON  
PO BOX 256  
MALAD CITY ID 83252-0256  
RETURN TO SENDER

29-7275

7342

7536

10353 p.d.

10354 p.d.

10356 p.d.

10357

10358 p.d.

10363

12847 p.d.

RECEIVED

AUG - 1 2001

Department of Water Resources

AFFIDAVIT

To: Idaho Department of Water Resources

From: Robert W. Henderson, P.O. Box 15, Arimo, Idaho 83214, January 11, 1995

Regarding: Adjudication claim AJ5809NP, #A 29-04202

The home place of Henderson Ranches contains in excess of 1100 acres of land in T 10S, R37E, S7 and S18 and adjoining sections in R36E. Most of it is irrigated but some is dry farm land. Another irrigated part of the ranch lies in sections 25 and 26 in T9S, R36E. The irrigated parcels were acquired with water rights in separate parcels over a long period of time beginning in 1913 when my father and uncle purchased the first 360 acres and our family took up residence in the house in which I still live. I was nine years old at that time. The various water sources have been developed into an "extensive and complex system" mentioned in A29-04201. This system also includes water from shares owned in Arimo Ditch Company, an extension of Portneuf Irrigating Company.

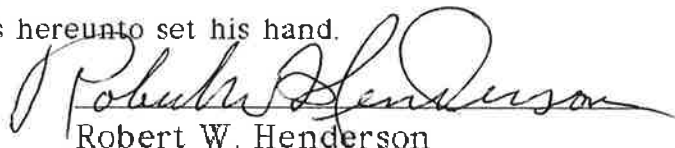
Both irrigation and stock watering are indeed carried out on the same described locations which constitute parts of the irrigated portions of the ranch.

The springs and pond area described in the document under consideration lie in parcels purchased from Bill and Zina Hatch in 1945, from Jesse and Bertha Kelley in 1954, and the northern tip of the pond area purchased from Kenneth Capell in the late 1960s. The water from the pond and springs mixes and has been transported through a hill to the west by means of a ditch since before 1924. Zeb Gunter, owner at that time, and my father-in-law Thomas Charles Smith, whom he employed, built the ditch. Before that time for many years, the water was transported by a ditch which had been constructed around the north side of the hill. The water irrigates land west of that hill on both the east and west sides of Marsh Creek where it is carried by three pipes that cross the creek, 298 acres as stated in the original filing.

We filed on only half of this water because a small parcel of land owned at time of filing for adjudication by the Olson family includes part of the pond area. There has never been practical use of the water on that land. A small meadow along the creek is usable only marginally as pasture because it is too wet when we are not using the water.

IN WITNESS WHEREOF, the party of the second part has hereunto set his hand.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF )

  
Robert W. Henderson

)  
)  
)

STATE OF IDAHO

County of Bingham

On this 11th day of January, in the year 1995, before me  
a Notary Public in and for said County and State, personally appeared

Robert W. Henderson

known to me to be the person whose name is subscribed to the within instrument, and  
acknowledged to me that he executed the same.

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

(seal)

  
MICROFILMED  
Blair Notary, Idaho  
Commission expires 5/28/96

AFFIDAVIT

To: Idaho Department of Water Resources

From: Henderson Ranches, P.O. Box 15, Arimo, Idaho 83214, January 12, 1995

Regarding: Ajudication claim AJ5809NP, #A 29-11089

The spring described in the document under consideration lies in a parcel to which we acquired the deed from Bill and Zina Hatch March 28, 1945. The water from several springs mixes with water from the pond. My father Robert W. Henderson told me that the water has been transported through a hill to the west by means of a ditch since before he was married, which was in 1924. Zeb Gunter, who owned the land at that time, and my grandfather Thomas Charles Smith, whom Mr. Gunter employed, built the ditch. An earlier ditch transported the water around the north side of the hill. The water from all sources involved irrigates and waters cattle on land west of that hill on both the east and west sides of Marsh Creek where it is carried by three pipes that cross the creek.

IN WITNESS WHEREOF, the party of the second part has hereunto set his hand.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF )



) Alice H. Dunn

) Secretary, Henderson Ranches, Inc.

STATE OF IDAHO

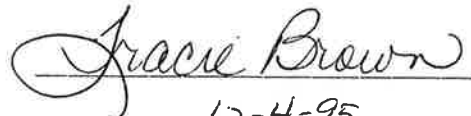
County of Bannock

On this 12th day of January, in the year 1995, before me  
a Notary Public in and for said County and State, personally appeared

Alice H. Dunn

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.

  
12-4-95  
Notary Public

(seal)

RECORDED

NOV 14 1995

# 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, 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|                       | A29-10363                    |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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) are 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)

Spencer Olson

4. New Owner/Claimant(s)

Kent, Mary Jo Rhead

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

New Mailing Address

P.O. Box 50

City, State and ZIP Code

Arimo, ID 83214

New Telephone Number

208-237-5361

5. Date you acquired the property

4-20-2000

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## INSTRUCTIONS FOR FILING NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

01394

## Warranty Deed

95018070

For Value Received

SPENCER J. OLSON AND SHARA J. OLSON, who acquired title as Sharon J. Olson  
the grantor-s, do hereby grant, bargain, sell and convey unto

LEONORE HENTHORNE, a widow

whose current address is

154 South 550 East  
Burley, Id. 83318

the grantee, the following described premises, in

BANNOCK

County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning  
ordinances and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,  
her heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said  
Grantee, that they're the owner in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever,

Dated: November 29, 1995

*Spencer J. Olson*  
Spencer J. Olson

*Shara J. Olson*  
Shara J. Olson

STATE OF IDAHO, COUNTY OF Bannock

On this day of , 19 95  
before me, a notary public in and for said State, personally appeared  
Spencer J. Olson and Shara J. Olson

known to me to be the person whose name S  
subscribed to the within in ument, and acknowledged to me that  
they executed the same.

*Ed Betty*  
Notary Public  
Idaho

Residing at Pocatello  
Comm. Expires June 7, 2001

95018070

NO. 95018070  
ALLIANCE TITLE & ESCROW  
'95 DEC -5 AM 1:31

BOOK N 653  
IDAHO  
JUL 11 1996  
EE 60

01395

EXHIBIT A

95018070

2-2

THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7 AND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 10 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO, PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTH 1/16 CORNER OF SECTION 7, TOWNSHIP 10 SOUTH, RANGE 37 E.B.M., THENCE SOUTH 0°06' EAST, 746 FEET, MORE OR LESS, ALONG THE SECTION CENTERLINE TO THE INTERSECTION OF THE SECTION CENTERLINE WITH THE SOUTHERLY BOUNDARY OF THE COUNTY ROAD, THENCE NORTH 54°26' WEST, 787 FEET ALONG THE SOUTHERLY BOUNDARY OF THE COUNTY ROAD; THENCE SOUTH 4°26' EAST, 1,256 FEET; THENCE WEST 56 FEET; THENCE NORTH 81°03' WEST, 147.4 FEET; THENCE NORTH 63°33' WEST, 262.4 FEET; THENCE NORTH 58°13' WEST, 284.8 FEET; THENCE NORTH 37°34' WEST, 165.5 FEET; THENCE NORTH 0°03' EAST, 1,119.6 FEET; THENCE EAST 1,320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPT: A STRIP OF GROUND ACROSS THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 7, TOWNSHIP 10 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 7, THENCE WEST ALONG SOUTH 1/16 LINE OF SAID SECTION 7, 306.0 FEET TO THE INTERSECTION WITH THE CENTERLINE OF HIGHWAY NO. S-231(3) THE STATIONING OF WHICH IS 412+24, THE POINT OF BEGINNING; THENCE A STRIP OF LAND 33 FEET RIGHT AND LEFT OF SAID CENTERLINE, SOUTH 27°49' EAST, 176.0 FEET TO A POINT THE STATIONING OF WHICH IS 414+00; THENCE A STRIP OF LAND 40 FEET ON THE LEFT AND 35 FEET ON THE RIGHT, SOUTH 27°49' EAST, 475.0 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE MERIDIONAL CENTERLINE OF SAID SECTION 7.

ALSO EXCEPT: A PARCEL OF LAND BEING ON THE SOUTHWESTERLY SIDE OF THE CENTERLINE OF INTERSTATE 15, PROJECT NO. I-15-1(10)40 HIGHWAY SURVEY AS SHOWN ON THE PLANS THEREOF, NOW ON FILE IN THE OFFICE OF THE DEPARTMENT OF HIGHWAYS OF THE STATE OF IDAHO, AND BEING A PORTION OF THE SE $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 7, TOWNSHIP 10 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 7, TOWNSHIP 10 SOUTH, RANGE 37 E.B.M., THENCE SOUTH 0°17' EAST (SHOWN OF RECORD TO BE SOUTH 0°06' EAST) ALONG THE EAST LINE OF SAID SE $\frac{1}{4}$ SW $\frac{1}{4}$  A DISTANCE OF 473.0 FEET, MORE OR LESS, TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY FENCE LINE OF AN EXISTING COUNTY ROAD; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY FENCE LINE, 543.0 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF SAID SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; THENCE SOUTH 89°36' EAST, (SHOWN OF RECORD TO BE EAST) ALONG SAID NORTH LINE 260.0 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

WARRANTY DEED

Order No.:3010010349 *Ym*

FOR VALUE RECEIVED

2-1

Leonore Henthorne, an unmarried woman

20006195

the grantor, do(es) hereby grant, bargain, sell and convey unto

Kent Rhead and Mary Jo Rhead, Husband and Wife

whose current address is

734 West Cedar Pocatello, ID 83201

the grantee(s), the following described premises, in Bannock County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO:

A mortgage from Spencer J. Olson and Shara J. Olson, Husband and wife, Mortgagor, to The United States of America, acting through The Farmers Home Administration, United States Department of Agriculture, Mortgagee, to secure the amount of \$14,850.00, recorded January 17, 1995, as Instrument No. 95000618. AND SUBJECT TO:

A mortgage from Leonore Henthorne, a single person, Mortgagor, to Spencer J. Olson and Shara J. Olson, Husband and Wife, Mortgagee, to secure the amount of \$24,000.00, recorded December 5, 1995, as Instrument No. 95018071. AND SUBJECT TO:

A Financing Statement filed in the Office of the County Recorder showing:

Debtor: Spencer J. Olson and Shara J. Olson

Secured Party: U.S.A., acting through The Farmers Home Administration.

Recorded January 24, 1995, as Instrument No. 95000979

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is the owner in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 4/20/2000

*Leonore Henthorne*  
Leonore Henthorne

State of Idaho }  
County of Bannock } ss.

On this 20<sup>th</sup> day of April, 2000, before me, a Notary Public in and for said state, personally appeared Leonore Henthorne

known or identified to me to be the person whose name is subscribed to the within 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 first above written.

20006195

NO  
RECORDED AT REQUEST OF

ALLIANCE TITLE

2000 APR 20 PM 4 33

OFFICIAL SEAL BOX NO 257

BANNOCK COUNTY IDAHO

LARRY W. SLANES, RECORDER

FEE 6.00 DEPOSIT ML

*Ruth M. Rubel*  
Notary Public for the State of Idaho

Residing at: Pocatello

Commission Expires: 4-14-2005

RUTH M. RUBEL

NOTARY PUBLIC  
STATE OF IDAHO

EXHIBIT "A"

20006195

2-2

Beginning at the South 1/16 corner of Section 7, Township 10 South, Range 37 East of the Boise Meridian, thence South 00°06' East, 746 feet, more or less, along the section centerline to the intersection of the section centerline with the Southerly boundary of the County road; thence North 54°26' West, 787 feet along the Southerly boundary of the County road; thence South 04°26' East, 1,256 feet; thence West 56 feet; thence North 81°03' West, 147.4 feet; thence North 63°33' West, 262.4 feet; thence North 58°13' West, 284.8 feet; thence North 37°34' West, 165.5 feet; thence North 00°03' East, 1,119.6 feet; thence East 1,320 feet, more or less, to the point of beginning.

EXCEPT: A strip of ground across the Northeast corner of the SE¼SW¼ of Section 7, Township 10 South, Range 37 East of the Boise Meridian, Bannock County, Idaho, more particularly described as follows: Commencing at the Northeast corner of the SE¼SW¼ of Section 7, thence West along the South 1/16 line of said Section 7, 306.0 feet to the intersection with the centerline of Highway No. S-231(3) the stationing of which is 412+24, the point of beginning; thence a strip of land 33 feet right and left of said centerline, South 27°49' East, 176.0 feet to a point the stationing of which is 414+00; thence a strip of land 40 feet on the left and 35 feet on the right, South 27°49' East, 475.0 feet, more or less, to the intersection with the meridional centerline of said Section 7.

ALSO EXCEPT: A parcel of land being on the Southwesterly side of the centerline of Interstate 15, Project No. I-15-1(10)40 Highway Survey as shown on the plans thereof, now on file in the office of the Department of Highways of the State of Idaho, and being a portion of the SE¼SW¼ of Section 7, Township 10 South, Range 37 East of the Boise Meridian, Bannock County, Idaho, described as follows: Beginning at the Northeast corner of the SE¼SW¼ of Section 7, Township 10 South, Range 37 East of the Boise Meridian, thence South 00°17' East (shown of record to be South 00°06' East) along the East line of said SE¼SW¼ a distance of 473.0 feet, more or less, to a point on the Northeasterly right-of-way fence line of an existing County road; thence Northwesterly along said Northeasterly right-of-way fence line, 543.0 feet, more or less, to a point in the North line of said SE¼SW¼; thence South 89°36' East (shown of record to be East) along said North line 260.0 feet, more or less, to the place of beginning.

Memo 29-10363

9/18/2001

This right should go back to Olsen and then find new owners.

POB and POH should be

( 10 s 37E sec-7 SESW  
sec 18 NENW ) POH land owned  
by Olsens in  
evidence of priority

( KENT// MARY JO  
RHEAD  
734 W Cedar Pkwy  
( 237-5361 )

cut  
bank ( pod: N 42 33 43.0  
W 112 10' 49.2  
4702

JUN 04 2001



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNORKARL J. DREHER  
DIRECTOR

March 7, 2001

PECK PROPERTIES LC  
1495 E 900 N  
LEHI UT 84043RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP  
NOTICE(S) OF CLAIM TO A WATER RIGHT 29-10363

Dear Mr. Peck:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree  
Technical Records Specialist

Enclosure

cc: Spencer Olson

SESW 7  
NE NW 18  
10s 37E

C/O - UNDO

29-10357 - BACK TO OLSEN

Merna C Marley  
PO BOX 56  
Armo, ID 83214  
owns it

A29-7158 - ~~BACK TO PREVIOUS~~

~~OWNERS~~

~~PETERSEN~~

~~PAGE~~

~~CASHMORE~~

~~JENKINS~~

LEAVE AS  
PECK

(A29-10363 - <sup>TO</sup> PECK)

CHANGE TO ↑



State of Idaho

# DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr. Ste. A, Idaho Falls, Idaho 83402

Phone: (208) 525-7171 FAX: (208) 525-7177 [www.idwr.state.id.us/idwr/idwrhome.htm](http://www.idwr.state.id.us/idwr/idwrhome.htm)

January 11, 1999

*Remove Peck  
back to Petersen  
File*

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

PECK PROPERTIES LC  
1495 E 900 N  
LEHI UT 84043

*WADSWORTH*

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP  
NOTICE OF CLAIM TO A WATER RIGHT (A29-07158)  
A29-07275, 29-10356, A29-10357

*Merna C Mark*

*PO Box 56*

*Arimo 83214*

*0056*

Dear Mr. Peck:

*BACK TO  
OLSEN*

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

*Jennifer Hoagland*

Jennifer Hoagland  
Technical Records Specialist

Enclosure

# ALLIANCE

TITLE & ESCROW CORP.

RECEIVED

NOV 23 1998

Department of Water Resources  
Eastern Region

NOVEMBER 20, 1998

SCOTT VAN HOFF  
DEPT. OF WATER RESOURCES  
900 N. SKYLINE DRIVE, SUITE A.  
IDAHO FALLS, ID 83402

RE: TRANSFER WATER CERTIFICATES

DEAR SCOTT,

ATTACHED, YOU WILL PLEASE FIND THE TRANSFER FOR WITH STOCK CERTIFICATE NUMBERS FOR THE TRANSFER OF WATER STOCKS IN BANNOCK COUNTY, IDAHO. PLEASE TRANSFER THE CERTIFICATES INTO THE NEW OWNERS NAME. IF YOU HAVE ANY QUESTIONS OR NEED FURTHER DOCUMENTATION, PLEASE DON'T HESITATE TO CALL ME AT 235-4317.

THANK YOU VERY MUCH,

RUTH M. RUBEL  
CLOSING OFFICER  
1-69521A & B



312 WEST CENTER • P.O. Box 1176 • POCATELLO, ID 83204

208.232.6163 • FAX 208.233.0212 • 1.800.657.9409

DATE SUB 11-2-98

29-10343

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. Water Right Number(s) A29-07275, A29-07158, A29-10356, A29-10357  
Adjudication Claim Number(s) \_\_\_\_\_
2. The following REQUIRED information must be submitted with this form.
- A. 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 or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND  
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)  
OR  
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) SPENCER J. OLSON & SHARA OLSON  
190 N MEADOWVIEW, ARIMO ID 83214  
P.O. BOX 156, ARIMO, ID 83214 (208) 2543985
4. New Owner/Claimant(s) PECK PROPERTIES, L.C.  
Name connector (Check one): ☒ AND ☐ OR ☐ AND/OR  
New Mailing Address 1495 EAST 900 NORTH, LEHI, UTAH 84043  
City, State and ZIP Code \_\_\_\_\_  
New Telephone Number (801) 768-3922
5. Date you acquired the property 11-19-98
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
Number of acres actually irrigated 451 Number and type of stock \_\_\_\_\_  
Diversion rate in CFS 7.74 Number of homes 1 Other uses \_\_\_\_\_  
cubic feet per second  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) [Signature] Date 10-29-98  
[Signature] Date 10-29-98
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)  
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



## WARRANTY DEED

For Value Received

SPENCER OLSON AND SHARA OLSON, husband and wife

the grantor(s), do hereby grant, bargain, sell and convey unto

PECK PROPERTIES L.C.

whose current address is

1495 EAST 900 NORTH

LEHI, UT 84043

the grantee(s), the following described premises, in BANNOCK County IDAHO, to wit:

SEE ATTACHED "EXHIBIT A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee(s), that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

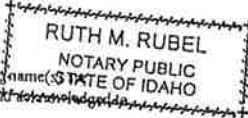
and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 23, 1998

Spencer Olson  
SPENCER OLSON

Shara Olson  
SHARA OLSON

STATE OF IDAHO, COUNTY OF BANNOCK  
On this 28 day of OCTOBER, 1998  
before me, a Notary Public in and for said State, personally  
appeared

SPENCER OLSON &  
SHARA OLSON

known to me to be the person(s) whose name(s) I have  
subscribed to the within instruments and I have advised  
me that they executed the same.

Ruth M. Rubel  
Notary Public,  
Residing at POCATELLO, ID  
Comm. Expires 4-14-1999

98023291

NO  
RECORDED AT REQUEST OF  
ALLIANCE TITLE & ESCROW  
'98 NOV 19 PM 3 47

OFFICIAL RECORD BOOK NO 725  
BANNOCK COUNTY IDAHO  
LARRY W CHAM RECORDER  
FEE 600 DEPUTY LC

PAGE 1:

LOTS 1 AND 2, WEST MEADOWVIEW ADDITION, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF BANNOCK COUNTY, IDAHO.

ALSO: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, WEST MEADOWVIEW ADDITION TO THE CITY OF ARIMO, BANNOCK COUNTY, IDAHO; THE SAME BEING IN THE SW 1/4 OF SECTION 7, TOWNSHIP 10 SOUTH, RANGE 37 EAST, BOISE MERIDIAN; THENCE SOUTHWESTERLY ALONG THE WEST BOUNDARY LINE OF SAID WEST MEADOWVIEW ADDITION 109.10 FEET; THENCE AT RIGHT ANGLES IN A WESTERLY DIRECTION 161 FEET MORE OR LESS TO THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY I-15, THENCE NORTHWESTERLY ALONG THE EAST BOUNDARY LINE OF SAID RIGHT OF WAY LINE 109.10 FEET MORE OR LESS TO THE POINT THAT WOULD BE AN EXTENSION OF THE NORTH LINE OF LOT 1, IN THE WEST MEADOWVIEW ADDITION AS ABOVE DESCRIBED; THENCE EASTERLY AT RIGHT ANGLES ALONG THE EXTENSION OF THE NORTH BOUNDARY LINE OF LOT 1, 185 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH: ONE HALF (1/2) THE PLATTED ROAD EASEMENT ON THE SOUTH END OF LOT 16, FIRST ADDITION TO THE WEST MEADOWVIEW ADDITION A SUBDIVISION IN THE CITY OF ARIMO THIS HALF BEING THE SOUTH HALF OF THE ROAD EASEMENT.

## WARRANTY DEED

For Value Received

SPENCER OLSON AND SHARA OLSON, husband and wife

the grantor(s), do hereby grant, bargain, sell and convey unto

PECK PROPERTIES L.C.

whose current address is

1495 EAST 900 NORTH

LEHI, UT 84043

the grantee(s), the following described premises, in BANNOCK County IDAHO, to wit:

SEE ATTACHED "EXHIBIT A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee(s), that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 28, 1998

Spencer Olson  
SPENCER OLSON

Shara Olson  
SHARA OLSON

STATE OF IDAHO, COUNTY OF BANNOCK  
On this 28TH day of OCTOBER, 1998  
before me, a Notary Public in and for said State, personally  
appeared

SPENCER OLSON &  
SHARA OLSON

RUTH M. RUBEL  
NOTARY PUBLIC  
STATE OF IDAHO

known to me to be the person(s) whose name(s) is/are  
subscribed to the within instruments and acknowledged to  
me that they executed the same.

Ruth M. Rubel  
Notary Public,

Residing at POCA TELLO, ID  
Comm. Expires 4-14-1999

NO 98023292

RECORDED AT REQUEST OF  
ALLIANCE TITLE & ESCROW  
'98 NOV 19 PM 3 47

OFFICIAL RECORD BOOK NO 725  
BANNOCK COUNTY IDAHO  
LARRY W. CHAN RECORDER  
FEE 60 DEPUTY 16

2-2  
"EXHIBIT A"

98023292

PARCEL 2:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, THENCE NORTH 0°09' WEST, ALONG THE WEST LINE OF SECTION 3, 308.5 FEET; THENCE NORTH 89°51' EAST 33 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF JENSEN ROAD SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE CONTINUING NORTH 89°51' EAST, 1039.50 FEET, THENCE SOUTH 0°09' EAST 513.50 FEET THENCE DUE EAST, 264.05 FEET; THENCE DUE SOUTH 247.50 FEET TO A POINT ON THE NORTHERLY R.O.W. LINE OF GLOVER ROAD, SAID POINT BEING 33 FEET NORTH OF THE WEST 1/16 CORNER ON THE SOUTH LINE OF SAID SECTION 3; THENCE NORTH 89°16' EAST, ALONG SAID NORTHERLY R.O.W. LINE OF GLOVER ROAD 1335.91 FEET TO A POINT ON THE MERIDIONAL CENTERLINE OF SAID SECTION 3, SAID POINT BEING NORTH 0°11' WEST AND 33 FEET DISTANT FROM THE SOUTH 1/4 CORNER OF SAID SECTION 3; THENCE NORTH 0°11' WEST, ALONG THE MERIDIONAL CENTERLINE, 2614.55 FEET TO THE CENTER 1/4 CORNER OF SAID SECTION 3; THENCE SOUTH 89°17' WEST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 3, 1648. FEET; THENCE SOUTH 0°09' EAST, 1378.60 FEET; THENCE SOUTH 89°51' WEST, 989.00 FEET TO A POINT ON THE EASTERLY R.O.W. LINE OF JENSEN ROAD. THENCE SOUTH 0°09' EAST, ALONG SAID EASTERLY R.O.W. LINE OF JENSEN ROAD, 471.50 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3:

TOWNSHIP 10 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO,

SECTION 20: SE 1/4 NW 1/4, E 1/4 SW 1/4, W 1/4 SE 1/4, NE 1/4 SE 1/4

SECTION 29: NE 1/4 NW 1/4, NW 1/4 NE 1/4, BEGINNING AT THE NORTHEAST CORNER OF NW 1/4 NW 1/4 OF SAID SECTION, THENCE SOUTH 330 FEET, THENCE AT RIGHT ANGLES WEST 132 FEET, THENCE AT RIGHT ANGLES NORTH 330 FEET, THENCE 132 FEET EAST TO THE POINT OF BEGINNING.

PARCEL 4:

TOWNSHIP 10 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO,

SECTION 19: SE 1/4 SE 1/4

SECTION 20: SW 1/4 SW 1/4

SECTION 29: NW 1/4 NW 1/4, EXCEPT, BEGINNING AT NORTHEAST CORNER OF NW 1/4 NW 1/4 OF SECTION 29, THENCE RUNNING SOUTH 330 FEET, THENCE AT RIGHT ANGLES WEST 132 FEET; THENCE AT RIGHT ANGLES NORTH 330 FEET; THENCE 132 FEET EAST TO THE TRUE POINT OF BEGINNING.

SECTION 30: NE 1/4

Log for claim A29-10363

Spatial Dynamics BTD

7/10/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT                        |
|----------------|-----|------|------------------|----------------|--------------------------------|
| 10s36e         | 20  | NESW | 29               | 40             | POD placement? / Indiscernible |
| <b>Totals:</b> |     |      | 29               | 40             |                                |



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

October 7, 1997

RECEIVED

PHILIP E. BATT  
GOVERNOR

OCT 16 1997

KARL J. DREHER  
DIRECTOR

Department of Water Resources

SPENCER J OLSON  
190 N MEADOWVIEW DR  
ARIMO ID 83214

Re: Snake River Basin Adjudication (SRBA)  
Water Right No. A29-07275, A29-10356, A29-10358, A29-10363, & A29-12847  
Change of Address

Dear Water Right Holder:

A29-10357

IDWR has been notified the address presently on 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 can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by October 22, 1997. Make corrections to your name and address if necessary before returning this letter. 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 any of the properties 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 records.

Yours truly,

Danni M. Smith  
SRBA Sr. Secretary

\*\*\*\*\*

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

Signature of water right claimant

AJ5809NP  
No. A29-10363

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00  
PAGE: 205

| OWNER<br>CODE    | NAME & ADDRESS                                                          | PRIORITY<br>DATE | WATER USE                | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE      | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------------|------------------|--------------------------|----------------------------|------------------------|---------------------|
| C                | SPENCER J OLSON<br>190 N MEADOWVIEW<br>ARIMO ID 83214<br>(208) 254-3985 | 07/10/1930       | IRRIGATION<br>STOCKWATER | 03-01 11-01<br>01-01 12-31 | 1.500 CFS<br>0.200 CFS |                     |
| TOTAL DIVERSION: |                                                                         |                  |                          |                            | 1.500 CFS              |                     |

Water Source: BIG POND

Tributary to: MARSH CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R36E S20 NESW NESW BANNOCK County

Place of use Legal Description for: IRRIGATION

|             |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |      |  |
|-------------|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|------|--|
| T           | R   | S  | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | SUM  |  |
| 10S         | 36E | 20 | :  |    | :  |    | :  |    | :  |    | :  |    | :  |    | :  |    | 29.0 |  |
| TOTAL ACRES |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 29.0 |  |

Place of use Legal Description for: STOCKWATER

|     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |   |  |
|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|--|
| T   | R   | S  | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |   |  |
| 10S | 36E | 20 | :  |    | :  |    | :  |    | :  |    | :  |    | :  |    | :  |    | S |  |

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER, 300 DAIRY CATTLE

Other Rights: DOMESTIC WELL

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
29-10356 A29-07275 A29-10356 A29-10357

Other Water Rights Listing Overlapping Place(s) of Use:  
A29-07275

Remarks: GEN THIS POND IS LOCATED ON PROPERTY BELONGING TO ROBERT S HENDERSON.  
THE WATER FROM THE POND IS SHARED BY OLSONS AND HENDERSONS  
CHANGE OF ADDRESS 10/23/97 DMS

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

Audit: 05/05/92 THOMPSON 08/01/94 THOMPSON 03/29/95 POST-STD 10/23/97 DSMITH

MAY 4, 1992

SPENCER J OLSON  
190 WEST MEADOWVIEW  
ARIMO ID 83214

RE: NOTICE OF CLAIM A29-10363

Dear Mr. Olson:

Please find enclosed a Notice of Claim prepared with information from your original notice that you filed on in the Snake River Basin Adjudication, February 22, 1990.

The type and number of dairy cattle was mentioned in Item #9, but you did not list the nature of use for stockwater in Item #6. The Department has data entered (on Line 2, Item #6) stockwater, all year round, at .20 cfs.

Review the Notice for accuracy. There may be an instance(s), in addition to the above item(s), where a clarification(s) was made by the Department. Should you determine certain items need to be changed, make the necessary changes on this form, initial each change, sign the form in the presence of a Notary, and promptly return it to this office. **If there are no changes, simply keep this Notice for your records.**

If you have any questions or objections regarding your Notice, please contact this office.

Respectfully submitted,

Jo Thompson  
Secretary, Adjudications

Enclosure

MICROFILMED

NOV 16 1992

Jan 12, 1995

State of Idaho  
Dept. of Water Resources  
Attn: Dave Carlson

JAN 13 1995

Department of Water Resources  
Eastern District Office

Dear Dave:

This letter is in response to your letter dated Jan 3, 1995 on beneficial use on claim # A29-10363. I have researched the deeds on the property and as you can see by the deeds that the Olsons and Hendersons and Hatchs were using the water from the Jenkins-Fink Pond prior to 1946 and from that time to present. I will continue to research but at this time I can only claim a priority date of 1946 based on this date of beneficial use by evidence on deeds.

Sincerely

Spencer J. Olson

Enclosed - Copies of Warranty Deeds

# 1. Deed from Hendersons and Hatchs to Heber J. Olson.

# 2. Deed from Heber Olson to Spencer J. Olson

Water right mentioned in both deeds.

MICROFILMED  
NOV 13 1990

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 29-10363  
Date Received: 2/22/1990  
Receipt No: E012128  
Received By:

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

1. Name of Claimant(s)

MARY JO RHEAD Phone: (208)237-5361

PO BOX 50  
ARIMO ID USA 83214

KENT RHEAD Phone: (208)237-5361

PO BOX 50  
ARIMO ID USA 83214

2. Date of Priority: 07/10/1930

3. Source: BIG POND Trib. to: MARSH CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 10S      | 37E   | 7       | SE SW                 | BANNOCK |      |

5. Description of diverting works:

DAM AND DITCHES USE TO FLOOD MEADOWLAND

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/01 | 11/01 | 1.5    |            |
| STOCKWATER | 1/01 | 12/31 | 0.2    |            |

7. Total Quantity Appropriated is:  
1.5 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 |
|----------|-------|---------|------------|-----|---------------|-------|
| 10S      | 37E   | 7       | SE         | SW  | IRRIGATION    | 29    |
|          |       |         | SE         | SW  | STOCKWATER    |       |
|          |       |         |            |     | Section Acres | 29    |
|          |       |         |            |     | Total Acres   | 29    |

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

pond location according to evidence of priority is 10s 37e sec 7 sesw

THIS POND IS LOCATED ON PROPERTY BELONGING TO ROBERT S HENDERSON. THE WATER FROM THE POND IS SHARED BY OLSONS AND HENDERSONS CHANGE OF ADDRESS 10/23/97 DMS

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): Kent Pheat Date: 6-27-02

\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this  
of June 2002

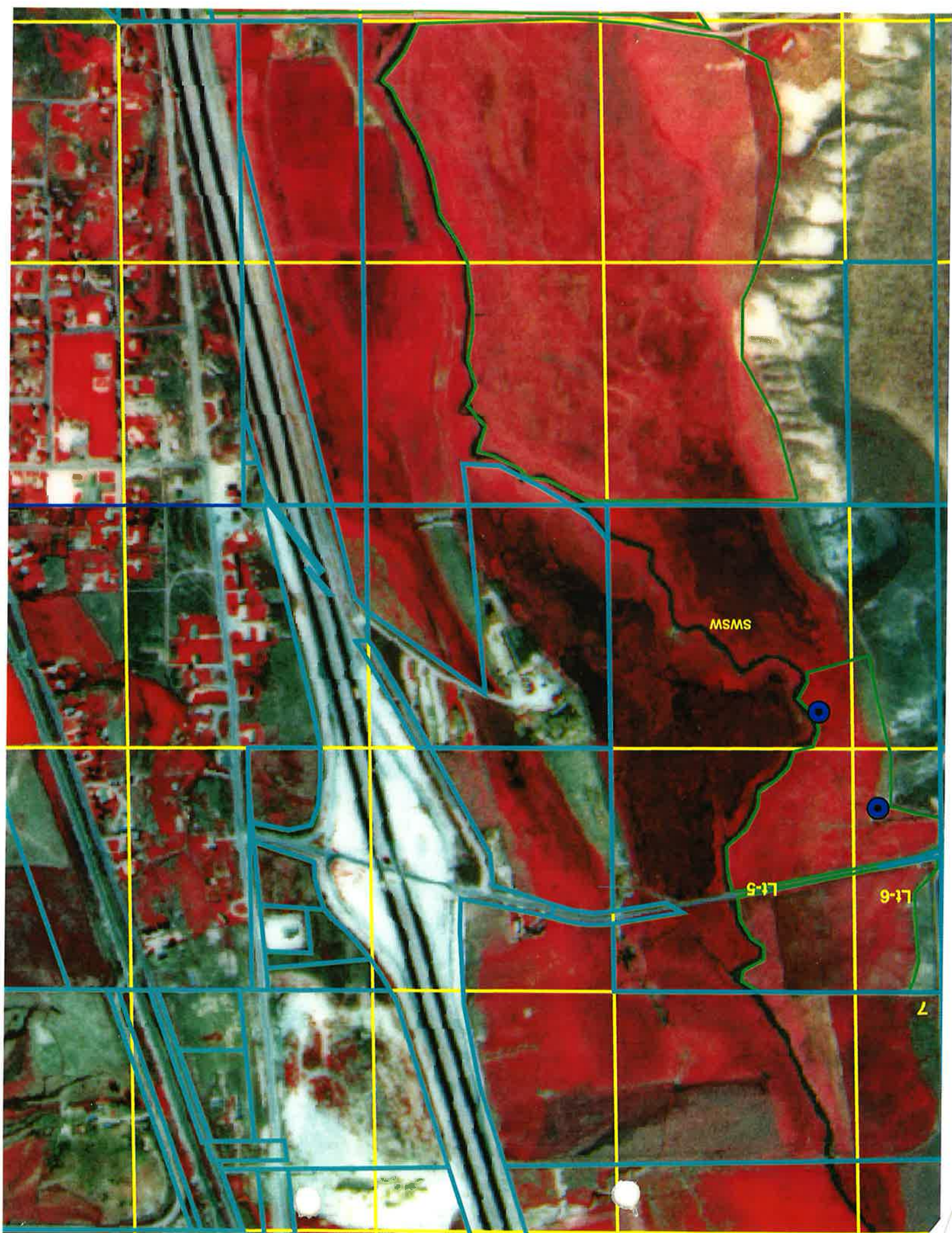
27  
Dave Carlson

Notary Public

Residing at Rigby, Id

My commission Expires 2/26/2006





JUN 04 2001

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A29-10363

Date Received: 5/ 4/1992

Receipt No: E012128

Received By: \_\_\_\_\_

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

1. Name: SPENCER J OLSON 208-254-3985  
Address: 190 WEST MEADOWVIEW  
ARIMO ID 83214

2. Date of Priority: JUL 10, 1930

3. Source: BIG POND Trib. to: MARSH CREEK

4. Point of Diversion:

|          |       |         |        |        |        |     |         |
|----------|-------|---------|--------|--------|--------|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
| 10S      | 36E   | 20      |        |        |        |     | BANNOCK |
|          |       |         | NE     |        |        | SW  | BANNOCK |
|          |       |         | NE     |        |        | SW  | BANNOCK |

5. Description of diverting works:  
DAM AND DITCHES USE TO FLOOD MEADOWLAND

6. Water is used for the following purposes:

|            |       |       |        |      |        |
|------------|-------|-------|--------|------|--------|
| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 03/01 | 11/01 | 1.500  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.200  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCKWATER, 300 DAIRY CATTLE

10. Place of Use:

|          |       |         |        |        |     |     |       |
|----------|-------|---------|--------|--------|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
| 10S      | 36E   | 20      | NE     | SW     |     | IRR | 29.0  |

A29-10363

Page 1

Date: 05/04/92

NOV 16 1992

A2910363



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10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 10S      | 36E   | 20      | NE     | SW  |     | STOCK |       |

Section Acres 29.0

Total Acres 29.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:  
DOMESTIC WELL

14. Remarks:

THIS POND IS LOCATED ON PROPERTY BELONGING TO ROBERT S HENDERSON.  
THE WATER FROM THE POND IS SHARED BY OLSONS AND HENDERSONS

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: \_\_\_\_\_

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NOV 16 1992

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

MICROFILMED  
NOV 16 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 29-10363  
Date Received: 2/22/90  
Receipt No: E012128  
Received By:

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

1. Name of Claimant(s)

PECK PROPERTIES LC Phone: (801)768-3922

1495 E 900 N  
LEHI UT 84043

2. Date of Priority: 07/10/1930

3. Source: BIG POND Trib. to: MARSH CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 10S      | 36E   | 20      |                       | BANNOCK |      |
| 10S      | 36E   | 20      | NE SW                 | BANNOCK |      |
| 10S      | 36E   | 20      | NE SW                 | BANNOCK |      |

5. Description of diverting works:

DAM AND DITCHES USE TO FLOOD MEADOWLAND

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/01 | 11/01 | 1.5    |            |
| STOCKWATER | 1/01 | 12/31 | 0.2    |            |

7. Total Quantity Appropriated is:  
1.5 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 |
|----------|-------|---------|------------|-----|---------------|-------|
| 10S      | 36E   | 20      | NE         | SW  | IRRIGATION    | 29    |
|          |       |         | NE         | SW  | STOCKWATER    |       |
|          |       |         |            |     | Section Acres | 29    |
|          |       |         |            |     | Total Acres   | 29    |

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

THIS POND IS LOCATED ON PROPERTY BELONGING TO ROBERT S HENDERSON. THE WATER FROM THE POND IS SHARED BY OLSONS AND HENDERSONS CHANGE OF ADDRESS 10/23/97 DMS

15. Basis of Claim: Beneficial Use

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

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

CIVIL CASE NUMBER: 39576

Ident. Number A29-10363Date Received 2-22-90Receipt Number E012128

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Spencer J. Olson Phone (208) 254-3985Mailing Address 190 West Meadowview Drive Zip 832142. Date of Priority (Only one (1) per claim) JULY 10, 1930 J.J.O.3. Source of water supply (a) The "Big Pond"  
which is tributary to (b) marsh Creek4. a. Location of existing point of diversion is: Township 10S Range 36E Section 20,  
NE 1/4 of SW 1/4 of \_\_\_\_\_ 1/4, Govt. Lot, E B.M., County of Bannock

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township 10S Range 36E Section 20, NE 1/4 of SW 1/4 of \_\_\_\_\_ 1/4,Govt. Lot \_\_\_\_\_ B.M., County of Bannockending point is: Township 10S Range 36E Section 20, NE 1/4 of SW 1/4 of  
\_\_\_\_\_ 1/4, Govt. Lot E B.M., County of Bannock5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well. Dam and Ditches used  
to Flood Meadowland -

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NOV 16 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from MAR 1 to NOV 1 amount 1.5 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount 1.20 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 1.5 CFS (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 Dairy Barn - 300 Cattle

10. Description of place of use:

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

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

| TWP        | RNG        | SEC       | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4    |       |       |       | SE 1/4 |       |       |       | Totals |
|------------|------------|-----------|--------|-------|-------|-------|--------|-------|-------|-------|-----------|-------|-------|-------|--------|-------|-------|-------|--------|
|            |            |           | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4     | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| <u>10S</u> | <u>36E</u> | <u>20</u> |        |       |       |       |        |       |       |       | <u>29</u> |       |       |       |        |       |       |       |        |
|            |            |           |        |       |       |       |        |       |       |       |           |       |       |       |        |       |       |       |        |
|            |            |           |        |       |       |       |        |       |       |       |           |       |       |       |        |       |       |       |        |
|            |            |           |        |       |       |       |        |       |       |       |           |       |       |       |        |       |       |       |        |
|            |            |           |        |       |       |       |        |       |       |       |           |       |       |       |        |       |       |       |        |
|            |            |           |        |       |       |       |        |       |       |       |           |       |       |       |        |       |       |       |        |
|            |            |           |        |       |       |       |        |       |       |       |           |       |       |       |        |       |       |       |        |

Total number of acres irrigated \_\_\_\_\_

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

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Domestic Well. or None ( )

14. Remarks: This Pond is located on property belonging to Robert S. Henderson - The water from the Pond is shared by Oisons and Hendersons -

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NOV 16 1992

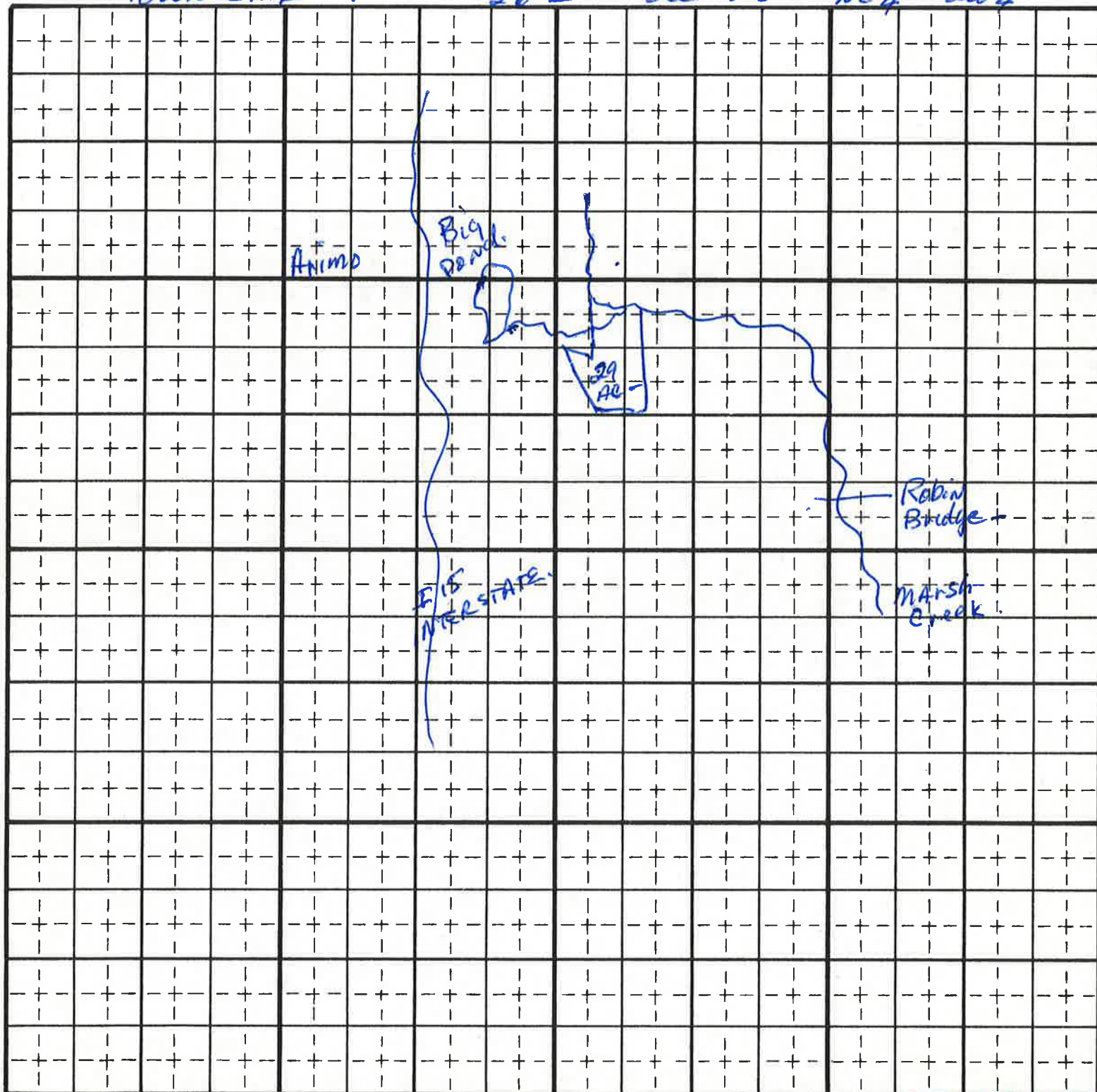
Last Name OISON Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Township 10 S 36 E Sec 20 NE 1/4 SW 1/4



MICROFILMED

NOV 16 1992

Last Name

OISON

Ident No.

Copies: White-State, Yellow-Claimant

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

16. Signature (s)

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

Number of attachments \_\_\_\_\_

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

Signature of Claimant (s) \_\_\_\_\_

Date Jan 27, 1990

Date Feb 22, 1990

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_

Title \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing  
Organization

document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_

Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 22nd day of Feb 19 90

SEAL

Notary Public Betty J. Thompson

Residing at \_\_\_\_\_

BETTY J. THOMPSON, NOTARY PUBLIC  
RESIDING AT IDAHO FALLS, IDAHO  
COMMISSION EXPIRES: 6-30-94

My Commission Expires \_\_\_\_\_

Please Print Name

17. Notice of Appearance:

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

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

**MICROFILMED**  
**NOV 16 1992**

Copies White-State, Yellow-Claimant

649

## WARRANTY DEED

516896

For Value Received HEBER J. OLSON and BLANCHE A. OLSON, husband  
and wife,

the grantors, do hereby grant, bargain, sell and convey unto

SPENCER JAMES OLSON and SHARA J. OLSON, husband and wife,

whose current address is Arimo, Idaho

the grantees, the following described premises, in Bannock County Idaho, to wit:  
That certain tract or parcel of land lying and being in the Southeast  
quarter of the Southwest quarter of Section seven, and in the Northeast  
quarter of the Northwest quarter of Section eighteen, Township ten  
South, Range thirty-seven East of the Boise Meridian, in Idaho,  
particularly described as follows, to-wit:

Beginning at the South 1/16 corner of section 7, T. 10 S., R. 37  
East Boise Meridian, thence South 0°06' East, 746 feet more or less  
along the section centerline to the intersection of the section  
centerline with the Southerly boundary of the county road, thence North  
54°26' West, 787 feet along the Southerly boundary of the county road,  
thence South 4°26' East, 1,256 feet, thence West, 56 feet, thence North  
91°03' West, 147.4 feet, thence north 63°33' West, 262.4 feet, thence  
North 58°13' West, 284.8 feet, thence North 37°34' West, 165.5 feet,  
thence North 0°03' East, 1119.6 feet, thence East, 1,320 feet more  
or less to the point of beginning containing approximately 30.6 acres;

Together with that certain water right described as a right out of one  
half of the water from that certain pond, referred to as the Jenkins-  
Fink Pond, for use upon above described land, reserving to the said  
William M. Hatch and Zina D. Hatch, husband and wife, and their successors  
in interest a right to the use of water out of said one half right  
for the irrigable lands south and east of the tract above described  
in which the said William M. Hatch and Zina D. Hatch have an interest,

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 Grantee, that the Grantee is the owner in fee simple of said premises; that they are free  
from all incumbrances

and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated:

*Spencer J. Olson*  
*Shara J. Olson*

*Heber J. Olson*  
*Blanche A. Olson*

STATE OF IDAHO, COUNTY OF Bannock  
On this 16 day of October, 19 73  
before me, a notary public in and for said State, personally  
appeared Heber J. Olson and Blanche  
A. Olson,

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

*Heber J. Olson*  
Notary Public  
Residing at Pocatello, Idaho  
Comm. Expires 2-20-74

516896  
NO. 516896  
RECORDED AT REQUEST OF  
Spencer J. Olson  
Dec 11 10 54 AM '73  
264  
BANNOCK COUNTY, IDAHO  
THE FIRST RECORD  
\$1.00 FEE IN

Recorded by the AMERICAN LAND TITLE CO., Pocatello, Idaho

## Bannock County, Idaho

INSTRUMENT No. 249461

## WARRANTY DEED

**This Indenture**, Made this tenth day of October in the year of Our Lord One Thousand Nine Hundred and Forty-six, between William M. Hatch and Zina D. Hatch, husband and wife, and Robert W. Henderson and Winifred S. Henderson, husband and wife,

of Arimo County of Bannock State of Idaho, the parties of the first part, and

HEBER J. OLSON and BLANCHE A. OLSON, husband and wife, of Arimo County of Bannock 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 AND NO/100

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 hereby acknowledge, 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 Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

That certain tract or parcel of land lying and being in the Southeast quarter of the Southwest quarter of Section seven, and in the Northeast quarter of the Northwest quarter of Section eighteen, Township ten South, Range thirty-seven East of the Boise Meridian, in Idaho, particularly described as follows, to-wit:

Beginning at the South 1/10 corner of Section 7, T.10S., R.37 East Boise Meridian, thence South 0° 06' East, 746 feet more or less along the section centerline to the intersection of the section centerline with the Southerly boundary of the county road, thence North 54° 26' East, 787 feet along the Southerly boundary of the county road, thence South 4° 26' East, 1,256 feet, thence West, 75 feet, thence North 81° 03' West, 147.4 feet, thence North 63° 33' West, 262.4 feet, thence North 58° 13' West, 284.8 feet, thence North 37° 34' West 165.5 feet, thence North 0° 03' East, 1119.6 feet, thence East, 1,320 feet more or less to the point of beginning containing approximately 30.6 Acres;

Together with that certain water right described as a right out of one half of the water from that certain pond, referred to as the Jenkins-Fink Pond, for use upon above described land, reserving to the said William M. Hatch and Zina D. Hatch, husband and wife, and their successors in interest a right to the use of water out of said one half right for the irrigable lands south and east of the tract above described in which the said William M. Hatch and Zina D. Hatch have an interest.

(U.S.I.R. Attached and Cancelled \$2.20)

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, and to their heirs and assigns forever. And the said parties of the second part, do hereby covenant, sell and assign, 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

Theo J. Turner

William M. Hatch (Seal)  
Zina D. Hatch (Seal)  
Robert W. Henderson (Seal)  
Winifred S. Henderson (Seal)

STATE OF IDAHO,

County of BANNOCK

On this 10th day of October, in the year 1946, before me, Theo J. Turner a Notary Public in and for said County and State, personally appeared

WILLIAM M. HATCH and ZINA D. HATCH, husband and wife,

known to me to be the person whose name is set 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)

THEO J. TURNER Notary Public  
Residence: Pocatello, Idaho

STATE OF IDAHO )  
: ss.  
COUNTY OF BANNOCK )

On this 12th day of October, in the year 1946, before me, Theo J. Turner, a Notary Public, in and for said County and State, personally appeared Robert W. Henderson and Winifred S. Henderson, husband and 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)

Theo J. Turner Notary Public  
Residence: Pocatello, Idaho

I hereby certify that this instrument was filed for record at the request of Heber J. Olson Arimo, Idaho at 35 minutes past 10 o'clock A.M. this 9 day of Nov. A.D. 1946.

Fee, 1.80

In Book 97 of Deeds, Page 628.

Anna Kaefer

Ex-Officio Recorder

By

Deputy.