11/14/2006

**NOTICE OF ERROR**
**REPLY**

RECEIVED
DEPARTMENT OF WATER RESOURCES

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: December 8, 2006**

Water right number: 67-4273

ROBIN L THORSEN
2982 CUTLER RD
CAMBRIDGE ID 83610-5166
Telephone Number: (208)257-3541

ETHEL J PEARSON
2982 CUTLER RD
CAMBRIDGE ID 83610-5166
Telephone Number: (208)257-3541

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:** 12-6-06 **SIGNATURE:** Ethel J. Pearson

Please print your name: Ethel J. Pearson

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 11 2006

03/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

---

RIGHT NUMBER: 67-4273

NAME AND ADDRESS: ROBIN L THORSEN
2982 CUTLER RD
CAMBRIDGE ID 83610-5166

ETHEL J PEARSON
2982 CUTLER RD
CAMBRIDGE ID 83610-5166

SOURCE: WASTE WATER TRIBUTARY: LITTLE WEISER RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 05/01/1968

POINT OF DIVERSION:

T14N R01W S4 SENESW Within ADAMS County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|---|---|---|
| IRRIGATION | 03/15 10/31 | 0.140 CFS |

PLACE OF USE: IRRIGATION Within ADAMS County

T14N R01W S04 NESW 7.00

7 ACRES TOTAL

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

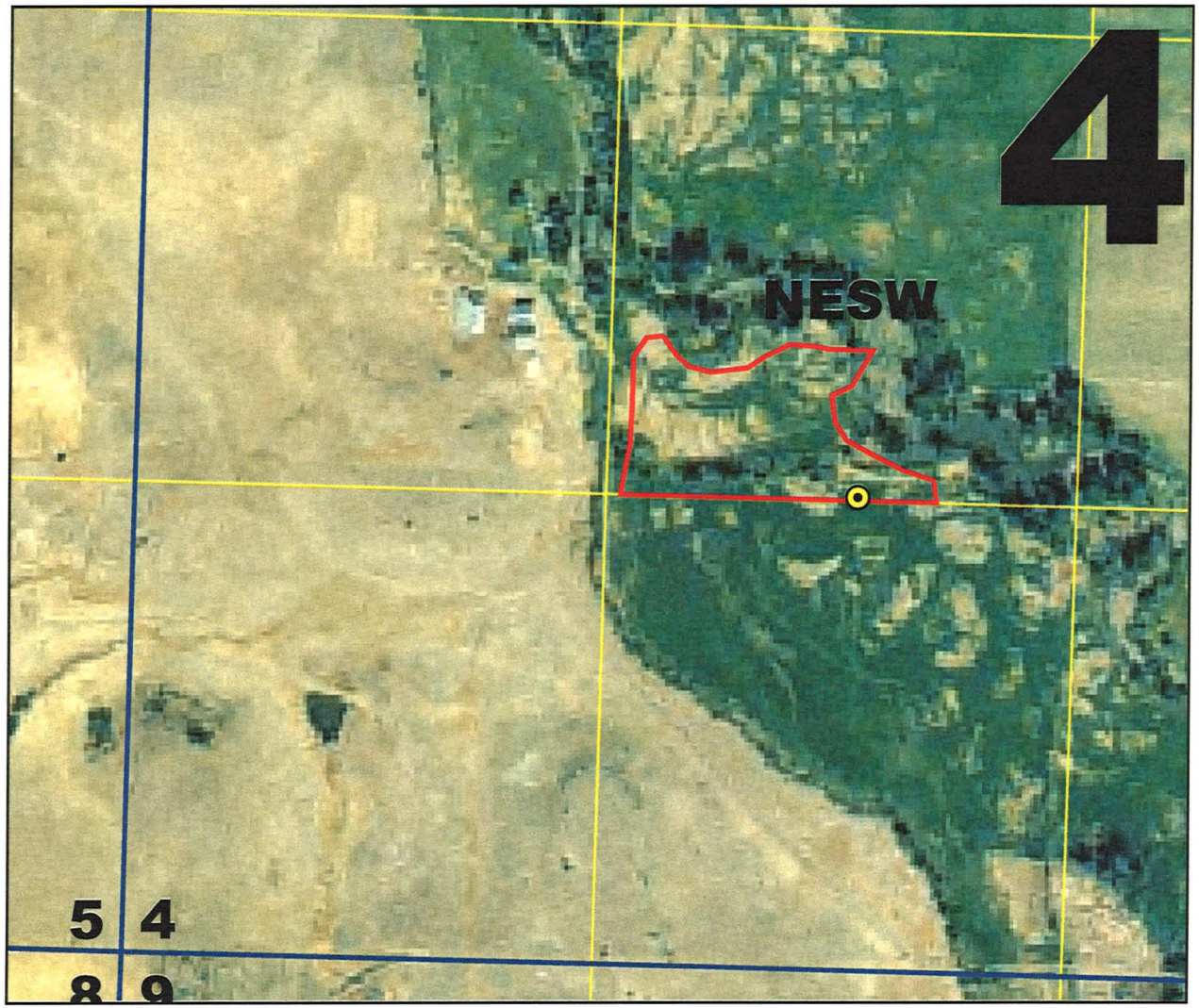
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

# Idaho Department of Water Resources

**Adjudication Claim Number:** 67-4273

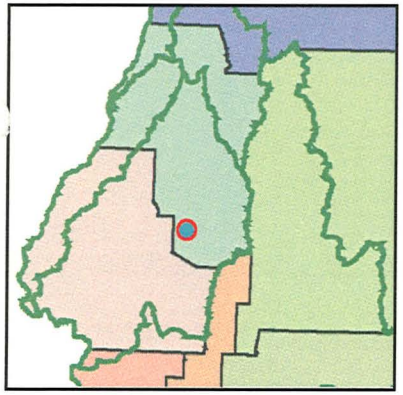
T14N R01W




1320 0 1320 Feet

## Legend

- Point of Diversion
- Place of Use
- B67 sections.shp
- T14n01w.shp



Washington County
IDWR Basin 67

N

Prepared by C. Saxton
On Tuesday, March 21, 2006
1987 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4273 V1

WATER RIGHT NUMBER: 67-4273 V1

| Owner Type | Name and Address |
|---|---|
| Original Owner | TOM OGLE<br><br>INDIAN VALLEY, ID 83632 |
| Original Owner | DELBERT T OGLE<br>1039 W INDIAN VALLEY RD<br>CAMBRIDGE, ID 83610<br>(208)256-4448 |
| Current Owner | ROBIN L THORSEN<br>2982 CUTLER RD<br>CAMBRIDGE, ID 83610-5166<br>(208)257-3541 |
| Current Owner | ETHEL J PEARSON<br>2982 CUTLER RD<br>CAMBRIDGE, ID 83610-5166<br>(208)257-3541 |

Priority Date: 05/01/1968

Basis: Beneficial Use

Status: Active

| Source | Tributary |
|---|---|
| WASTE WATER | LITTLE WEISER RIVER |

| Beneficial Use | From To | Diversion Rate | Annual Volume |
|---|---|---|---|
| IRRIGATION | 03/15 to 10/31 | 0.140 CFS | |
| | Total Diversion: | 0.140 CFS | |

Location of Point(s) of Diversion

WASTE WATER SE1/4NE1/4SW1/4 Sec. 4, Twp 14N, Rge 01W, B.M.

ADAMS County

Place of Use

IRRIGATION

| Twp Rge Sec | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 14N 01W 4 | | | | | | | | | 7.0 | | | | | | | | 7.0 |

Total Acres: 7

Conditions of Approval:

1. C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4273 V1

Remarks:

Comments:

1. csaxton 3/20/2006 Waste Water
Comment: This water is claimants own waste water. It is being considered waste as it was in 1968 that the ground on the North side of the Underwood ditch was irrigated. No additional water is being diverted from the head gate.

2. csaxton 3/20/2006 Copied From Claim (1)
Comment: Ownership changed by DH 7/8/2002

3. csaxton 3/20/2006 Copied From Claim (2)
Comment: ADDRESS CHANGE, ROUTE AND BOX TO GRID 5/12/99 SS.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

| Element | Last Reviewed Date | Reviewer | Last Verified Date | Verifier | Status |
|---|---|---|---|---|---|
| Contacts | 3/20/2006 3:44:25 PM | csaxton | | | Active |
| Priority Date | 3/20/2006 3:45:08 PM | csaxton | | | Active |
| POD | 3/20/2006 3:45:21 PM | csaxton | | | Active |
| Source | 3/20/2006 3:46:53 PM | csaxton | | | Active |
| POU | 3/20/2006 3:47:16 PM | csaxton | | | Active |
| Use | 3/20/2006 3:48:02 PM | csaxton | | | Active |
| Season | 3/20/2006 3:48:17 PM | csaxton | | | Active |
| Quantity | 3/20/2006 3:50:36 PM | csaxton | | | Active |
| Summary | | | 03/20/2006 | csaxton | Active |

Verification Log:

| Element | Date Time Stamp | Reviewer | Log text |
|---|---|---|---|

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4273 V1

| | | | |
|---|---|---|---|
| Contacts | 3/20/2006 3:44:29 PM | csaxton | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: FE by Roger Meyer on 11/12/06 |
| General | 3/20/2006 3:45:13 PM | csaxton | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(No) 4. Is the basis of claim decree or license?<br>(No) 7. Is the basis of claim a Application or Permit?<br>(No) 8. Is the basis of claim a posted notice?<br>(No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use?<br>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?<br>(No) 15. Is the basis of claim coded correctly?<br>(No) 16. Is a Priority Date remark and/or condition required?<br>Description for Question 12/13 - Affidavit supplied by claimant. |
| POD | 3/20/2006 3:45:26 PM | csaxton | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the POD?<br>(Yes) 9. Does the file contain all the necessary information to verify the POD?<br>(No) 10. Is a POD remark and/or condition required? |
| POD | 3/20/2006 3:46:30 PM | csaxton | Updated PLS |
| Source | 3/20/2006 3:46:58 PM | csaxton | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim an Application or Permit?<br>(No) 6. Is the basis of claim a Posted Notice?<br>(No) 7. Is there evidence that there has been a change in the source?<br>(Yes) 10. Does the file contain all the necessary information to verify the source?<br>(No) 11. Is a Source remark and/or condition required?<br>Description for Question 10 - FE by Roger Meyer on 11/12/06 |
| POD | 3/20/2006 3:46:02 PM | csaxton | Updated shape |
| POU | 3/20/2006 3:47:49 PM | csaxton | Updated PLS for Active POU |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4273 V1

| | | | |
|---|---|---|---|
| POU | 3/20/2006 3:47:20 PM | csaxton | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2b. Is the POU required?<br>(No) 3. Is the basis of claim a Application or Permit?<br>(No) 7. Is there evidence that there has been a change in the POU?<br>(Yes) 13. Does the file contain all the necessary information to verify the POU?<br>(No) 14. Is a POU remark and/or condition required?<br>Description for Question 13 - FE by Roger Meyer on 11/12/06 |
| POU | 3/20/2006 3:47:40 PM | csaxton | Updated shape for Active POU |
| Use | 3/20/2006 3:48:08 PM | csaxton | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the Purpose of Use?<br>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?<br>(No) 13. Is a Purpose of Use remark and/or condition required?<br>Description for Question 10,11,12 - FE by Roger Meyer on 11/12/06 |
| Season | 3/20/2006 3:48:23 PM | csaxton | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the Period of Use?<br>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?<br>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?<br>(Yes) 15. Is irrigation claimed as a Purpose of Use?<br>(No) 18. Is a Period of Use remark and/or condition required? |
| Quantity | 3/20/2006 3:50:42 PM | csaxton | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is the basis of claim a posted notice?<br>(No) 7. Is a flow measurement required?<br>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?<br>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 7 - Claims for 0.20 cfs or less do not require measurement. |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4273 V1

| | | | |
|---|---|---|---|
| Summary | 3/20/2006 3:53:04 PM | csaxton | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(No) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(No) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |

Water Supply Bank:

**Claim**

| Basin | Sequence | Suffix | Basis | Status | Priority Date | Rate(cfs) | Acres | Source | Water Use(s) | Owner(s) | Source Table |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 67 | 457 | | Decreed | Active | 1885-06-01 | 0.3 | | LITTLE WEISE | IRRIGATION | PEARSON, E | Claim |
| 67 | 458 | B | Decreed | Active | 1894-06-01 | 0.12 | | LITTLE WEISE | IRRIGATION | PEARSON, E | Claim |
| 67 | 4273 | | Statutory C | Active | 5/1/1968 | 0.14 | | WASTE WATE | IRRIGATION | PEARSON, E | Claim |
| 67 | 4276 | | Statutory C | Active | 5/1/1949 | 0.6 | | LITTLE WEISE | IRRIGATION | PEARSON, E | Claim |

**Recommendation**

| Basin | Sequence | Suffix | Basis | Status | Priority Date | Rate(cfs) | Acres | Source | Water Use(s) | Owner(s) | Source Table |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 67 | 457 | | Decreed | | 1885-06-01 | 0.3 | 24 | LITTLE WEISE | IRRIGATION | PEARSON, E | Recommendation |
| 67 | 458 | B | Decreed | | 1894-06-01 | 0.12 | 9.6 | LITTLE WEISE | IRRIGATION | PEARSON, E | Recommendation |
| 67 | 4276 | | B-use | | 5/1/1949 | 0.6 | 70.8 | LITTLE WEISE | IRRIGATION | PEARSON, E | Recommendation |
| | | | | | | 1.02 | 70.8 | | | | |
| 67 | 4273 | | B-use | | 5/1/1968 | 0.14 | 7 | WASTE WATE | IRRIGATION | PEARSON, E | Recommendation |
| | | | | | **Total =** | **1.14** | **77** | | | | |

**Watermaster Records**

| PARC | Name | 67A # | Suffix | Date | CFS | Notes |
|---|---|---|---|---|---|---|
| 14N01 | PEARSON, E | 458 | | 6/1/1894 | 0.12 | 10 |
| 14N01 | PEARSON, E | 457 | | 6/1/1885 | 0.3 | 24 |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 67 | 10167 | | Decreed | Active | 10/1/1950 | 0.12 | | GROUND WA | DOMESTIC, STC | PEARSON, E | wrWaterRight |

**PD'd**

**Ready to go**

# Water Master

INDIAN VALLEY
WATER DISTRICT
67A

Roger Meyer
3035 Cemetery Rd.
Cambridge, Idaho 83610
Phone (208) 257-3418
Cell (208) 741-0859
E-mail rjmeyer@ctcweb.net

November 14,2005

This attachment is for water right number 4273. That gets it water from Water right numbers 457,458B, 4276 and from C. Ben Ross reservoir. This is water you refer to as waste water. In Indian Valley we call it re-useable water. This water crosses Ogle Road that irrigates about 20 acres NW of Ogle Rd. and then runs back into the river and into the Underwood Ditch. When looking at map 67-4273 you can see the Weiser River and the POD for the Underwood Ditch #A0016783. Then where the river and the ditch narrows down you can see where the 10" culvert is installed taking 7" of water from the Underwood Ditch. Following the Underwood Ditch around back towards Ogle Rd. you will find where the waste water from the above water rights 457,458B and 4276 dump in to the underwood Ditch just ahead of the underwood headgate and weir. The water that is taken out of the underwood Ditch is being replaced by the waste water coming from the South Ogle Ditch which feeds water rights 457,458B and 4276.

Roger Meyer

IN THE MATTER OF )
NOTICE OF CLAIM TO )
A WATER RIGHT NO.(S)) AFFIDAVIT
67-4273+67-4276 )
)
)
State of Idaho )
County of Adams )

Allen M. Buchanan being first duly sworn, deposes and says: I have seen this land being irrigates in 1949 and 1967.

Witnessed by
Nina L. Hawkins
Cambridge Library
Director

Allen M. Buchanan
(Signature)

Subscribed and sworn to before me this day 20th of Sept., 2005

SEAL

(Notary Public)

Residing at _____.

My Commission Expires _____.

# Idaho Department of Water Resources

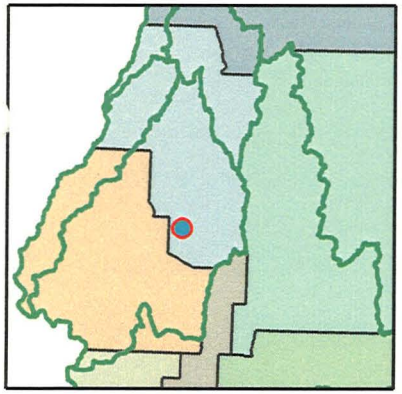
**Adjudication Claim Number:** **67-4273**

**T14N R01W**




## Legend

PLS Sections
GCDBQuarter Quarters



Adams County
IDWR Basin 67

N

0 0.1 0.2 Miles

Prepared by M. Van Bussum
On Wednesday, August 10, 2005
1987 Aerial Photography

**IDWR Field Exam Form** 08/09/2005

# Contacts Data Entry Form

**Claim Number: 67-4273**

| Owner Type | Full Name | Address | City | State | Zip | Phone |
|---|---|---|---|---|---|---|
| Original Owner | TOM OGLE | | INDIAN VALLEY | ID | 83632 | |
| Original Owner | DELBERT T OGLE | 1039 W INDIAN VALLEY RD | CAMBRIDGE | ID | 83610 | (208)256-4448 |
| Current Owner | ROBIN L THORSEN | 2982 CUTLER RD | CAMBRIDGE | ID | 83610-5166 | (208)257-3541 |
| Current Owner | ETHEL J PEARSON | 2982 CUTLER RD | CAMBRIDGE | ID | 83610-5166 | (208)257-3541 |

Date of Field Exam: 11-12-05 Time: 1000

Accompanied By: Ethel Pearson Phone Number: 1-208-257-3541

Relationship to Claimant: Owner

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

Reviewer: [signature] Date: 11-12-05

**IDWR Field Exam Form** 08/09/2005

# Priority Date Data Entry Form

**Claim Number 67-4273**

Claimed Priority Date: 5/1/1968 Claimed Basis: Statutory Claim

__ **Use Claimed Priority Date and Basis as Recommended Priority Date and Basis**

Water Right Priority Date: 5/1/1968 Water Right Basis: Statutory Claim

Recommended Priority Date ___ ___ _____ Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

AFFIDAVIT Enclosed

Reviewer: _____ Date: 11-12-05

**IDWR Field Exam Form** 08/09/2005

# Point of Diversion and Source Data Entry Form

**Claim Number 67-4273**

Claimed Point of Diversion and Source

T14N R01W S4 SENESW Within ADAMS County Source: WASTE WATER LITTLE WEISER RIVER

__ **Use Claimed POD and Source as Recommended POD and Source**

Water Right Point of Diversion and Source

T14N R01W S4 NESW Within ADAMS County

Recommended Point of Diversion and Source

Source Information

| Source | Tributary To |
|---|---|
| | |
| | |
| | |

| Twp | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | See write up. | | | | |
| | | Attachment. | | | | |

Other rights from this POD? NO

Document how the POD and Source were verified:

Reviewer: _____ Date: 11-12-05

**IDWR Field Exam Form** 08/09/2005

# Place Of Use Data Entry Form

**Claim Number 67-4273**

Claimed Place Of Use

T14N R01W S04 NESW 7.0

Total Acres 7

__ **Use Claimed POU as Recommended POU**

Water Right Place Of Use

T14N R01W S04 NESW 7.0

Total Acres 7

Recommended Place of Use _____ See corrections to claimed POU above

| Twp | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| | | | See MAP | | | | | |
| | | | | | | | | |
| | | | | | | | | |

Total Acres ____

Document how the POU was verified:

_____

_____

Reviewer: _____ Date: 11-12-05

# Purpose of Use Data Entry Form

**Claim Number 67-4273**

Claimed Purpose of Use

| Water Use | Number of Homes | Number of Stock | Acre Limit |
|---|---|---|---|
| IRRIGATION | | | |

__ **Use Claimed Purpose of Use as Recommended Purpose of Use**

Water Right Purpose of Use

| Water Use | Number of Homes | Number of Stock | Acre Limit |
|---|---|---|---|
| IRRIGATION | | | |

Recommended Purpose of Use

| Water Use | Number of Homes | Number of Stock | Acre Limit | Number of Other |
|---|---|---|---|---|
| IRR. | 0 | 200 Head | | 0 |
| | | | | |
| | | | | |

Document how the Purpose of Use was verified:

Reviewer: _____ Date: 11-12-05

**IDWR Field Exam Form** 08/09/2005

# Period of Use and Quantity Data Entry Form

**Claim Number 67-4273**

Claimed Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|---|---|---|---|---|
| IRRIGATION | 3/15 | 11/15 | 0.14 | |

Overall Diversion Rate 0.14 Overall Diversion Volume

✓ **Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**

Water Right Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|---|---|---|---|---|
| IRRIGATION | 5/01 | 10/31 | 0.14 | |

Overall Diversion Rate 0.14 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |

Overall Diversion Rate _____ Overall Diversion Volume _____

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

_____

_____

_____

_____

Reviewer _____ Date: 11-12-05

67-4273 Ethel Pearson 2982 Cuttle Rd 257-3541
Robin Pearson ~~257-3541~~

14N 01W 4 SE NE SW #A00 16783
POD 10" Culvert

POU.

PCI/DATE 5/1/1968

C.F.S 0.14 - 7" water

Statutory Claim Need AFFIDAVIT.

FLOOD IRR.

Scan all as Priority Evidence
67-4233
+
67-4276

September 28, 2005

Craig L. Saxton
Sr. Water Resource Agent
Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098

Re 67-4052D, 67-4273, 67-4276,
67-12338

Dear Craig:

Thank you for the extension regarding the filing of water rights information. I do appreciate it.

I am not knowledgeable in this area, and am not certain of all that is really needed to determine proof. If I have not included all that is necessary, would you please let me know and I shall try to find it.

I have several times filed change of ownership information regarding 67-4052E; if something more is needed for that, would you let me know.

Thank you for all your help in this.

Sincerely,

Ethel J. Pearson

Ethel J. Pearson
208-257-3541
epearson@ctcweb.net

SCANNED
NOV 14 2005

Allen Buchanan has been a neighbor since 1949. He is elderly, and was not able to get into town for a notary.

SCANNED

NOV 14 2005

67-4273
67-4276

IN THE MATTER OF )
NOTICE OF CLAIM TO )
A WATER RIGHT NO.(S) ) AFFIDAVIT
67-4273 & 67-4276 )
)
)
State of Idaho )
County of Adams )

Allen M. Buchanan being first duly sworn, deposes and says: I have seen this land being irrigates in 1949 and 1967.

Witnessed by
Nina L. Hawkins
Cambridge Library
Director

Allen M. Buchanan
(Signature)

Subscribed and sworn to before me this day 20th of Sept., 2005

SEAL

(Notary Public)

Residing at _____.

My Commission Expires _____.

SCANNED
NOV 14 2005

67-4273
67-4276

USDA-FHA
Form FHA 424-6
(Rev. 7-28-67)

# CONSTRUCTION CONTRACT

STATE IDAHO

COUNTY Adams

THIS CONTRACT, made this ____ day of ____, 19 70,

by ALPINE GRAZING ASSOCIATION, INC of Star Route, Cambridge, Idaho 83610

(hereinafter called the "Owner"), and ____ of

____ (hereinafter called the "Contractor").

WITNESSETH that the parties hereto agree as follows:

(A) The Contractor will furnish materials and perform the work for leveling and planing approximately 81 acres of the owner's land, which will include building a 0.4' ditch pad for approximately 3800' of ditch.

for the consideration of ____ dollars ($____), in accordance with the "General Conditions" shown on the reverse side of this contract and the specifications and the drawings as follows: Job when completed must meet standards and specification of the USDA Agricultural Stabilization Conservation Service and Soil Conservation Service. Land planing must be done at least 2 times over, the second time being at or near right angles to the first, with a plane of no less than 50 feet in length, exclusive of the tongue or draw bar. The leveling and planing to be done one field at a time as nearly as possible (3 fields).

(B) The Contractor will start work by May 18, 19 70, and will complete the work by July 15, 19 70. (See paragraph III of General Conditions on reverse).

(C) The Owner will make payments as follows: Partial payments will be made at intervals following inspections by Soil Conservation Service engineer in the amount of Sixty Percent (60%) of the value of the work in place (less the aggregate of previous payments) as estimated by the contractor and approved by the owner and the Farmers Home Administration. Prior to receiving any partial payment, the contractor must furnish the owner with a statement showing the total amount owed todate for materials and labor procured under this contract and, if required by the owner or the Farmers Home Administration, must also submit evidence showing that previous partial payments were properly applied and that the current payment will be properly applied. Upon completion of the whole contract and acceptance of the work as required hereunder, by the owner and the Farmers Home Administration, and compliance by the contractor with all terms and conditions of this contract, the amount due the contractor will be paid.

(D). A Performance Bond of $10,000.00 must be posted by the contractor.

Attachment # 1
FHA 424-6 Construction Contract
Alpine Grazing Association, Inc.

(E) Bids by the contractor must be in writing. The contract will be awarded on April 30, 1970 at the L. Forbush Hansen residence, Indian Valley, Idaho at 8:00 p.m. The owner reserves the right to reject any or all bids. If seven (7) day delay after the awarding of the contract will be necessary Farmers Home Administration approval.

SERVICED

ID-18
(REV. 2-62)

67-4273
67-4276



# RANCH PLANNING SUMMARY
(Use as work sheet-File with planner's notes)

SCD: Adams Name: Alpine Grazing Association
(cooperator)

| UNIT | ACREAGE | CROP PRODUCTION ESTIMATES (Planned or Present — Underscore one) Year Improved & Fertilized — Crop | Unit | Yield (Acre) | Production | Available Forage by Seasonal Periods (Animal Unit Months) Spring (Dates) to | Summer (Dates) to | Fall (Dates) to | Winter (Dates) to |
|---|---|---|---|---|---|---|---|---|---|
| I | 1080 | Range | AUM | | 125.0 | | | | |
| II | 33.6 | Meadow | " | | 59.0 | | | | |
| III | 41.1 | Mdw. - Range | " | | 55.4 | | | | |
| IV | 91.8 | Irrig. Pasture | " | | 863.4 | | | | |
| V | 2029 | Range & Seed. Past. | " | | 366.0 | | | | |
| VI | 54.3 | Seed Past. & Range | " | | 136.8 | | | | |
| VII | 1022 | Seed Past. & Range | " | | 158.0 | | | | |
| VIII | 15.4 | Irrig. Mdw. | " | | 46.2 | | | | |
| IX | 19.8 | Irrig. Past. | " | | 186.0 | | | | |
| X | 4.5 | Irrig. Past. | " | | 45.0 | | | | |
| XI | 1564 | Seed Past.& Range | " | | 158.0 | | | | |
| | | Sub Total | | | 2198.8 | | | | |
| | | BLM License | | | | | | | |
| | | Grand Total | | | | | | | |
| | | TOTAL Animal Unit Months Feed Available by Periods | | | | | | | |
| | | TOTAL Animal Unit Months Feed Required by Periods | | | | | | | |
| | | TOTAL AUMs Feed Surplus or Shortage by Periods | | | | | | | |

Smith
(Technician)

5/9/69
(date)

SCANNED
NOV 14 2005

KAREN HATFIELD
ADAMS COUNTY ASSESSOR
PO BOX 46
COUNCIL, ID 83612-0046

2005

# ASSESSMENT NOTICE

& ESTIMATE OF TAX

67-4273
DO NOT PAY
67-4276

PARCEL DESCRIPTION:

T14N R1W SEC 4
S2SW4, & PT NE4SW4 S OF RIVER
& PT SW4SE4 SW OF RIVER
105.22 AC

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 253-4271

PARCEL ADDRESS:

PEARSON ETHEL J
& THORSEN ROBIN L
2982 CUTLER LANE
CAMBRIDGE ID 83610-5166

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 27, 2005

Tax Code Area: 24-0000

Parcel Number: RP 14N01W045201 A

## ASSESSED VALUE OF YOUR PROPERTY

| CURRENT CATEGORY AND DESCRIPTION | LOTS/ACRES | | LAST YEAR'S VALUE | CURRENT YEAR'S VALUE |
|---|---|---|---|---|
| 1 IRRIGTD CROPLAND | 47.450 | AC | 31,596 | 34,052 |
| 4 IRRIGTD PASTURE | 2.910 | AC | 663 | 716 |
| 5 DRY GRAZING | 53.860 | AC | 2,938 | 3,169 |
| 10 RURAL HOMESITE | | AC | 3,500 | 3,500 |
| 19 WASTE | 1.000 | AC | | |
| 32 RURAL IMP ON AG | | | 656 | 656 |
| SUBTOTAL: | 105.220 | | 39,353 | 42,093 |
| LESS HOMEOWNERS EXEMPTION: | | | | |
| NET TAXABLE PROPERTY VALUE: | | | 39,353 | 42,093 |

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

## ESTIMATED PROPERTY TAXES

| TAXING DISTRICTS | LAST YEAR'S TAXES | CURRENT YEAR'S ESTIMATED TAXES | PHONE NUMBER | DATE OF PUBLIC BUDGET HEARING |
|---|---|---|---|---|
| STATE | | | | Not Required |
| COUNTY | | | 253-4561 | 08/29/2005 |
| SCHOOL 432J | | | 257-3321 | 06/20/2005 |
| IND VALLEY #2 | | | 256-4399 | 07/11/2005 |
| IND VALL FIRE | | | 256-4316 | 08/25/2005 |
| FLOOD | | | 253-3538 | 07/25/2005 |
| COUNCIL AMBULNC | | | 253-4560 | 08/08/2005 |
| HOSPITAL | | | 253-3538 | 08/25/2005 |
| SUBTOTAL: | | | | |
| FEES: | | | | |
| TOTAL PROPERTY TAXES & FEES: | | | | |

**THIS IS NOT A BILL. DO NOT PAY.**

See the back of this Notice for details.



SCANNED
NOV 14 2005

KAREN HATFIELD
ADAMS COUNTY ASSESSOR
PO BOX 46
COUNCIL, ID 83612-0046

2005

# ASSESSMENT NOTICE

& ESTIMATE OF TAX

67-4273
DO NOT PAY
67-4276

PARCEL DESCRIPTION:
T14N R1W SEC 9
PT W2E2 N2NW4 SW4SW4
265.25 AC

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 253-4271

PARCEL ADDRESS:

PEARSON ETHEL J
& THORSEN ROBIN L
2982 CUTLER LANE
CAMBRIDGE ID 83610-5166

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 27, 2005

Tax Code Area: 24-0000

Parcel Number: RP 14N01W090830 A

## ASSESSED VALUE OF YOUR PROPERTY

| | CURRENT CATEGORY AND DESCRIPTION | LOTS/ACRES | | LAST YEAR'S VALUE | CURRENT YEAR'S VALUE |
|---|---|---|---|---|---|
| 1 | IRRIGTD CROPLAND | 40.250 | AC | 26,364 | 28,417 |
| 4 | IRRIGTD PASTURE | 24.900 | AC | 3,038 | 3,262 |
| 5 | DRY GRAZING | 195.120 | AC | 7,600 | 8,154 |
| 10 | RURAL HOMESITE | 1.000 | AC | 9,450 | 9,650 |
| 19 | WASTE | 3.980 | AC | | |
| 31 | RURAL RES BLDG | | | 36,694 | 40,297 |
| 32 | RURAL IMP ON AG | | | 5,360 | 5,360 |
| | SUBTOTAL: | 265.250 | | 88,506 | 95,140 |
| | LESS HOMEOWNERS EXEMPTION: | | | | |
| | NET TAXABLE PROPERTY VALUE: | | | 88,506 | 95,140 |

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

## ESTIMATED PROPERTY TAXES

| TAXING DISTRICTS | LAST YEAR'S TAXES | CURRENT YEAR'S ESTIMATED TAXES | PHONE NUMBER | DATE OF PUBLIC BUDGET HEARING |
|---|---|---|---|---|
| STATE | | | | Not Required |
| COUNTY | | | 253-4561 | 08/29/2005 |
| SCHOOL 432J | | | 257-3321 | 06/20/2005 |
| IND VALLEY #2 | | | 256-4399 | 07/11/2005 |
| IND VALL FIRE | | | 256-4316 | 08/25/2005 |
| FLOOD | | | 253-3538 | 07/25/2005 |
| COUNCIL AMBULNC | | | 253-4560 | 08/08/2005 |
| HOSPITAL | | | 253-3538 | 08/25/2005 |
| SUBTOTAL: | | | | |
| FEES: | | | | |
| TOTAL PROPERTY TAXES & FEES: | | | | |

**THIS IS NOT A BILL. DO NOT PAY.**

See the back of this Notice for details.



SCANNED
NOV 14 2005

ADAMS, IDAHO

Form Approved - OMB No. 0560-0004

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2005

DATE: 09-13-2005

Producer Name and Address ID

ROBIN THORSEN 9089
2982 CUTLER LN
CAMBRIDGE, ID 83610-5166

67-4273
67-4276

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

| Farm Number | Tract Number | CLU/ Field | Ir Pr | C/C | Var/ Type | Int Use | C/C Stat | Rpt Unt | Reported Quantity | Determined Quantity | Crp Lnd | Planting Date | Prod Share | Prod Name | RMA Unt | Opt Unt |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 453 | 0 | | Ni | OFAV | | | | | .00 | | | | 1.0000 | ROBIN THORSEN | | |
| | 489 | 1 | Ni | MIXFG | AGM | Graze | I | A | 23.70 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 2 | Ni | MIXFG | AGM | Graze | I | A | 17.50 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 3 | Ni | MIXFG | AGM | Graze | I | A | 22.00 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 4 | Ni | MIXFG | AGM | Graze | I | A | 5.40 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 5 | Ni | MIXFG | AGM | Graze | I | A | 4.70 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 10 | Ni | MIXFG | AGM | Graze | I | A | 4.90 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 9 | Ni | MIXFG | AGM | Graze | I | A | 14.00 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 18 | Ni | MIXFG | AGM | Graze | I | A | 37.60 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 6 | Ni | MIXFG | AGM | Graze | I | A | 8.20 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 11 | Ni | MIXFG | AGM | Graze | I | A | 31.00 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 19 | Ni | MIXFG | AGM | Graze | I | A | 12.00 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 17 | Ni | MIXFG | AGM | Graze | I | A | 74.80 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 15 | Ni | MIXFG | AGM | Graze | I | A | 15.30 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 16 | Ni | MIXFG | AGM | Graze | I | A | 8.40 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 8 | Ni | MIXFG | AGM | Graze | I | A | 21.90 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 7 | Ni | MIXFG | AGM | Graze | I | A | 21.80 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | 490 | 3 | Ni | MIXFG | AGM | Graze | I | A | 2.10 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 4 | Ni | MIXFG | AGM | Graze | I | A | 5.40 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 8 | Ni | MIXFG | AGM | Graze | I | A | 36.20 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 9 | Ni | MIXFG | AGM | Graze | I | A | 16.00 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | 668 | 2 | Ir | MIXFG | AGM | Forage | I | A | 3.80 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |
| | | 6 | Ir | MIXFG | AGM | Forage | I | A | 29.50 | | Y | 05-01-1995 | 1.0000 | ROBIN THORSEN | | |

Photo Number/Legal Descriptions: 489 *F-19-2 G-19-1 T14NR1W SEC 5,8,9



SCANNED
NOV 14 2005

ADAMS, IDAHO

Form Approved - OMB No. 0560-0004

FSA-578 (Producer Print) REPORT OF ACREAGE PROGRAM YEAR 2005

DATE: 09-13-2005

| Farm Number | Tract Number | CLU/ Field | Ir Pr | C/C | Var/ Type | Int Use | C/C Stat | Rpt Unt | Reported Quantity | Determined Quantity | Crp Lnd | Planting Date | Prod Share | Prod Name | RMA Opt Unt | Unt |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | 490 | | *G-19-1 T14NR1W SEC 9 | | | | | | | |
| | | | | | | | 668 | | *G-19-1 T14NR1W SEC 4 | | | | | | | |

Cropland: 416.2 Farmland: 864.0

| C/C | Type | Prac | IU | Reported | Determined | C/C | Type | Prac | IU | Reported | Determined |
|---|---|---|---|---|---|---|---|---|---|---|---|
| MIXFG | AGM | N | GZ | 382.90 | | MIXFG | AGM | I | FG | 33.30 | |

PRODUCER'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Producer's Signature | Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.



SCANNED
NOV 14 2005

1. STATE: IDAHO 16 2. COUNTY: ADAMS 003 3. CROP YEAR: 2005 4. ID NO. 568-92-7178

5. PRODUCER NAME & ADDRESS TELEPHONE
ETHEL PEARSON
2982 CUTLER LN
CAMBRIDGE, ID 836105166

6. COUNTY OFFICE NAME & ADDRESS TELEPHONE
WASHINGTON ADAMS COUNTY FSA OFFICE (208) 549-4280
849 E. 9TH
WEISER ID 83672-2356

## FARMING INTEREST (Completed by producer)

7. Circle each tract for which a "YES" answer applies to the tract for Items 8, 9, OR 10 on AD-1026. (OP = Operator, OW = Owner, OO = Owner-Operator).

| FARM NO | OP/ OW/ OO | TRACT NO | CROPLAND | OWNER | PHOTO/GRID | -NRCS DETERMINATIONS- 8. HEL | 9. 027 | 10. A027 | 11. Wetland |
|---|---|---|---|---|---|---|---|---|---|
| 453 | OW | 489 | 323.2 | ETHEL PEARSON | *F-19-2 G- | Y | Y | Y | |
| 453 | OW | 490 | 59.7 | ETHEL PEARSON | *G-19-1 T1 | Y | Y | Y | |
| 453 | OW | 668 | 33.3 | ETHEL PEARSON | *G-19-1 T1 | Y | Y | Y | |

12. You are recorded as a tenant or sharecropper on the farm numbers listed below. Please specify the tracts that apply to you by completing items (a) and (b).

(a) Circle "YES" or "NO" in the "FARMING INTEREST" column beside each tract number below to indicate whether you have a farming interest in the tract. The HELC and WC provisions will apply to all land in which you have a farming interest.

(b) If any "YES" answer to questions 8, 9, or 10 on AD-1026 applies to your land listed below, circle the applicable tract in the "Tract No" column.

| FARM NO | TRACT NO | FARMING INTEREST | CROPLAND | OWNER | PHOTO/GRID | -NRCS DETERMINATIONS- 8. HEL | 9. 027 | 10. A027 | 11. Wetland |
|---|---|---|---|---|---|---|---|---|---|

NONE FOUND

13. MULTIPLE COUNTY INTEREST: (CONTROL COUNTY: ADAMS ID)
OTHER COUNTIES & STATES :
WASHINGTON ID

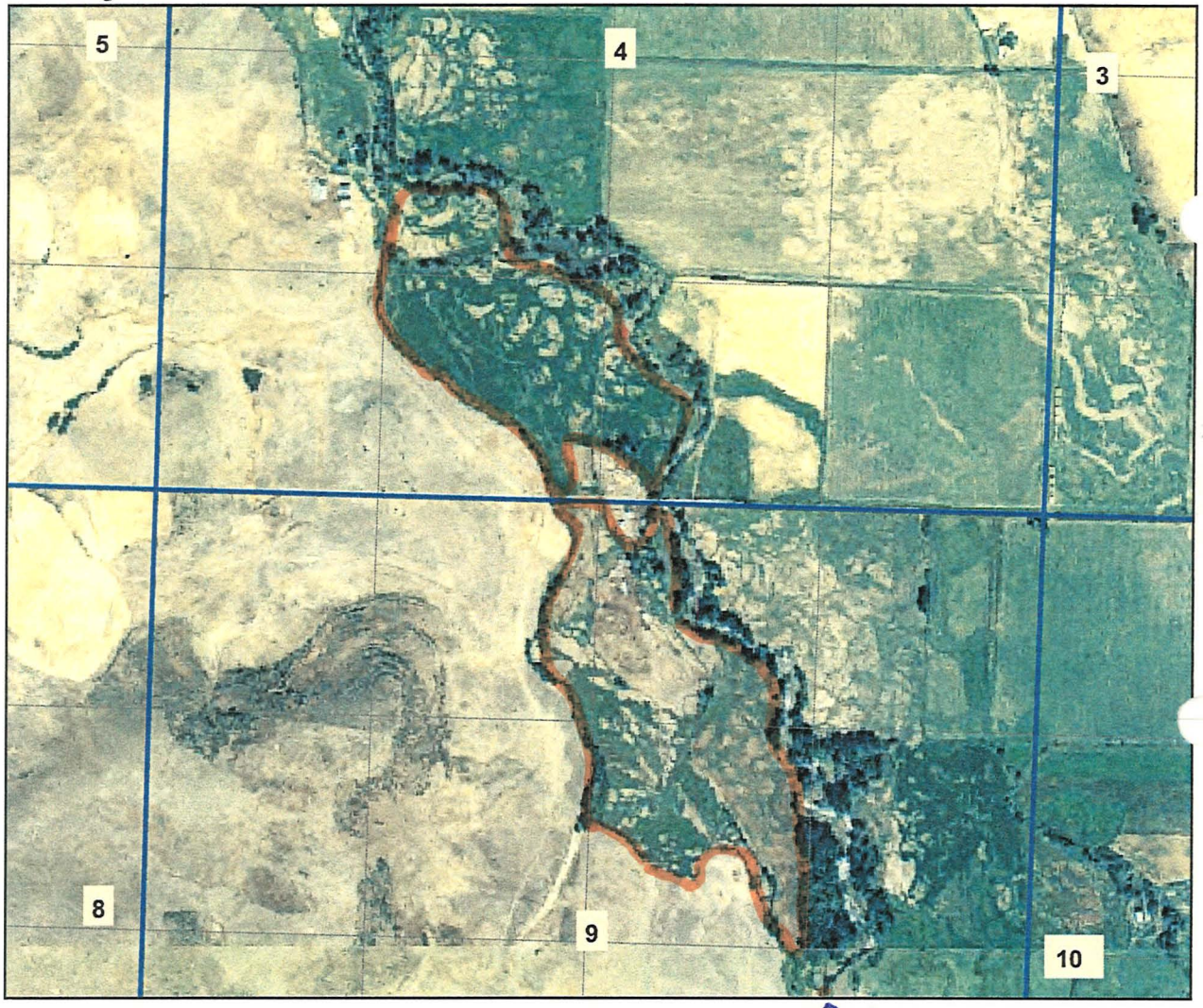
FINAL PAGE

SCANNED
NOV 14 2005

# Idaho Department of Water Resources

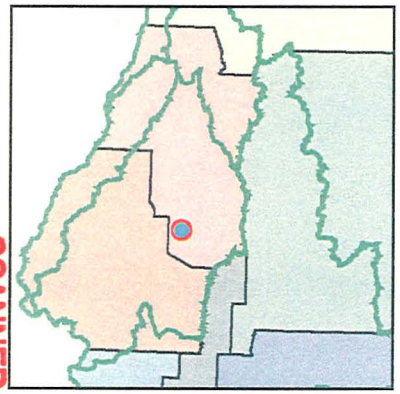
**Adjudication Claim Number:** 67-4276

T14N R01W




## Legend

PLS Sections
GCDBQuarter Quarters



Adams County
IDWR Basin 67

N

0 0.4 0.8 Miles

Prepared by D. Narsavage
On Thursday, September 1, 2005
1987 Aerial Photography

SCANNED
NOV 14 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4276

WATER RIGHT NUMBER: 67-4276

| Owner Type | Name and Address |
|---|---|
| Original Owner | DELBERT T OGLE<br>1039 W INDIAN VALLEY RD<br>CAMBRIDGE, ID 83610<br>(208)256-4448 |
| Current Owner | ROBIN L THORSEN<br>2982 CUTLER RD<br>CAMBRIDGE, ID 83610-5166<br>(208)257-3541 |
| Current Owner | ETHEL J PEARSON<br>2982 CUTLER RD<br>CAMBRIDGE, ID 83610-5166<br>(208)257-3541 |
| Original Owner | TOM OGLE<br><br>INDIAN VALLEY, ID 83632 |

Priority Date: 05/01/1949

Basis: Statutory Claim

Status: Active

| Source | Tributary |
|---|---|
| LITTLE WEISER RIVER | WEISER RIVER |

| Beneficial Use | From To | Diversion Rate | Annual Volume |
|---|---|---|---|
| IRRIGATION | 3/15 to 11/15 | 0.600 CFS | |
| | Total Diversion: | 0.600 CFS | |

Location of Point(s) of Diversion

LITTLE WEISER RIVER SW1/4NE1/4SE1/4 Sec. 9, Twp 14N, Rge 01W, B.M.

ADAMS County

Place of Use

IRRIGATION Within ADAMS County

| | | | | | |
|---|---|---|---|---|---|
| T14N R01W S04 | NESW | 7.0 | T14N R01W S04 | SESW | 26.0 |
| T14N R01W S04 | SWSE | 14.0 | T14N R01W S09 | NWNE | 5.0 |
| T14N R01W S09 | SWNE | 20.0 | T14N R01W S09 | NENW | 5.0 |

Total Acres: 77

Conditions of Approval:

1. THIS WATER IS CARRIED IN THE OGLE DITCH, FORMERLY KNOWN AS THE BAILEY-HUTCHINSON DITCH.
   | ADDRESS CHANGE, ROUTE AND BOX TO GRID 5/12/99 SS.
2. Ownership changed by DH 7/8/2002

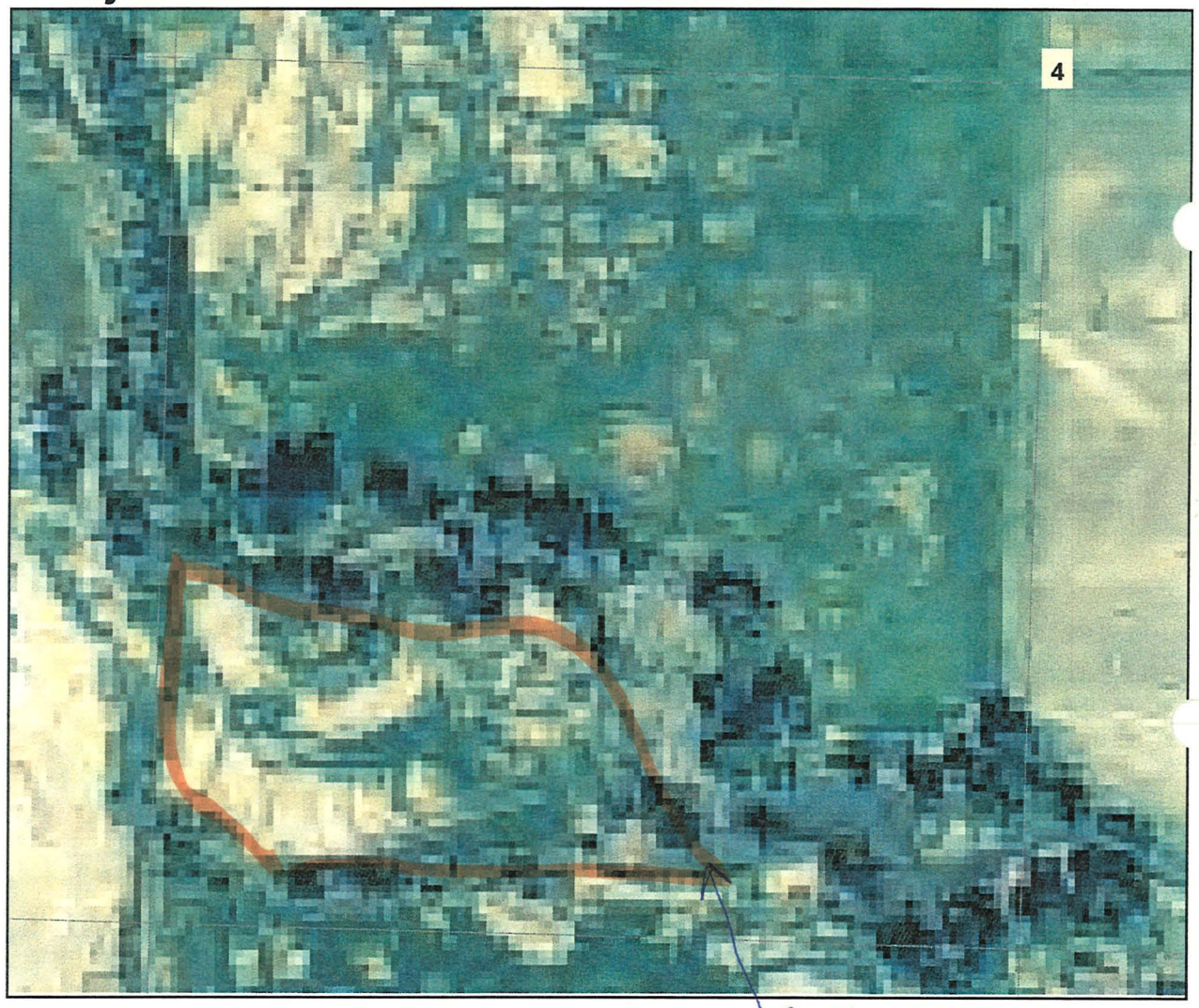
SCANNED

NOV 14 2005

# Idaho Department of Water Resources

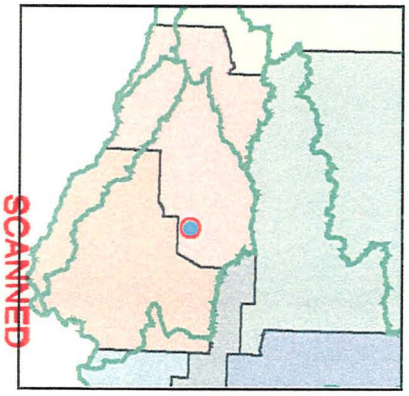
**Adjudication Claim Number:** 67-4273

T14N R01W




## Legend

PLS Sections
GCDBQuarter Quarters



Adams County
IDWR Basin 67

N

0 0.1 0.2 Miles

Prepared by D. Narsavage
On Thursday, September 1, 2005
1987 Aerial Photography

SCANNED
NOV 14 2005

Can you scan this under.
"Evidence of Priority: Deed trail"?

67-4273
67-4276

67-4273
67-4276

**Documents pertaining to the transfer of ownership of various parts of sections 4 and 9, Township 14 North, Range 1 West:**

| | |
|---|---|
| 1908 | Homestead: Jefferson Bailey, April 6, 1908 |
| 1930 | Holland Bank to Holland Land Company, September 15, 1930 |
| 1931 | Benson, Irving Gibbs, Caroline Bailey to Holland Bank, to Holland Land Company, March 31, 1931 |
| 1933 | Jefferson & Nellie Bailey to Fred & Grace Bailey, September 25, 1933 |
| 1942 | Fred & Grace Bailey to E.J. Swedman, May 4, 1942 |
| 1950 | Swedman to Lloyd Slatter, March 24, 1950 |
| 1951 | Lloyd & Violet Slatter to Oliver & Oleta Denison, May 11, 1951 |
| 1952 | Oliver & Oleta Denison to H.T. & Clara Blessinger & J.P. Brown, April 29, 1952 |
| 1957 | Holland Land Company to Tom Ogle, August 13, 1957 |
| 1960 | Holland Land Company to NW & Pacific Hypotheekbank, March 31, 1960 |
| 1961 | NW Pacific Hypotheekbank to Tom Ogle October 24, 1961 |
| 1969 | Blessinger to Alpine Grazing Association, October 9, 1969 |
| 1974 | Alpine Grazing Corporation to Delbert & Marion Ogle, |
| 1981 | Tom & Irene Ogle to Delbert & Marion Ogle, October 23, 1981 |
| 1996 | Court to E. Pearson & R. Thorsen |

SCANNED
NOV 14 2005

INSTRUMENT NO. 6450

4 - 405 a-ty.

THE UNITED STATES OF A-M-E-R-I-C-A

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Homestead Certificate No. 2694.
Application 4872.

WHEREAS, There has been deposited in the GENERAL LAND OFFICE of the United States, a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of JEFFERSON D. BAILEY, has been established and duly consummated, in conformity to law, for the SOUTH WEST QUARTER OF THE SOUTH EAST QUARTER AND THE SOUTH HALF OF THE SOUTH WEST QUARTER OF SECTION FOUR AND THE SOUTH-EAST QUARTER OF THE SOUTH EAST QUARTER OF SECTION FIVE IN TOWNSHIP FOURTEEN NORTH OF RANGE ONE WEST OF THE BOISE MERIDIAN, IDAHO, containing One hundred and sixty acres, according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General;

NOW KNOW YE, That there is, therefore granted by the United States unto the said Jefferson D. Bailey, the tract of land above described;

TO HAVE AND TO HOLD the said tract of land, with the appurtenances thereof, unto the said Jefferson D. Bailey and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

SEAL
United States
General
Land Office.

GIVEN under my hand at the City of Washington, the SIXTH day of APRIL in the year of our Lord One thousand nine hundred and eight, and of the independence of the United States the one hundred and thirty-second.

By the President: Theodore Roosevelt,

BY M. W. Young, Secretary,

H. W. Sanford, Recorder of the General Land Office.

Recorded, Vol. 755 page 287.

Recorded at the request of Devaney & Carter at 9 o'clock A.M. this 8th day of September A. D. 1917.

E. C. Smith, Recorder.

Fees $1.00

67-4273
67-4276

INSTRUMENT NO. 20747

THIS INDENTURE, Made this 25th day of September in the year of our Lord one thousand nine hundred and thirty-three between JEFFERSON D. BAILEY and NELLIE BAILEY, his wife, of Indian Valley County of Adams State of Idaho, the parties of the first part, and FRED S. BAILEY, and GRACE BAILEY, his wife, of Indian Valley, County of Washington, 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 TWO HUNDRED 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, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in County of Adams, State of Idaho, to-wit:

The Southeast Quarter of the Southeast Quarter of Section Five, and the Southwest Quarter of the Southeast Quarter of Section Four, in Township Fourteen North of Range One West of Boise Meridian, containing 80 acres;

Together with all ditches and water rights used, connected with or appurtenant thereto, including 15 miners inches of decreed water right. This deed is made subject to a mortgage on said premises for the sum of Six Hundred Dollars, and which the second parties assume and agree to pay according to its terms and tenor.

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

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

Signed, sealed and delivered in presence of - - - - - - -

Jefferson D. Bailey (Seal)
Nellie Bailey (Seal)

State of Idaho )
) ss
County of Washington )

I. R. 50¢ attached and cancelled.

On this 25th day of September, in the year 1933, before me, R. E. Wilson, a Notary Public in and for said State, personally appeared Jefferson D Bailey, and Nellie Bailey his wife known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

R. E. Wilson

(NOTARIAL SEAL) Notary Public, residing at Cambridge, Idaho.

Recorded at the request of Fred S. Bailey at 55 minutes past 2 o'clock P. M. this 10th day of August, 1934.

67-4273
67-4276

INSTRUMENT NO. 18106

R. E. No. 533-Bailey WARRANTY DEED

THIS INDENTURE, Made this 15th day of September, A. D. 1930, between the HOLLAND BANK, a corporation formed under the General Laws of the Kingdom of The Netherlands, and lawfully doing business in the United States of America, with offices at Spokane, Washington, party of the first part, and HOLLAND LAND COMPANY, a corporation, party of the second part.

WITNESSETH, That the said party of the first part for and in the consideration of the sum of ONE THOUSAND ONE HUNDRED FOUR and 07/100 DOLLARS ($1,104.07) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm unto the said party of the second part, its successors and assigns forever, that certain real property situated and being in the County of Adams, State of Idaho, known and described as follows, to-wit:

The North Half of the Northeast Quarter of Section Eight (8); North Half of the Northwest Quarter of Section Nine (9), all in Township Fourteen (14) North, Range One (1) W. B. M., containing in all one hundred sixty (160) acres, more or less.

TO HAVE AND TO HOLD the said premises, together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the said party, its successors and assigns forever.

And the said party of the first part, for itself, its successors and assigns, does by these presents covenant to and with the party of the second part, its successors and assigns, that it is well seized in fee of the lands and premises aforesaid and has good right to sell and convey the same and that the same are free from all encumbrances except all taxes or impositions that may be legally levied/imposed or become due upon said land and premises subsequent to the year of 1929 and the above bargained and granted lands and premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, against all persons lawfully claiming or to claim, the whole or any part thereof, and said party of the first part will warrant and forever defend.

IN WITNESS WHEREOF, said Holland Bank has caused this instrument to be executed under its corporate seal by Henri Crommelin and Charles A. O'Connor, its Attorneys-in-Fact on this 15th day of September, 1930.

HOLLAND BANK

By Charles A. O'Connor and Henri Crommelin
Its Attorneys-in-Fact.

(CORPORATE SEAL)

State of Washington )
County of Spokane ) ss

On this 15th day of September, A. D. 1930, before me personally appeared Henri Crommelin and Charles A. O'Connor, to me known to be the Attorneys-in-Fact of the corporation that executed the within and foregoing instrument and acknowledged the said instrument to be free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

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

Marguerite Sickafoose

(NOTARIAL SEAL)

Notary Public in and for the State of Washington.
residing at Spokane, Wash.

Recorded at the request of Adams County Abstract Co., at 30 minutes past 3 o'clock P. M. this 20th day of Sept. 1930.
Matilda Moser, Recorder,
By Jean C. Lewis, Deputy.

Fees $1.20

Jo-Mn

CAPITAL NEWS PUBLISHING CO., BOISE 83303

#5685:-Bailey.

THIS INDENTURE, Made this 25th day of August, A. D. 1930, between W. F. Winkler Sheriff of the County of Adams State of Idaho, party of the first part, and Holland Bank a corporation of Spokane, County of Spokane, State of Washington, party of the second part, WITNESSETH:

WHEREAS, In and by a certain decree rendered by the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Adams on the 16th. day of July 1929, and entered on the 16th. day of July 1929, in a certain action then pending in said Court, wherein Holland Bank, a corporation, plaintiff, and Fred S. Bailey defendant, it was, among other things, ORDERED ADJUDGED AND DECREED, That all and singular the mortgaged premises described in the complaint in said action, and specifically described in said decree, be sold at public auction, by the Sheriff of the said County of Adams in the manner required by law, and according to the course and practice of said Court, and that said Sheriff execute the usual certificates and deeds to the purchaser, as required by law;

AND WHEREAS, A writ, reciting the material parts of said decree, and directing the said party of the first part, as such Sheriff, to execute the said decree, by making the sale and applying the proceeds in conformity therewith, having been to said Sheriff directed and delivered, the said Sheriff did, at the hour of One o'clock P. M., on the 24th. day of August 1929, after due public notice had been given, as required by the laws of this State and the course and practice of said Court, duly sell at public auction, in front of the Court house door in the Village of Council, and County of Adams agreeably to the said decree, and the provisions of law, the premises in said decree mentioned; at which sale the premises in said decree, and hereinafter described, were fairly struck off to Holland Bank, a corporation for the sum of ONE THOUSAND ($1000.00) DOLLARS, lawful money of the United States, he being the highest bidder, and that being the highest sum bidden for the same;

AND WHEREAS, The said Holland Bank a corporation, thereupon paid to the said Sheriff the said sum of money so bidden by him;

AND WHEREAS, The said Sheriff thereupon made and issued the usual certificate, in duplicate, of the said sale, in due form of law, and delivered one thereof to the said purchaser, and caused the other to be filed and recorded in the County Recorder's office of the County of Adams;

AND WHEREAS, More than one year has elapsed since the date of said sale, and no redemption has been made of the premises so sold, as aforesaid, by or on behalf of the said judgment debtor, the said defendant, or by or on behalf of any other person;

NOW, THIS INDENTURE WITNESSETH, That the said party of the first part, the said W. F. Winkler Sheriff, in order to carry into effect the sale so made by him, as aforesaid, in pursuance of said decree, and in conformity to the statute in such case made and provided, and, also, in consideration of the premises, and of the said sum of ONE THOUSAND ($1000.00) DOLLARS lawful money of the United States, so bidden and paid to him by the said purchaser, the said Holland Bank, a corporation, the receipt whereof is hereby acknowledged, hath GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents doth GRANT, BARGAIN, SELL and CONVEY, unto the said party of the second part, and to their successors and assigns, FOREVER,

The North Half of the Northeast Quarter of Section Eight (8), the North Half of the Northwest Quarter of Section Nine (9), Twp. Fourteen (14) North, Range One (1) W. B. M.: containing in all One Hundred and Sixty (160) acres, more or less.

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

TO HAVE AND TO HOLD, ALL AND SINGULAR, The premises above mentioned and described and hereby conveyed, or intended so to be, together with the appurtenances, unto the said party of the second part, their successors and assigns FOREVER.

IN WITNESS WHEREOF, The said party of the first part to these presents, Sheriff as aforesaid, hath hereunto set his hand and seal, the day and year first above written.

Sealed and Delivered
in the presence of ____

W. F. Winkler
Sheriff of Adams County,
State of Idaho.

---

STATE OF IDAHO, )
) ss.
County of Adams )

On this 25th. day of August A. D. 1930, before me Matilda Moser, Clerk of the District Court, in and for said County and State, personally appeared W. F. Winkler, Sheriff of the County of Adams State of Idaho, personally known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged to me that he, as such Sheriff aforesaid, executed the same.

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

(OFFICIAL SEAL)

Matilda Moser
Clerk District Court

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Recorded at the request of Holland Bank at 8 minutes past 1 o'clock P. M., this 6 day of September A. D. 1930.

Fees $2.00 Matilda Moser Recorder

INSTRUMENT NO. 18511

THIS INDENTURE, Made this, the 28 day of March, 1931, between W. F. Winkler, the Sheriff of Adams County, State of Idaho, party of the first part, and HOLLAND BANK, a corporation, the party of the second part, WITNESSETH;

WHEREAS, A Judgment and Decree of Foreclosure and Sale was rendered and entered in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Adams, on the 22nd day of October, 1929, in an action then pending in said Court in favor of HOLLAND BANK, a corporation, as plaintiff, and against Walter E. Benson, Harriet Benson; Irving Gibbs, Jess Gibbs, Agnes Gibbs, The Peoples Bank, a corporation, Caroline Bailey, E. W. Porter, Commissioner of Finance of the State of Idaho, Defendants

And an Order of Sale issued out of and under the seal of the said District Court reciting the material parts of said Judgment and Decree, duly attested on the 10th day of February 1930, and to the Sheriff of Adams County, State of Idaho, directed and to W. F. Winkler as such Sheriff delivered on the 10th day of February, 1930, for execution, commanding and requiring him as such Sheriff to proceed to notice for sale and sell the premises in said writ mentioned and described in said Decree as follows, to-wit:

Southeast Quarter of the Southwest Quarter; West Half of the Southeast Quarter; West Half of the Northeast Quarter; West Half of the Northeast Quarter of the Northeast Quarter, all in Section Nine (9), all in Township Fourteen (14), North Range One (1), West of the Boise Meridian, containing in all 220 acres, more or less.

in the manner prescribed by law and to apply the proceeds of such sale to the satisfaction of said Judgment with interest thereon and costs, together with Sheriff's fees, and to execute the usual certificate and deed to the purchaser or purchasers; and WHEREAS, In compliance with said writ, that on the 22nd day of March 1930, between the hours of 9 o'clock in the morning and 5 o'clock in the afternoon, to-wit: at the hour of Eleven o'clock in the forenoon of that day in front of the front door of the County Court House in Adams County, State of Idaho, and after due and legal notice having been given in the said behalf as by the Statutes of Idaho in such case made and provided, W. F. Winkler, Sheriff, duly sold at public auction all and singular the premises above described and in said writ mentioned and described, and by said Decree directed to be sold to HOLLAND BANK, a corporation, who was the highest bidder therefor, in the sum of Seven Thousand Eight Hundred Twenty-seven and 72/100 ($7,827.72) Dollars

And whereupon the said purchaser paid to said Sheriff the said sum of $7,827.72 so bidden by HOLLAND BANK, a corporation, and thereupon W. F. Winkler as such Sheriff made and issued such Certificate of sale as by law directed in duplicate and delivered one to the said purchaser and filed the other in the office of the Recorder for said Adams County for record; and

WHEREAS, The period of one year has expired since the date of said sale and no redemption of or for said premises has been made

NOW THEREFORE, THIS INDENTURE WITNESSETH: That the said party of the first part, the said W. F Winkler, Sheriff as aforesaid, in order to carry into effect the sale so made by W. F. Winkler Sheriff, as aforesaid, in pursuance of said writ and in conformity to the Statutes in such case made and provided, and also in consideration of the premises, and of the said sum of $7,827.72 so bidden and paid by the said purchaser

to W. F. Winkler Sheriff as aforesaid, the receipt whereof is hereby acknowledged, hath Granted, Bargained, Sold and Conveyed, and by these presents doth Grant, Bargain, Sell and Convey unto the party of the second part and to its successors and assigns forever, all and singular the above described lands and premises.

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

TO HAVE AND TO HOLD All and singular the above mentioned and described premises hereby conveyed, or intended so to be, together with the appurtenances, unto the said party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, I, W F Winkler, the party of the first part to these presents, Sheriff as aforesaid, have hereunto set my hand the day and year first above written.

W. F. Winkler
Sheriff of Adams County,
State of Idaho.

STATE OF IDAHO, )
) ss.
County of Adams )

On this, the 28 day of March, 1931, before me, Matilda Moser, Clerk of the District Court personally appeared W. F. Winkler, Sheriff of the County of Adams, State of Idaho, known to me to be the same person whose name is subscribed to the foregoing instrument and acknowledged to me that he as such Sheriff aforesaid executed the same.

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

(OFFICIAL SEAL)

Matilda Moser
Clerk District Court.

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Recorded at the request of Adams County Abstract Co. at 35 minutes past 2 o'clock P. M., this 7 day of April A. D. 1931.

Fees $2.00

Matilda Moser Recorder

By Jean C. Lewis Deputy

67-4273
67-4276

INSTRUMENT NO. 18514

R. E. No. 542-Benson WARRANTY DEED

THIS INDENTURE, Made this 31st day of March, A. D. 1931, between the HOLLAND BANK, a corporation formed under the General Laws of the Kingdom of The Netherlands, and lawfully doing business in the United States of America, with offices at Spokane, Washington, party of the first part, and HOLLAND LAND COMPANY, a corporation, party of the second part.

WITNESSETH, That the said party of the first part for and in the consideration of the sum of Five Thousand Seven Hundred Twenty-eight & 22/100 DOLLARS ($5,728.22) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm unto the said party of the second part its successor and assigns forever, that certain real property situated and being in the County of Adams State of Idaho, known and described as follows, to-wit:

Southeast Quarter of the Southwest Quarter; West Half of the Southeast Quarter; West Half of the Northeast Quarter; West Half of the Northeast Quarter of the Northeast Quarter, all in Section Nine (9), all in Township Fourteen (14), North, Range One (1), West of the Boise Meridian, containing in all 220 acres, more or less.

TO HAVE AND TO HOLD the said premises, together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the said party its successor and assigns forever.

AND the said party of the first part, for itself, its successors and assigns, does by these presents covenant to and with the party of the second part, its successor and assigns, that it is well seized in fee of the lands and premises aforesaid and has good right to sell and convey the same, and that the same are free from all encumbrances except all taxes or impositions that may be legally levied, imposed or become due upon said land and premises subsequent to the year of 1930 and the above bargained and granted lands and premises in the quiet and peaceable possession of the said party of the second part, its successor and assigns, against all persons lawfully claiming or to claim, the whole or any part thereof, and said party of the first part will warrant and forever defend.

IN WITNESS WHEREOF, said HOLLAND BANK has caused this instrument to be executed under its corporate seal by Henri Crommelin and Charles A. O'Connor, its Attorneys-in-Fact on this 31st day of March, 1931.

HOLLAND BANK,

(CORPORATE SEAL)

By Charles A. O'Connor
And Henri Crommelin
Its Attorneys-in-Fact.

STATE OF WASHINGTON,)
County of Spokane. ) ss.

On this 31st of March, A. D. 1931, before me personally appeared Henri Crommelin and Charles A. O'Connor, to me known to be the Attorneys-in-Fact of the corporation that executed the within and foregoing instrument and acknowledged the said instrument to be free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

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

(NOTARIAL SEAL)

Phillips Post
Notary Public in and for the State of Washington, residing at Spokane, Wash.

Recorded at request of Adams County Abstract Co. at 2:37 o'clock P. M., this 7 day of April A. D. 1931

Fees $1.20

Matilda Moser Recorder

By Jean C. Lewis Deputy

INSTRUMENT NO. 18511

THIS INDENTURE, Made this, the 28 day of March, 1931, between W. F. Winkler, the Sheriff of Adams County, State of Idaho, party of the first part, and HOLLAND BANK, a corporation, the party of the second part, WITNESSETH;

WHEREAS, A Judgment and Decree of Foreclosure and Sale was rendered and entered in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Adams, on the 22nd day of October, 1929, in an action then pending in said Court in favor of HOLLAND BANK, a corporation, as plaintiff, and against Walter E. Benson, Harriet Benson; Irving Gibbs, Jess Gibbs, Agnes Gibbs, The Peoples Bank, a corporation, Caroline Bailey, E. W. Porter, Commissioner of Finance of the State of Idaho, Defendants

And an Order of Sale issued out of and under the seal of the said District Court reciting the material parts of said Judgment and Decree, duly attested on the 10th day of February 1930, and to the Sheriff of Adams County, State of Idaho, directed and to W. F. Winkler as such Sheriff delivered on the 10th day of February, 1930, for execution, commanding and requiring him as such Sheriff to proceed to notice for sale and sell the premises in said writ mentioned and described in said Decree as follows, to-wit:

Southeast Quarter of the Southwest Quarter; West Half of the Southeast Quarter; West Half of the Northeast Quarter; West Half of the Northeast Quarter of the Northeast Quarter, all in Section Nine (9), all in Township Fourteen (14), North Range One (1), West of the Boise Meridian, containing in all 220 acres, more or less.

in the manner prescribed by law and to apply the proceeds of such sale to the satisfaction of said Judgment with interest thereon and costs, together with Sheriff's fees, and to execute the usual certificate and deed to the purchaser or purchasers; and WHEREAS, In compliance with said writ, that on the 22nd day of March 1930, between the hours of 9 o'clock in the morning and 5 o'clock in the afternoon, to-wit: at the hour of Eleven o'clock in the forenoon of that day in front of the front door of the County Court House in Adams County, State of Idaho, and after due and legal notice having been given in the said behalf as by the Statutes of Idaho in such case made and provided, W. F. Winkler, Sheriff, duly sold at public auction all and singular the premises above described and in said writ mentioned and described, and by said Decree directed to be sold to HOLLAND BANK, a corporation, who was the highest bidder therefor, in the sum of Seven Thousand Eight Hundred Twenty-seven and 72/100 ($7,827.72) Dollars

And whereupon the said purchaser paid to said Sheriff the said sum of $7,827.72 so bidden by HOLLAND BANK, a corporation, and thereupon W. F. Winkler as such Sheriff made and issued such Certificate of sale as by law directed in duplicate and delivered one to the said purchaser and filed the other in the office of the Recorder for said Adams County for record; and

WHEREAS, The period of one year has expired since the date of said sale and no redemption of or for said premises has been made

NOW THEREFORE, THIS INDENTURE WITNESSETH: That the said party of the first part, the said W. F Winkler, Sheriff as aforesaid, in order to carry into effect the sale so made by W. F. Winkler Sheriff, as aforesaid, in pursuance of said writ and in conformity to the Statutes in such case made and provided, and also in consideration of the premises, and of the said sum of $7,827.72 so bidden and paid by the said purchaser

to W. F. Winkler Sheriff as aforesaid, the receipt whereof is hereby acknowledged, hath Granted, Bargained, Sold and Conveyed, and by these presents doth Grant, Bargain, Sell and Convey unto the party of the second part and to its successors and assigns forever, all and singular the above described lands and premises.

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

TO HAVE AND TO HOLD All and singular the above mentioned and described premises hereby conveyed, or intended so to be, together with the appurtenances, unto the said party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, I, W F Winkler, the party of the first part to these presents, Sheriff as aforesaid, have hereunto set my hand the day and year first above written.

W. F. Winkler
Sheriff of Adams County,
State of Idaho.

STATE OF IDAHO, )
) ss.
County of Adams )

On this, the 28 day of March, 1931, before me, Matilda Moser, Clerk of the District Court personally appeared W. F. Winkler, Sheriff of the County of Adams, State of Idaho, known to me to be the same person whose name is subscribed to the foregoing instrument and acknowledged to me that he as such Sheriff aforesaid executed the same.

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

(OFFICIAL SEAL)

Matilda Moser
Clerk District Court.

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Recorded at the request of Adams County Abstract Co. at 35 minutes past 2 o'clock P. M., this 7 day of April A. D. 1931.

Fees $2.00

Matilda Moser Recorder

By Jean C. Lewis Deputy

67-4273
67-4276

INSTRUMENT NO. 28325

THIS INDENTURE, Made this 4th day of May in the year of our Lord one thousand nine hundred and Forty-two, between FRED S. BAILEY and GRACE BAILEY, his wife, of Cambridge, County of Washington, State of Idaho the parties of the first part, and E. J. SWEDMAN, a bachelor, of Nyssa, County of Malheur, State of Oregon the party 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 good and valuable consideration lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in the County of Adams, State of Idaho, towit:

The Southwest Quarter (SW¼) of the Northwest Quarter (NW¼), the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼), the Northeast Quarter of the Southwest Quarter (NE¼ of SW¼) and the Northwest Quarter of the Southwest Quarter (NW¼ of SW¼) all in Section Nine (9), Township 14 North, Range 1, West of the Boise Meridian; and

The Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section Four (4), Township 14 North, Range 1, West of the Boise Meridian; and,

The Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section 5, Township 14 North, Range 1, West of the Boise Meridian,

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water and ditch rights, and rights of way for water and ditches.

Possession to be given February 15th, 1943.

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

TO HAVE AND TO HOLD All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable 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 and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

Signed, Sealed and Delivered in presence of _____

Fred S Bailey (Seal)
Grace Bailey (Seal)

STATE OF IDAHO, )
County of Canyon ) ss.

On this 4th day of May in the year 1942, before me, S. Ben Dunlap, a Notary Public in and for said State, personally appeared Fred S. Bailey and Grace Bailey, 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.

(NOTARIAL SEAL)

S Ben Dunlap Notary Public for the State of Idaho. Residing at Caldwell, Idaho. My Commission expires 12-1-44.

I. R. $2.20 attached and canceled.

Recorded at request of Adams Co. Abstract Co., at 2:40 o'clock P.M., March 13, 1944.

INSTRUMENT NO. 40012

THIS INDENTURE, Made this 24th day of March in the year of our Lord one thousand nine hundred and fifty, between E. J. SWEDMAN, a bachelor of Indian Valley, County of Adams, State of Idaho, the party of the first part, and Lloyd Slatter of Indian Valley, County of Adams, State of Idaho, the party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Eight thousand and 00/100 DOLLARS, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in _____, County of Adams, State of Idaho, to-wit:

The South Half of the Northwest Quarter; North Half of the Southwest Quarter of Section Nine (9):

Southeast Quarter of the Southeast Quarter of Section Five (5):

Southwest Quarter of the Southeast Quarter of Section Four (4):

All in Township Fourteen (14) North of Range One (1) West of Boise Meridian.

Together with all water rights, ditches, used or connected therewith.

INTERNAL REVENUE STAMPS ATTACHED AND CANCELLED $8.80

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever and the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

Signed, Sealed and Delivered in Presence of _____

E. J. Swedman (Seal)

STATE OF IDAHO, )
) SS.
County of Washington)

On this 24th day of March in the year 1950, before me the undersigned, a Notary Public in and for said State, personally appeared E. J.Swedman, a bachelor 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.

(NOTARIAL SEAL)

Arthur Wilson
Notary Public for the State of Idaho,
Residing at Cambridge, Idaho.

Recorded at the request of H. T. Blessinger on the 5th day of January, 1960 at 1 o'clock P.M.

Fee $1.75

Anna F. Schwartz, Recorder
By Marie McFadden, Deputy

mmcgs

67-4273
67-4276

INSTRUMENT NO. 40013

THIS INDENTURE, Made this 11th day of May in the year of our Lord one thousand nine hundred and fifty-one, between Lloyd Slatter and Violet I. Slatter, husband and wife of Cambridge, County of Washington, State of Idaho, the parties of the first part, and Oliver E. Denison and Oleta M. Denison, husband and wife of Cambridge, County of Adams, 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 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, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in _____, County of Adams, State of Idaho, to-wit:

The South Half of the Northwest Quarter and the North Half of the Southwest Quarter of Section Nine (9); the Southwest Quarter of the Southeast Quarter of Section Four (4), and the Southeast Quarter of the Southeast Quarter of Section Five (5); all in Township Fourteen (14) North of Range One (1) West of the Boise Meridian, containing 240 acres, more or less.

Together with all water and water rights used and connected therewith.

INTERNAL REVENUE STAMPS ATTACHED AND CANCELLED $4.40

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

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with appurtenances, unto the parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

Signed, Sealed and Delivered in Presence of _____

Lloyd Slatter (Seal)

Violet I. Slatter (Seal)

STATE OF IDAHO )
) SS.
County of Washington)

On this 11th day of May in the year 1951, before me the undersigned, a Notary Public in and for said State, personally appeared Lloyd Slatter and Violet I. Slatter, 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.

(NOTARIAL SEAL)

Arthur Wilson
Notary Public for the State of Idaho,
Residing at Cambridge, Idaho.

Recorded at the request of H. T. Blessinger at 03 minutes past 1 o'clock P.M. on the 5th day of January, 1960.

Fee $1.75

Anna F. Schwartz, Recorder
By Marie McFadden, Deputy

67-4273
67-4276

INSTRUMENT NO. 40014

QUITCLAIM DEED

THIS INDENTURE, Made this 29th day of April in the year of our Lord one thousand nine hundred and fifty-two between OLIVER E. DENISON AND OLETA M. DENISON, husband and wife of Cambridge, County of Adams State of Idaho, the parties of the first part, and H. T. BLESSINGER AND CLARA BLESSINGER, husband and wife, and J. P. Brown, a divorced man of Weiser, County of Washington 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 Six Thousand and 00/100 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 remise, release and forever QUITCLAIM, unto the said parties of the second part, and to their heirs and assigns, all _____ certain lot, piece or parcel of land, situate, lying and being in _____, County of Adams, State of Idaho, bounded and particularly described as follows, to-wit:

The south half of the northwest quarter, the north half of the southwest quarter, of Section Nine (9); the southeast quarter of the southeast quarter of Section Five (5); the southwest quarter of the southeast quarter of Section Four (4), Township Fourteen (14) North, Range One (1) West of the Boise Meridian, subject to rights-of-way of any Highways now existing.

Together with all and singular the tenements, heriditaments, and appurtenances thereunto belonging, or in anywise appertaining.

INTERNAL REVENUE STAMPS ATTACHED AND CANCELLED $6.60

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever.

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 — Oliver E. Denison (Seal)

in Presence of _____ — Oleta M. Denison (Seal)

STATE OF IDAHO )
) ss.
County of Washington)

On this 29th day of April in the year 1952, before me the undersigned a Notary Public in and for said State, personally appeared OLIVER E. DENISON AND OLETA M. DENISON, 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.

(NOTARIAL SEAL)

Arthur Wilson
Notary Public for the State of Idaho
Residing at Cambridge, Idaho

Recorded at the request of H. T. Blessinger at 05 minutes past 1 o'clock P.M. on the 5th day of January , 1960.

Fee $1.50

Anna F. Schwartz, Recorder
By Marie McFadden, Deputy

# ...ED RECORD No. 24

67-4273
67-4276

INSTRUMENT NO. 38171

SYMS-YORK CO., BOISE 238701

THIS INDENTURE, Made this 13th day of August, A. D. 1957, BETWEEN HOLLAND LAND COMPANY the party of the first part, and THOMAS E. OGLE, party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of SIX THOUSAND AND NO/100 DOLLARS, lawful money of the United States, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents Grant, Bargain, Sell, Convey and Confirm unto the said party of the second part, and to his heirs and assigns, the following described real property situate and being in the County of Adams State of Idaho, to-wit:

Southeast Quarter of the Southwest Quarter, West Half of the Southeast Quarter, West Half of the Northeast Quarter, West Half of the Northeast Quarter of the Northeast Quarter of Section Nine (9), Township Fourteen (14) North, Range One (1) W. B. M., EXCEPTING THEREFROM all highway right-of-ways now in use or in any wise affecting said premises.

INTERNAL REVENUE STAMPS ATTACHED AND CANCELLED $6.60

TO HAVE AND TO HOLD, The said premises, with the appurtenances, unto said party of the second part, and to his heirs and assigns forever.

And the said party of the first part does by these presents covenant and agree to and with the said party of the second part, that it, the said party of the first part, its successors and assigns, all and singular, the premises hereinabove conveyed, described and granted, with the appurtenances, unto the said party of the second part, his heirs and assigns, and against all and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, through or under said party of the first part, shall and will WARRANT and forever DEFEND.

IN WITNESS WHEREOF, The said party of the first part has caused these presents to be duly executed the day and year first above written.

(CORPORATE SEAL)

HOLLAND LAND COMPANY
By R. R. Morrison
Vice-President
By C. P. Compau
Secretary

STATE OF WASHINGTON, )
) ss.
County of Spokane )

THIS CERTIFIES That on this 13th day of August, A. D. 1957, before me, the undersigned, a Notary Public in and for said County and State, personally appeared R. R. Morrison and C. P. Compau to me known to be the Vice-President and Secretary respectively of the HOLLAND LAND COMPANY the corporation described in and that executed the within and foregoing instrument, and they acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument for and in the name of said corporation, and that the seal affixed thereto as such is the corporate seal of said corporation.

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

(NOTARIAL SEAL)

Lloyd R. Turner, Jr.
Notary Public in and for the
State of Washington, residing at
Spokane, Washington.

Recorded at the request of Thomas Ogle at 35 minutes past 1 o'clock P. M. on the 27th day of August, 1957.

Anna Mink Schwartz, Recorder
By Claire A. Perkins, Deputy

L.A.M.S.

67-4273
67-4276

INSTRUMENT NO. 40196

THIS INDENTURE, Made this 31st day of March, A.D. 1960 BETWEEN HOLLAND LAND COMPANY the party of the first part, and NORTHWESTERN AND PACIFIC HYPOTHEEKBANK, party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One Dollar and other valuable consideration ($1.00) DOLLARS, lawful money of the United States, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents Grant, Bargain, Sell, Convey and Confirm unto the said party of the second part, and to its successors and assigns, the following described real property situate and being in the County of Adams State of Idaho to-wit:

North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Eight (8); North Half ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Nine (9), Township Forteen (14) North Range One (1) W.B.M.

All that part of the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Six (6), and the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$), and the North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Seven (7) all in Township Thirteen (13) North, Range One (1), W.B.M., lying and being in Adams County, Idaho. Northeast Quarter ($NE\frac{1}{4}$) of Section Thirteen (13), West Half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Thirteen (13) and the South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Twelve (12), Township Thirteen (13) North, Range One (1), W.B.M.

TO HAVE AND TO HOLD, The said premises, with the appurtenances, unto said party of the second part, and to its successors and assigns forever.

And the said party of the first part does by these presents covenant and agree to and with the said party of the second part, that it, the said party of the first part, its successors and assigns, all and singular, the premises hereinabove conveyed, described and granted, with the appurtenances, unto the said party of the second part, its successors and assigns, and against all and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, through or under said party of the first part, shall and will WARRANT and forever DEFEND.

IN WITNESS WHEREOF, The said party of the first part has caused these presents to be duly executed the day and year first above written.

HOLLAND LAND COMPANY
By E W van Tyen
President

By C. P Compau
Secretary

SEAL

REVENUE STAMPS NOT REQUIRED

STATE OF WASHINGTON,)
) ss.
County of Spokane )

THIS CERTIFIES That on this 1st day of April, A.D. 1960, before me, the undersigned a Notary Public in and for said County and State, personally appeared E. W. van Tyen and C. P. Compau to me known to be the President and Secretary, respectively of the HOLLAND LAND COMPANY the corporation described in and that executed the within and foregoing instrument, and they acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument for and in the name of said corporation, and that the seal affixed thereto as such is the corporate seal of said corporation.

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

67-4273
67-4276

INSTRUMENT NO. 41606

THIS INDENTURE, Made this 24th day of October, A.D. 1961 BETWEEN NORTHWESTERN AND PACIFIC HYPOTHEEKBANK, a corporation. the party of the first part, and THOMAS E. OGLE party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One Thousand Six Hundred and 00/100 ($1,600.00) DOLLARS, lawful money of the United States, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents Grant, Bargain, Sell, Convey and Confirm unto the said party of the second part, and to his heirs and assigns, the following described real property situate and being in the County of Adams State of Idaho, to-wit:

The North Half (N½) of the Northeast Quarter (NE¼) of Section Eight (8); North Half (N½) of the Northwest Quarter (NW¼) of Section Nine (9), Township Fourteen (14) North, Range One (1) West of the Boise Meridian.

INTERNAL REVENUE STAMPS ATTACHED AND CANCELLED $2.20

TO HAVE AND TO HOLD, The said premises, with the appurtenances, unto said party of the second part, and to his heirs and assigns forever.

And the said party of the first part does by these presents covenant and agree to and with the said party of the second part, that it, the said party of the first part, its successors and assigns, all and singular, the premises hereinabove conveyed, described and granted, with the appurtenances, unto the said party of the second part, his heirs and assigns, and against all and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, through or under said party of the first part, shall and will WARRANT and forever DEFEND.

IN WITNESS WHEREOF, The said party of the first part has caused these presents to be duly executed the day and year first above written.

(CORPORATE SEAL)

NORTHWESTERN & PACIFIC HYPOTHEEKBANK
C. P. Compau

R. R. Morrison
Agents and Attorneys in Fact

STATE OF WASHINGTON)
) ss.
County of Spokane )

THIS CERTIFIES That on this 24th day of October, A.D. 1961, before me, the undersinged, a Notary Public in and for said County and State, personally appeared C. P. Compau and R. R. Morrison to me known to be the Agents & Attorneys in Fact of NORTHWESTERN & PACIFIC HYPOTHEEKBANK the corporation described in and that executed the within and foregoing instrument, and they acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument for and in the name of said corporation, and that the seal affixed thereto as such is the corporate seal of said corporation.

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

(NOTARIAL SEAL)

Fay M. Thompson
Notary Public in and for the State of Washington residing at Spokane, Washington.

Recorded at the request of Thomas Ogle at 30 minutes past 2 o'clock P.M. on the 2nd day of January, 1962.

Fee $1.75

Anna F. Schwartz, Recorder
By Marie McFadden, Deputy

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67-4276

INSTRUMENT NO. 48095

WARRANTY DEED

For Value Received Howard T. Blessinger & Clara M. Blessinger, Husband & Wife, the grantors, do hereby grant, bargain, sell and convey unto Alpine Grazing Association Incorporated the grantees, the following described real estate situated in Adams County, State of Idaho, to-wit:

Township 14 North, Range 1 West, Boise Meridian

Section 4: SW¼SE¼.

Section 5: SE¼SE¼, SW¼SE¼, All that part of SE¼SW¼ lying Southeasterly of the existing boundary fence running diagonally in a Southwesterly direction from the Northeast corner of the SE¼SW¼ of said Section 5, towards the Southwest corner of the NW¼ of Section 8, said Township and Range.

Section 8: S½NE¼, SE¼NW¼, All that part of NW¼NW¼ and the NE¼NW¼ lying Southeasterly of the boundary fence hereinabove described.

Section 9: S½NW¼, N½SW¼.

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 said premises are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 9th day of October, 1969.

Howard T. Blessinger
Clara M. Blessinger

STATE OF IDAHO, COUNTY OF _____

On this 9 day of Oct., 1969, before me, a notary public in and for said State, personally appeared Howard T. Blessinger & Clara M. Blessinger known to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that executed the same.

(NOTARIAL SEAL)

Vena M. Anderson
Notary Public
Residing at Weiser, Idaho, Idaho
Comm. Expires 8-15-73

Recorded at the request of The Adams County Abstract Company at 36 minutes past 1 o'clock P.M., the 29th day of October, 1969.

Marie McFadden, Recorder
By Lorraine Hellyer, Deputy

Fee: $1.00

1974

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Thomas Ogle

WARRANTY DEED

ALPINE GRAZING ASSOCIATION, INC., an Idaho corporation, of Adams County, Idaho, hereinafter called the Grantor, for and in consideration of the sum of ONE HUNDRED THOUSAND DOLLARS ($100,000.00) GRANTS, CONVEYS and WARRANTS to DELBERT T. OGLE and MARIAN C. OGLE, husband and wife, of Washington County, Idaho, hereinafter called the Grantees, as a Indian Valley community property estate, the following described premises situated in Adams County, Idaho, to wit:

TOWNSHIP 14 NORTH, RANGE 1 WEST, BOISE MERIDIAN.

Section 4: Lots 3 and 4, SE¼NW¼, NE¼SW¼, S½SW¼.

TOWNSHIP 15 NORTH, RANGE 1 WEST, BOISE MERIDIAN.

Section 33: A triangular shaped tract of land, situated in the southwest corner of the SE¼SW¼, and being all that part of said SE¼SW¼ as enclosed by fences (1969) lying southerly of the southerly lines of the right-of-way of the existing Alpine-Indian Valley County Road as established (1969) over said SE¼SW¼, more particularly bounded and described as follows: Commencing at the southwest corner of said SE¼SW¼ and as such corner is designated by the existing fences (1969) and running thence Northerly on and along the westerly line of said SE¼SW¼ as designated by said existing fences to its intersection with the southerly line of the right of way of said County Road; thence Southeasterly on and along the southerly line of such right of way to its intersection with the east line of said SE¼SW¼; thence South approximately 198 feet to the southeast corner of said SE¼SW¼; thence West, on and along the south line of said SE¼SW¼ to the point of beginning; excepting all existing easements and rights of way for ditches, roads or lines of public utilities as now established.

TOWNSHIP 15 NORTH, RANGE 1 EAST, BOISE MERIDIAN.

Section 20: NW¼, E½SW¼, SW¼NE¼, E½NE¼, SE¼.

Section 28: NW¼SW¼NW¼NE¼, S½NE¼NE¼NW¼, SE¼NW¼NE¼NW¼, S½NE¼NW¼, SE¼SW¼NW¼NW¼, NE¼SE¼NW¼NW¼, S½SE¼NW¼NW¼, N½SW¼NW¼, NW¼SE¼SW¼NW¼, N½NE¼SE¼NW¼, N½NW¼SE¼NW¼, SW¼NW¼SE¼NW¼, N½SW¼SW¼NW¼.

Section 29: SE¼NE¼, NE¼SE¼, S½NW¼, N½SW¼, N½NE¼, NE¼NW¼.

Section 30: S½NE¼, N½SE¼.

Together with all water, water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to water rights under the Little Weiser Irrigation District and Flood Control District No. 3 of the State of Idaho.

Subject to exceptions and reservations contained in patents from the United States.

Subject to existing easements for roads, highways, ditches, canals, laterals

SCANNED
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LAW OFFICES
RYAN & SWEET

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WEISER, I
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CORRECTED

# WARRANTY DEED

1981

For Value Received THOMAS E. OGLE and IRENE OGLE, husband and wife,

the grantor s, do hereby grant, bargain, sell and convey unto DELBERT OGLE and MARION OGLE, husband and wife, Star Route, Cambridge, Idaho 83610,

the grantee s, the following described premises, to-wit: In Adams County; Township 14 North, Range 1 West

Section 4: SW¼ SE¼

Section 5: S½ E¼, and all that part of the SE¼ SW¼ lying southeasterly of the existing boundary line running diagonally in a southwesterly direction from the Northeast corner of the SE¼ SW¼ of Section 5 toward the Southwest corner of the NW¼ of Section 8.

Section 8: N½NE, S½ NE¼, that portion of the N½ NW¼, lying southeasterly of the boundary line above described, SE¼ NW¼.

Section 9: W½ NE¼, W½ NE¼ NE¼, N½ NW¼, SE¼ SW¼, W½, SE¼, S½ NW¼, N½ SW¼.

Also an undivided one-half (½) interest in the following described property in Washington County:

Township 15 North, Range 3 West, Boise Meridian;

Section 12: SW¼

Section 13: N½ NW¼

Section 14: N½ NE¼

Section 1: SE¼ SE¼

Township 15 North, Range 2 West

Section Six: Lot 7.

Section Seven: Lots 1 and 2.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances subject to current taxes, assessments, and easements.

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

Dated: October 23, 1981.

SCANNED
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Thomas E. Ogle

Margaret I. Ogle

STATE OF IDAHO, COUNTY OF

On this 23rd day of October, 1981, before me, a notary public in and for said State, personally

STATE OF IDAHO, COUNTY OF ADAMS

I hereby certify that this instrument was filed for record at the request of Delbert Ogle

INSTR

INSTRUMENT NO. [illegible]

67 - 4273
67 - 4276

Customer/Note No: 38896 - 441

After Recording Return to:

Farm Credit Services - Ontario
378 West Idaho Avenue
PO Box 279
Ontario, OR 97914

# Mortgage

On November 22, 1996, Ethel J. Pearson, same person as Ethel Pearson, a single person, Robin L. Thorsen, same person as Robin Thorsen, a single person, hereinafter called Mortgagors, whose addre[illegible].

PO Box 205
Cambridge, ID 83610

grant, convey, warrant, transfer and assign to Northwest Farm Credit Services, ACA, a corporation organized under the Farm Credit Act of 1971, as amended, hereinafter called Mortgagee, whose address is West 601 First Avenue, P.O. Box TAF-C5, Spokane, Washington 99220-4005, a mortgage and security interest in property in Adams, Washington County(ies), State of Idaho, more particularly described as follows:

TRACT 1
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 4: S1/2SW1/4 and all that part of the NE1/4SW1/4 and SW1/4SE1/4 lying South and West of the thread of the Little Weiser River, the thread being more particularly described as follows:
Beginning at a point on the East line of the NE1/4SW1/4 of said Section 4, from which the SW 1/16 corner bears South 00°10'01" East 637.9 feet;
Thence South 61°04' East 211.9 feet;
Thence North 74°26' East 216.4 feet;
Thence South 80°05' East 187.4 feet;
Thence South 72°29' East 150.6 feet;
Thence South 85°15' East 96.5 feet;
Thence South 06°20' West 74.2 feet;
Thence South 39°47' West 137.6 feet;
Thence South 09°36' East 79.0 feet;
Thence South 67°47' East 119.6 feet;
Thence South 87°22' East 85.0 feet;
Thence North 66°08' East 66.5 feet;
Thence South 74°49' East 347.0 feet;
Thence South 74°49' East 116.0 feet;
Thence South 80°45' East 143.7 feet;
Thence South 31°00' East 88.9 feet;
Thence South 09°00' East 138.9 feet;
Thence South 33°02' West 314.1 feet;
Thence South 50°50' East 106.2 feet;
Thence North 67°29' East 45.5 feet;
Thence North 33°30' East 51.6 feet;
Thence South 48°04' East 89.8 feet;
Thence South 06°03' East 92.2 feet;
Thence North 82°16' West 45.3 feet;
Thence South 19°35' West 40.0 feet;
Thence South 37°53' East 65.3 feet;
Thence South 63°03' East 284.4 feet;
Thence South 23°32' East 66.6 feet;
Thence South 16°10' West 111.7 feet;
Thence South 34°46' West 164.8 feet;
Thence South 60°39' West 76.6 feet;
Thence South 19°18' West 85.7 feet;
Thence South 09°58' East 132.9 feet; to a point on the South line of said Section 4, and the POINT OF ENDING from which the 1/4 corner common to Sections 4 and 9 bears South 89°42'48" West 441.9 feet, more or less.

Section 5: S1/2SE1/4 and all that part of the SE1/4SW1/4 lying Southeasterly of the existing boundary line running diagonally in a Southwesterly direction from the NE corner of the SE1/4SW1/4 of Section 5 toward the SW corner of the NW1/4 of Section 8.

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Section 8: N1/2NE1/4, and all that part of the NW1/4NW1/4 and the NE1/4NW1/4 lying Southeasterly of the boundary fence above described.

Section 9: W1/2 excepting the SW1/4SW1/4; W1/2E1/2, Excepting all that part of the W1/2E1/2 lying east of the thread of the Little Weiser River, the thread being more particularly described as follows:
Beginning at a point on the line common to said Sections 9 and 4, from which the common 1/4 corner of said Sections bears South 89°42'48" West 441.9 feet, more or less;
Thence South 31°11' East 459.5 feet;
Thence South 06°34' West 132.2 feet;
Thence South 43°00' West 99.3 feet;
Thence South 06°49' West 90.2 feet;
Thence South 40°14' East 40.1 feet;
Thence North 87°03' East 137.8 feet;
Thence South 73°16' East 48.4 feet;
Thence South 47°44' East 156.4 feet;
Thence South 70°18' East 122.2 feet;
Thence North 70°47' East 59.4 feet;
Thence North 33°57' East 62.0 feet;
Thence South 58°27' East 71.9 feet;
Thence South 31°33' East 66.4 feet;
Thence South 02°17' West 301.5 feet;
Thence South 14°31' East 127.2 feet;
Thence South 17°09' West 133.7 feet;
Thence South 21°57' East 53.7 feet;
Thence South 86°36' East 107.1 feet to a point on the East line of the W1/2E1/2 of said Section 9 (East line of the SW1/4NE1/4 and the POINT OF ENDING from which the Center-East 1/16 corner bears South 00°04'54" West 1138.2 feet, more or less.
EXCEPTING any road rights-of-way as now established.
EXCEPTING the Weiser River.

TRACT 2
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 8: SE1/4SE1/4, E1/2SW1/4SE1/4
Section 9: SW1/4SW1/4
EXCEPTING any road rights-of-way as now established.

TOWNSHIP 14 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

Section 2: E1/2NW1/4SW1/4NW1/4, NE1/4SW1/4NW1/4, S1/2SW1/4NW1/4, SE1/4NW1/4, all that part of the S1/2NE1/4 and the N1/2SE1/4 lying northwesterly of Pacific and Idaho Northern Railway;

The Northeast Quarter of the Southwest Quarter of Section 2, Township 14 North, Range 3 West of the Boise Meridian, Washington County, Idaho, lying northerly of the right of way of the Pacific and Idaho Northern Railway;

EXCEPT:

Beginning at the Southwest corner of said NE1/4SW1/4;

thence East 117 feet, more or less, to the northerly line of said railway right of way;

thence northeasterly along said right of way 156 feet;

thence southwesterly 220 feet, more or less, to the west line of said NE1/4SW1/4;

thence South 98 feet to the place of beginning.

EXCEPT ALSO:

Beginning at a point on the west line of said NE1/4SW1/4 where it joins the northerly side of the Cove Road right of way;

thence 300 feet northeasterly along said right of way;

thence North 300 feet;

thence southwesterly 300 feet, more or less, to said west line;

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thence South 300 feet to the place of beginning;

EXCEPT ALSO:

Beginning at a point on the West line of said NE1/4SW1/4 where it joins the northerly side of the Cove Road right of way;

thence 300 feet northeasterly along the northerly side of said right of way to a point, the real point of beginning;

thence North 300 feet to a point;

thence northeasterly parallel to a line projected along the aforesaid portion of the Cove Road right of way, 85 feet to a point;

thence South 290 feet, more or less, to the northerly side of the Cove Road right of way;

thence southwesterly along the Cove Road right of way to the real point of beginning;

and including all rents, issues, profits, buildings and improvements thereon and in all tenements, hereditaments, rights. privileges, easements, rights of way and appurtenances, (including without limitation private roads, grazing privileges, water rights, ditches and conduits and rights of way therefor, all plumbing, lighting, heating, cooling, ventilating, elevating, and irrigating apparatus and other equipment and fixtures, now or hereafter belonging to or used in connection therewith), all of which is hereinafter called the "Property."

The following described Note(s), Membership Agreements, security documents and any other documents or instruments signed in connection with the Note(s) and security documents and any amendments thereto are collectively called the "Loan Documents." "Advances" shall include any amounts provided to Mortgagor under the terms of the Loan Documents and any amounts expended by Mortgagee to protect the Property or enforce its rights under the Loan Documents. This conveyance is intended to secure performance of the covenants and agreements contained herein, and in any Loan Documents, and payment of the indebtedness under the terms of the Note(s) made by Mortgagors to the order of Mortgagee, with interest and charges as provided therein and in the Loan Documents, and any extensions, modifications or renewals thereof:

| DATE OF NOTE | PRINCIPAL AMOUNT | FINAL INSTALLMENT DATE |
|---|---|---|
| November 22, 1996 | $400,000.00 | November 1, 2016 |

The terms of the Note(s) and Loan Documents, described above, provide that the interest rate, payment terms or amounts due may be indexed, adjusted, renewed or renegotiated.

Mortgagors and each of them REPRESENT, WARRANT, COVENANT and AGREE:

1. That they have title to the Property free from encumbrances, except as described above, they have good right and lawful authority to convey and encumber the same; they will warrant and defend the same forever against the lawful claims and demands of all persons whomsoever; and they agree this covenant shall not be extinguished by foreclosure or other transfers.

2. To keep all buildings and other improvements, now or hereafter existing, in good repair, not to remove or demolish or permit the removal or demolition of any building or other improvement; to restore promptly in a good and workmanlike manner, any building or improvement, which may be damaged or destroyed; to maintain and cultivate the Property in a good and husbandlike manner, using approved methods for preserving the fertility and productivity thereof; not to change or permit change in the use of the Property; and not to do anything which would reduce the value of the Property.

3. To maintain casualty insurance, naming Mortgagee as loss payee, on all buildings and improvements, against loss or damage by fire or other risks; to maintain liability insurance; to obtain flood insurance at any time it is determined that any building or improvement is located in whole or in part within a special flood hazard area; to pay all premiums and charges on all such insurance when due; and to provide Mortgagee satisfactory evidence of such insurance upon request. All such insurance shall be in such form(s), with such company(ies) and in such amount(s) as shall be satisfactory to Mortgagee.

4. Not to apply or enter into any federal, state, or local program which limits or restricts the use of the Property, in any way, without prior written consent of Mortgagee.

5. To pay all debts and money, secured hereby, when due; to pay, when due, all taxes, assessments, rents and other charges upon the Property and to suffer no other encumbrance, charge or lien on the Property, which would be superior to this mortgage, except as stated above.

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INSTRUMENT NO. 91804
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67-4273
67-4276

# TRUSTEE DEED

FOR VALUE RECEIVED in the amount of one hundred sixty five thousand dollars ($165,000.00), RONALD D. SCHOEN, as duly appointed, qualified and acting Standing Chapter 12 Trustee in Bankruptcy Case No. 95-00557, in the United States Bankruptcy Court for the District of Idaho, wherein Delbert and Marion Ogle appear as Debtors, Grantor therein, does hereby grant, bargain, sell and convey unto ETHEL J. PEARSON, a single person, and ROBIN L. THORSEN, a single person, the Grantees, all right, title and interest to the said Estate, in and to the following described real property, located in the County of Adams, State of Idaho:

**PARCEL 1**
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho.
Section 8: SW1/4SW1/4, E1/2SW1/4, W1/2SW1/4SE1/4, NE1/4SE1/4
EXCEPTING THEREFROM the County Road right-of-way as set forth in deed recorded October 1, 1911 in Book 2 Deeds page 129.

**PARCEL 2**
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho.
Section 8: S1/2NE1/4, SE1/4NW1/4

**THE SALE OF PARCEL 1 and 2 TO THE GRANTEES IS SUBJECT TO:**

1) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

2) Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

3) Easements, claims of easement or encumbrances which are not shown by the public records.

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**THE SALE OF PARCELS 1 and 2 TO THE GRANTEES IS SUBJECT TO (cont'd):**

4) Discrepancies, conflicts in boundary lines, shortage in area, encroachments or by any other facts which a correct survey would disclose, and which are not shown by the public records.

5) Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.

6) Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

7) 1997 property taxes less the amount prorated to the seller at the time of closing by Timberline Title & Escrow.

8) Oil and gas lease upon the terms, conditions and covenants contained therein:

Recorded: October 13, 1981 as Instr. No. 63032.
Lessor: Ted Moritz and Estella Moritz, husband and wife.
Lessee: Inca Oil and Gas, Inc.

9) TERMS AND CONDITIONS OF EASEMENTS of Trustee's Deed recorded November 27, 1996 as Instr. No. 91152; re-recorded January 2, 1997 as Instr. No. 91334.

10) With the approval of the U. S. Department of Interior, Bureau of Land Management, the Grantees may assume and transfer to themselves the current lease between the Debtors and this agency consisting of the following:

NW1/4SE1/4
Seven (7) AUM's.
April 15 - May 14 of each year.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantees, their heirs and assigns forever. And Grantor does hereby covenant to and with the Grantees that the property is free from all encumbrances except as set forth hereinabove.

DATED This 17th day of April, 1997.

Ronald D. Schoen

Ronald D. Schoen, Trustee

67-4013
67-4276

INSTRUMENT NO. 91334
PAGE 1 OF 6

# TRUSTEE DEED

**(to correct erroneous legal description on deed issued Nov 27, 1996)**

FOR VALUE RECEIVED in the amount of four hundred eighty six thousand four hundred eighty dollars ($486,480.00), RONALD D. SCHOEN, as duly appointed, qualified and acting Standing Chapter 12 Trustee in Bankruptcy Case No. 95-00557, in the United States Bankruptcy Court for the District of Idaho, wherein Delbert and Marian Ogle appear as Debtors, Grantor therein, does hereby grant, bargain, sell and convey unto ETHEL J. PEARSON, a single person, and ROBIN L. THORSEN, a single person, the Grantees, all right, title and interest to the said Estate, in and to the following described real property, located in the County of Adams, State of Idaho:

TRACT I
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho.

Section 4:

The S1/2SW1/4, containing 80.56 acres, more or less, the NE1/4SW1/4 and the SW1/4SE1/4 lying southerly and westerly of the thread of the Little Weiser River, the thread being more particularly described as follows:

**BEGINNING** at a point on the West Line of the Northeast 1/4 of the Southwest 1/4 said Section 4, from which the Southwest 1/16 Corner bears South 00°10'01" East, 637.9 feet;

Thence South 61°04' East, 211.9 feet;
Thence South 80°05' East, 187.4 feet;
Thence South 85°15' East, 96.5 feet;
Thence South 39°47' West, 137.6 feet;
Thence South 67°47' East, 119.6 feet;
Thence North 66°08' East, 66.5 feet;
Thence South 74°49' East, 116.0 feet;
Thence South 31°00' East, 88.9 feet;
Thence South 33°02' West, 314.1 feet;
Thence North 67°29' East, 45.5 feet;
Thence North 74°26' East, 216.4 feet;
Thence South 72°29' East, 150.6 feet;
Thence South 06°20' West, 74.2 feet;
Thence South 09°36' East, 79.0 feet;
Thence South 87°22' East, 85.0 feet;
Thence South 74°49' East, 347.0 feet;
Thence South 80°45' East, 143.7 feet;
Thence South 09°00' East, 138.9 feet;
Thence South 50°50' East, 106.2 feet;
Thence North 33°30' East, 51.6 feet;



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**TRACT I (cont'd)**

Thence South 48°04' East, 89.8 feet; Thence South 06°03' East, 92.2 feet;
Thence North 82°16' West, 45.3 feet; Thence South 19°35' West, 40.0 feet;
Thence South 37°53' East, 65.3 feet; Thence South 63°03' East, 284.4 feet;
Thence South 23°32' East, 66.6 feet; Thence South 16°10' West, 111.7 feet;
Thence South 34°46' West, 154.8 feet; Thence South 60°39' West, 76.6 feet;
Thence South 19°18' West, 85.7 feet; Thence South 09°58' East, 132.9 feet, to a point on the South Line of said Section 4 and the **POINT OF ENDING**, from which the 1/4 corner common to Sections 4 and 9 bears, South 89°42'48" West, 441.9 feet, more or less.

Containing 12.35 acres, more or less in the NE1/4SW1/4 and 12.31 acres, more or less in the SW1/4SE1/4.

Section 5:

S1/2SE1/4 and all that part of the SE1/4SW1/4 lying Southeasterly of the existing boundary line running diagonally in a Southwesterly direction from the NE corner of the SE1/4SW1/4 of Section 5 toward the SW corner of the NW1/4 of Section 8.

Section 8:

N1/2NE1/4, and all that part of the NW1/4NW1/4 and the NE1/4NW1/4 lying Southeasterly of the boundary fence above described.

Section 9:

W1/2 excepting the SW1/4SW1/4; W1/2E1/2 excepting all that part lying easterly of the thread of the Little Weiser River, the thread being more particularly described as follows:

**BEGINNING** at a point on the line common to said Sections 9 and 4, from which the common 1/4 Corner of said Sections bears South 89°42'48" West, 441.9 feet, more or less.

Thence South 31°11' East, 459.5 feet; Thence South 06°34' West, 132.2 feet;
Thence South 43°00' West, 99.3 feet; Thence South 06°49' West, 90.2 feet;
Thence South 40°14' East, 40.1 feet; Thence North 87°03' East, 137.8 feet;
Thence South 73°16' East, 48.4 feet; Thence South 47°44' East, 156.4 feet;
Thence South 70°18' East, 122.2 feet; Thence North 70°47' East, 59.4 feet;
Thence North 33°57' East, 62.0 feet; Thence South 58°27' East, 71.9 feet;
Thence South 31°33' East, 66.4 feet; Thence South 02°17' West, 301.5 feet;
Thence South 14°31' East, 127.2 feet; Thence South 17°09' West, 133.7 feet;
Thence South 21°57' East, 53.7 feet; Thence South 86°36' East, 107.1 feet, to a point on the East Line of the West1/2E1/2 of said Section 9 (East line of the SW1/4NE1/4) and the **POINT OF ENDING,** from which the Center-East 1/16 Corner bears South 00°04'54" West, 1138.2 feet, more or less.



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**TRACT I (cont'd)**

Excepting any road rights-of-way as now established.

Said W 1/2 of the East 1/2 contains 145.25 acres more or less.

The Basis of Bearing for this description is Geodetic North as determined at a point that lies 2860 feet East of the Northeast Corner of Section 4, Township 14 North, Range 1 West, Boise Meridian.

**TRACT II**
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho.

Section 8:

SE1/4SE1/4; E1/2SW1/4SE1/4.

Section 9:

SW1/4SW1/4

Excepting and road rights-of-way as now established.

**THE SALE OF TRACT I AND II TO THE GRANTEES IS SUBJECT TO:**

1) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

2) Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

3) Easements, claims of easement of encumbrances which are not shown by the public records.

4) Discrepancies, conflicts in boundary lines, shortage in area, encroachments or by any other facts which a correct survey would disclose, and which are not shown by the public records.

5) Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.

6) Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.



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**THE SALE OF TRACT I AND II TO THE GRANTEES IS SUBJECT TO (cont'd):**

7) RESERVATIONS, TERMS AND CONDITIONS in deed for undivided one-half interest for oil, gas and mineral rights between UNION CENTRAL LIFE INSURANCE COMPANY and ARTHUR WILSON, recorded April 4, 1935 in Book 14 Deeds page 152. Affects Section 9: S1/2NW1/4 and N1/2SW1/4.

8) EASEMENT granted to FLOOD CONTROL DISTRICT NO. 3 of IDAHO over NE1/4NW1/4, W1/2E1/2, W1/2NE1/4NE1/4 of Section 9, recorded July 12, 1965 in Book 26 Deeds page 600.

9) PERPETUAL EASEMENT AND RIGHT-OF-WAY granted to FLOOD CONTROL DISTRICT NO. 3 OF THE STATE OF IDAHO, recorded July 12, 1965 in Book 26 Deeds page 599.

10) GAS LEASE RATIFICATION recorded July 19, 1982 in Book 11 Misc. pages 304-305, and October 13, 1981 as Instr. No. 63032.

11) ANY CLAIMS ARISING FROM THE AMBIGUOUS LEGAL DESCRIPTION (diagonal lines in Sections 5 and 8).

12) ANY PRESENT OR DEFERRED TAX LIEN on the herein described property arising under or by virtue of the Forest Products Yield Tax as provided by Idaho Code 63-1701 or 63-1706 as amended.

13) LACK OF A RIGHT OF ACCESS TO AND FROM SAID PROPERTY.

14) ANY CLAIM arising from the differences in the mean high water line of the Little Weiser River and the meander line as shown by the original government survey.

15) ANY RIGHTS, INTERESTS OR EASEMENTS in favor of the public which exist or are claimed to exist over any part of said land covered by the Little Weiser River.

16) Grantees acknowledge that any water, ditch or diversion rights which are applicable to the land being retained by the Debtors shall not be changed, modified or reduced by this sale. The Debtors and their successors in interest shall have ingress and egress across the property of the Grantees for purposes of utilizing and maintaining the headgates, waterways and water rights which the Debtors previously have had and currently retain.

17) Grantees are obligated to erect and maintain a fence along the survey line established along the boundary of the property adjacent to and following the Little Weiser River. Said fence shall be established at Grantees' cost and shall be fully maintained by Grantees in the future.

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67-4276

# ASSESSMENT ROLL FOR THE YEAR 1915
## REAL PROPERTY

TOWNSHIP 14 North RANGE 1 West

PRINTED IN ADAMS COUNTY BY THE COUNCIL LEADER

| Line No. | Check | OWNER OR REPUTED OWNER'S NAME AND RESIDENCE | Subdivision | Section | Tax No. | CLASSIFICATION OF LANDS: Agricultural Lands Acres | Agricultural Lands Value | Timber Lands Acres | Timber Lands Value | Cut Over and Burnt Over Timber Lands Acres | Cut Over and Burnt Over Timber Lands Value | Mineral Lands Acres | Mineral Lands Value | Grazing Lands Acres | Grazing Lands Value | Waste Lands Acres | Waste Lands Value | Improvements on Lands Acres | Improvements on Lands Value | Standing Timber Owned Separate from Land Acres | Standing Timber Owned Separate from Land Value | Other Real Property Acres | Other Real Property Value | Total Value of Real Property | Equities in State Lands | Improvements on Gov. and State Lands and Railroad Right of Way | Cattle Thoroughbred and Graded No. | Cattle Thoroughbred and Graded Value | Common Beef and Oxen No. | Common Beef and Oxen Value | Milk Cows No. | Milk Cows Value | Thoroughbred and Graded Horses No. | Thoroughbred and Graded Horses Value | Stock Horses No. | Stock Horses Value | Hogs No. | Hogs Value | Sheep No. | Sheep Value | Lumber, Sawlogs and Wood Class | Lumber, Sawlogs and Wood Ft. or Cds. | Lumber, Sawlogs and Wood Value | Merchandise Kind | Merchandise Value | Vehicles, Saddles, Robes Kind | Vehicles, Saddles, Robes Value | Library, Instruments, Tools, Implements, Farm Machinery, Wagons and Harness Kind | Library, Instruments, Tools, Implements, Farm Machinery, Wagons and Harness Value | Household Goods, Wearing Apparel, Jewelry Kind | Household Goods, Wearing Apparel, Jewelry Value | Furniture and Fixtures Kind | Furniture and Fixtures Value | Hay, Grain and Other Products Kind | Hay, Grain and Other Products Value |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 418 | Bailey, Caroline | sw¼ ne¼ | 9 | 1 | 10 | 500 | | | | | | | 20 | 100 | 10 | 10 | 230 | | | | | | 840 | | | | | 1c | 35 | 1 | 50 | 2g | 150 | 2 | 70 | | | | | | | | | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 106 | Linder, J.=Indian Valley | se¼ ne¼ | 9 | 1 | 15 | 750 | 15 | 3 9 3 | | | | | 5 | 25 | 5 | 5 | 125 | | | | | | 1205 | | | | | | | | | 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | 148 | Steward, Clyde E. | ne¼ nw | 9 | 1 | 30 | 450 | | | | | | | | | 10 | 10 | 100 | | | | | | 560 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | 148 | Indian Valley | nw¼ nw¼ | 9 | 1 | 30 | 450 | | | | | | | 10 | 50 | | | | | | | | | 500 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | 247 | Chapin, Elmer E. | sw¼ nw¼ | 9 | 1 | 30 | 450 | | | | | | | 10 | 50 | | | | | | | | | 500 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | 247 | Indian Valley | se¼ nw¼ | 9 | 1 | 25 | 375 | | | | | | | 15 | 75 | | | | | | | | | 450 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | 247 | | ne¼ sw¼ | 9 | 1 | 20 | 300 | | | | | | | 15 | 75 | 5 | 5 | 300 | | | | | | 680 | | | | | 1c | 25 | 1 | 45 | 1g | 75 | 3 | 110 | 2 | 6 | | | | | | | | | | | | | | | | | | |
| 11 | 247 | | nw¼ sw¼ | 9 | 1 | 10 | 150 | | | | | | | 25 | 125 | 5 | 5 | | | | | | | 280 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 13 | 230 | Lang, F. B.= Lewiston. | sw¼ sw¼ | 9 | 1 | 20 | 600 | | | | | | | 20 | 100 | | | | | | | | | 700 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 14 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15 | 418 | Bailey, Caroline | se¼ sw¼ | 9 | 1 | | | | | | | | | 40 | 200 | | | | | | | | | 200 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16 | 418 | Indian Valley | nw¼ se¼ | 9 | 1 | 5 | 75 | | | | | | | | | 35 | 35 | | | | | | | 110 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 17 | 618 | | sw¼ se¼ | 9 | 1 | 40 | 600 | | | | | | | | | | | | | | | | | 600 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 19 | 89 | Snow, E. =Indian Valley | ne¼ se¼ | 9 | 1 | 30 | 1500 | 6 | 120 1b | | | | | | | 4 | 4 | | | | | | | 1624 18 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 21 | 90 | Snow, M. = Indian Valley | se¼ se¼ | 9 | 1 | 10 | 500 | | | | | | | 30 | 150 | | | | | | | | | 650 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 23 | 257 | Martin, Charity | se¼ ne¼ | 10 | 1 | 15 | 300 | | | | | | | | | 25 | 25 | 25 | | | | | | 350 | | | | | 3c | 105 | 2 | 100 | 3g | 225 | 3 | 105 | | | 32 M | 1 1/2 | | | | | | | | | | | | |
| 24 | | Indian Valley | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 25 | 1434 | Laurer, Milt = Payette. | sw¼ ne¼ | 10 | 1 | 30 | 1200 | | | | | | | | | 10 | 10 | 225 | | | | | | 1435 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 26 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 27 | 79 | Joslin, H.L. = Indian Valley | ne¼ nw¼ | 10 | 1 | 20 | 1000 | 2a. Church | | | | | | 10 | 50 | 8 | 8 | 50 | | | | | | 1108 | | | | | 2b | 70 | 3 | 150 | 3g | 300 | 1 | 30 | 2 | 17 | | | Sundries | 8 | 64 | | | 10 | 10 | 1 | 75 | 1 | 50 | | | | |
| 28 | 106 | Linder, J. L. | se¼ nw¼ | 10 | 1 | 37 | 1850 | | | | | | | | | 3 | 3 | | | | | | | 1853 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 29 | 106 | | sw¼ nw¼ | 10 | 1 | 25 | 1250 | | | | | | | 15 | 75 | | | | | | | | | 1325 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 30 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 31 | 91 | Ware, N. L. = Eugene, Ore | nw¼ nw¼ | 10 | 1 | 40 | 2000 | | | | | | | | | | | 810 | | | | | | 2810 | | | | | | | 1 | 50 | | | | | | | | | | | | | | | | | | | | | | | | |
| 32 | | | | | | 2441/2 | 43600 | 9 | 450 | | | | | 415 | 10745 | 130 | 130 | 2465 | | | | | | 17785 | | | | | 4c | 135 | 9 | 350 | 9g | 750 | 9 | 315 | 3 | 235 | 3 | 112 | 8 | 64 | | | 2 | 45 | 1 | 60 | 1 | 15 | | | | |

67-4273
67-4276

# ASSESSMENT ROLL FOR THE YEAR 1915
## REAL PROPERTY

TOWNSHIP 14 North RANGE 1 West

PRINTED IN ADAMS COUNTY BY THE COUNCIL LEADER

| Line No. | Check | OWNER OR REPUTED OWNER'S NAME AND RESIDENCE | Subdivision | Section | Tax No. | CLASSIFICATION OF LANDS: Agricultural Lands Acres | Agricultural Lands Value | Timber Lands Acres | Timber Lands Value | Cut Over and Burnt Over Timber Lands Acres | Cut Over and Burnt Over Timber Lands Value | Mineral Lands Acres | Mineral Lands Value | Grazing Lands Acres | Grazing Lands Value | Waste Lands Acres | Waste Lands Value | Improvements on Lands Acres | Improvements on Lands Value | Standing Timber Owned Separate from Land Acres | Standing Timber Owned Separate from Land Value | Other Real Property Acres | Other Real Property Value | Total Value of Real Property | Equities in State Lands | Improvements on Gov. and State Lands and Railroad Right of Way | Cattle Thoroughbred and Graded No. | Cattle Thoroughbred and Graded Value | Common Beef and Oxen No. | Common Beef and Oxen Value | Milk Cows No. | Milk Cows Value | Thoroughbred and Graded Horses No. | Thoroughbred and Graded Horses Value | Stock Horses No. | Stock Horses Value | Hogs No. | Hogs Value | Sheep No. | Sheep Value | Lumber, Sawlogs and Wood Class | Lumber, Sawlogs and Wood Ft. or Cds. | Lumber, Sawlogs and Wood Value | Merchandise Kind | Merchandise Value | Vehicles, Saddles, Robes Kind | Vehicles, Saddles, Robes Value | Library, Instruments, Tools, Implements, Farm Machinery, Wagons and Harness Kind | Library, Instruments, Tools, Implements, Farm Machinery, Wagons and Harness Value | Household Goods, Wearing Apparel, Jewelry Kind | Household Goods, Wearing Apparel, Jewelry Value | Furniture and Fixtures Kind | Furniture and Fixtures Value | Hay, G and O Prod Kind |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 381 | Tucker, Robert | ne¼ sw¼ | 7 | 1 | 35 | 525 | | | | | | | | | 5 | 5 | 50 | | | | | 580 | | 1200 | | | 2 | 70 | 1 | 45 | 29 | 150 | 8m | 600 | 12 | 78 | | | | | | | | | | | | | | | | |
| 2 | 381 | Cambridge | nw¼ sw¼ | 7 | 1 | 30 | 450 | | | | | | | | | 10 | 10 | | | | | | 460 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 381 | | sw¼ sw¼ | 7 | 1 | 30 | 450 | | | | | | | | | 10 | 10 | | | | | | 460 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | 381 | | se¼ sw¼ | 7 | 1 | 25 | 375 | | | | | | | | | 15 | 15 | | | | | | 390 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | 95 | Tuttle, Diana P. | ne¼ se¼ | 7 | 1 | 37 | 555 | | | | | | | | | 3 | 3 | | | | | | 558 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | 95 | % E.W. Tuttle, Cambridge | nw¼ se¼ | 7 | 1 | 37 | 555 | | | | | | | | | 3 | 3 | | | | | | 558 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | 95 | | se¼ se¼ | 7 | 1 | 37 | 555 | | | | | | | | | 3 | 3 | 60 | | | | | 618 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | 240 | Miley, Henry C. | sw¼ se¼ | 7 | 1 | 40 | 600 | | | | | | | | | | | | | | | | 600 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 11 | | Cambridge | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 13 | 148 | Steward, Clyde E. | ne¼ ne¼ | 8 | 1 | 30 | 450 | | | | | | | | | 10 | 10 | | | | | | 460 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 14 | | Indian Valley | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15 | 249 | Biggerstaff. J. E. | nw¼ ne¼ | 8 | 1 | 30 | 450 | | | | | | | 5 | 25 | 5 | 5 | 150 | | | | | 630 | | | | | | | 1 | 45 | | | 2 | 100 | | | | | | | | | | | | | | | | | |
| 16 | | New meadows | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 17 | 245 | Rickaecker, Harry E. | sw¼ ne¼ | 8 | 1 | | | | | | | | | 40 | 200 | | | | | | | | 200 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18 | 245 | Indian Valley | se¼ ne¼ | 8 | 1 | 40 | 600 | | | | | | | | | | | 250 | | | | | 850 | | | | | 1c | 25 | 1 | 45 | | | 2 | 100 | 1 | 8 | | | | | | | 10 | 75 | 1 | 80 | 1 | 125 | | | |
| 19 | 245 | | ne¼ nw¼ | 8 | 1 | 30 | 450 | | | | | | | | | 10 | 10 | | | | | | 460 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | 245 | | se¼ nw¼ | 8 | 1 | 10 | 150 | | | | | | | 30 | 150 | | | | | | | | 300 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 21 | 382 | Ricketts, C. A. = Salubria | nw¼ nw¼ | 8 | 1 | 15 | 225 | | | | | | | 10 | 50 | 15 | 15 | | | | | | 290 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 23 | 243 | Newlin, W. T. = Cambridge | sw¼ nw¼ | 8 | 1 | 30 | 450 | | | | | | | 10 | 50 | | | | | | | | 500 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 24 | 243 | | nw¼ sw¼ | 8 | 1 | 40 | 600 | | | | | | | | | | | | | | | | 600 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 25 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 26 | 230 | Lang, W. T. = Lewiston (Cambridge) | ne¼ se¼ | 8 | 1 | 15 | 225 | | | | | | | 10 | 50 | 15 | 15 | | | | | | 290 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 27 | 230 | | se¼ se¼ | 8 | 1 | 15 | 225 | | | | | | | 15 | 75 | 10 | 10 | 150 | | | | | 460 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 28 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 29 | 91 | Ware, H. L. = Eugene, Ore. | E² ne¼ ne¼ | 9 | 1 | 10 | 500 | 5 | 100 | | | | | | | 5 | 5 | | | | | | 605 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 30 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 31 | 1484 | Lawer, Milt | W² ne¼ ne¼ | 9 | | 20 | 1000 | | | | | | | | | | | | | | | | 1000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 32 | 1484 | | nw¼ ne¼ | 9 | | 25 | 375 | 10 | 200 | | | | | | | 5 | 5 | | | | | | 580 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

67-4273
67-4276

TOWNSHIP 14 North. RANGE 1 West

# ASSESSMENT ROLL FOR THE YEAR 1915
## REAL PROPERTY

PRINTED IN ADAMS COUNTY BY THE COUNCIL LEADER

| Line No. | Check | OWNER OR REPUTED OWNER'S NAME AND RESIDENCE | Subdivision | Section | Tax No. | CLASSIFICATION OF LANDS: Agricultural Lands Acres | Agricultural Lands Value | Timber Lands Acres | Timber Lands Value | Cut Over and Burnt Over Timber Lands Acres | Cut Over and Burnt Over Timber Lands Value | Mineral Lands Acres | Mineral Lands Value | Grazing Lands Acres | Grazing Lands Value | Waste Lands Acres | Waste Lands Value | Improvements on Lands Acres | Improvements on Lands Value | Standing Timber Owned Separate from Land Acres | Standing Timber Owned Separate from Land Value | Other Real Property Acres | Other Real Property Value | Total Value of Real Property | Equities in State Lands | Improvements on Gov. and State Lands and Railroad Right of Way | Cattle Thoroughbred and Graded No. | Cattle Thoroughbred and Graded Value | Common Beef and Oxen No. | Common Beef and Oxen Value | Milk Cows No. | Milk Cows Value | Thoroughbred and Graded Horses No. | Thoroughbred and Graded Horses Value | Stock Horses No. | Stock Horses Value | Hogs No. | Hogs Value | Sheep No. | Sheep Value | Lumber, Sawlogs and Wood Class | Lumber, Sawlogs and Wood Ft. or Cds. | Lumber, Sawlogs and Wood Value | Merchandise Kind | Merchandise Value | Vehicles, Saddles, Robes Kind | Vehicles, Saddles, Robes Value | Library, Instruments, Tools, Implements, Farm Machinery, Wagons and Harness Kind | Library, Instruments, Tools, Implements, Farm Machinery, Wagons and Harness Value | Household Goods, Wearing Apparel, Jewelry Kind | Household Goods, Wearing Apparel, Jewelry Value | Furniture and Fixtures Kind | Furniture and Fixtures Value | Hay, [illegible] and [illegible] Prod Kind |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 160 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 662 | Hutchison, A. L. | ne¼ se¼ | 3 | ✓ | 15 | 750 | | | | | | | | | 25 | 25 | | | | | | | 775 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 661 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | 125 | Hutchison, W. | nw¼ se¼ | 3 | ✓ | | | | | | | | | | | 40 | 40 | | | | | | | 40 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 661 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | 125 | Indian Valley | sw¼ se¼ | 3 | ✓ | | | | | | | | | | | 40 | 40 | | | | | | | 40 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 562 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | 83 | McDowell, A. | ne¼ ne¼ | 4 | ✓ | | | | | | | | | | | 40 | 40 | | | | | | | 40 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 62 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | 83 | Indian Valley | nw¼ ne¼ | 4 | ✓ | 16 | 800 | | | | | | | | | 24 | 24 | | | | | | | 824 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 62 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | 83 | | sw¼ ne¼ | 4 | ✓ | 39 | 1950 | | | | | | | | | 1 | 1 | | | | | | | 1951 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 62 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | 83 | | se¼ ne¼ | 4 | ✓ | 30 | 1500 | | | | | | | | | 10 | 10 | 450 | | | | | | 1960 | | | | | 10 | 350 | 2 | 100 | 39 | 250 | 2 | 80 | 3 | 26 | | | Lumber | 9 | 90 | | | 10 | 20 | 1 | 75 | 1 | 250 | | |
| 11 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 53 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 12 | 64 | Hutchison, Andrew | ne¼ nw¼ | 4 | ✓ | 30 | 1500 | | | | | | | | | 10 | 10 | | | | | | | 1510 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 13 | 616 | Indian Valley | nw¼ nw¼ | 4 | ✓ | 25 | 1250 | | | | | | | 10 | 50 | 5 | 5 | 1050 | | | | | | 2355 | | | | | 23 | 805 | 3 | 175 | 39 | 300 | 6 | 180 | 3 | 25 | 40 | 140 | | | | | | 10 | 25 | 1 | 70 | 1 | 50 | | |
| 14 | 616 | | se¼ nw¼ | 4 | ✓ | 35 | 1750 | | | | | | | | | 5 | 5 | | | | | | | 1755 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16 | 94 | Hutchison, E. W | sw¼ nw¼ | 4 | ✓ | 15 | 750 | | | | | | | 15 | 75 | 10 | 10 | | | | | | | 835 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 17 | 94 | Indian Valley | nw¼ sw¼ | 4 | ✓ | 6 | 300 | | | | | | | 20 | 100 | 14 | 14 | 1305 | | | | | | 1719 | | | 15g | 600 | | | | | | | | | | | | | | | | | | | | | | | | |
| 18 | | | | | | | | | | | | | | | | | | | | | | | | | | | 13k | 100 | | | 1 | 50 | 49 | 400 | 12 | 380 | 11 | 42 | 20 | 70 | | | | | | 12 | 10 | 1 | 150 | 1 | 100 | | |
| 19 | 616 | Hutchison, Andrew | nw¼ sw¼ | 4 | ✓ | 20 | 1000 | 15 | 300 | | | | | 5 | 25 | | | | | | | | | 1325 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 21 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 22 | 93 | Bailey, J. D. | sw¼ sw¼ | 4 | ✓ | 5 | 75 | | | | | | | 35 | 175 | | | | | | | | | 250 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 23 | 93 | Indian Valley | se¼ sw¼ | 4 | ✓ | 15 | 750 | | | | | | | 25 | 125 | | | 310 | | | | | | 1185 | | | | | 25 | 70 | 1 | 45 | 19 | 90 | 2m | 225<br>2 | 100 | 2s | 9 | | | | | | 12 | 10 | 1 | 125 | 1 | 80 | | |
| 24 | 93 | | sw¼ se¼ | 4 | ✓ | 22 | 1100 | 5 | 100 | | | | | | | 13 | 13 | | | | | | | 1213 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 25 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 26 | 82 | Lewis, G. W. = Council | se¼ se¼ | 4 | ✓ | 33 | 1650 | | | | | | | 6 | 30 | 1 | 1 | | | | | | | 1681 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 27 | 82 | | ne¼ se¼ | 4 | ✓ | 39 | 1950 | | | | | | | | | 1 | 1 | | | | | | | 1951 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 28 | 82 | | nw¼ se¼ | 4 | ✓ | 37 | 1850 | 2 | 30 | | | | | | | 1 | 1 | | | | | | | 1881 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 29 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 30 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 31 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 32 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

67-4273
67-4276

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

JUNE 20, 1979

TOM OGLE
DELBERT OGLE
INDIAN VALLEY ID 83632,

RE: Claim No. 67-4276

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

William Smith

DAVID B. SHAW
Western Region Supervisor

Form No. 243
7/7c

# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

# CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Tom &/or Delbert Ogle (Name of Claimant)

Indian Valley, ID (Mailing Address) (Zip Code) Telephone No. _____

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) May 1949

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
flood water of Little Weiser River tributary to Weiser River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

| | (cfs, gpd, AFA) | (Domestic, Irrigation, Stock, Etc.) | (Both dates Inclusive) Period of Use (Mo., Day) | | (Mo., Day) |
|---|---|---|---|---|---|
| Quantity | 0.60 cfs | Use irrigation | Period of Use From | May 1 | To Oct. 31 |
| Quantity | | Use | Period of Use From | | To |
| Quantity | | Use | Period of Use From | | To |
| Quantity | | Use | Period of Use From | | To |
| Quantity | | Use | Period of Use From | | To |

(4) 0.60 cfs (cfs, gpd, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 9 Twp. 14N Rge. 1W B.M., County of Adams
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. cement head gate with gravity ditch to field.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T | R | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 14N | 1W | 9 | | 15 | 7 | | 6 | | | 2 | | | | | | | | | 30 |
| | | | | | | | | | | | | | | | | | | | |
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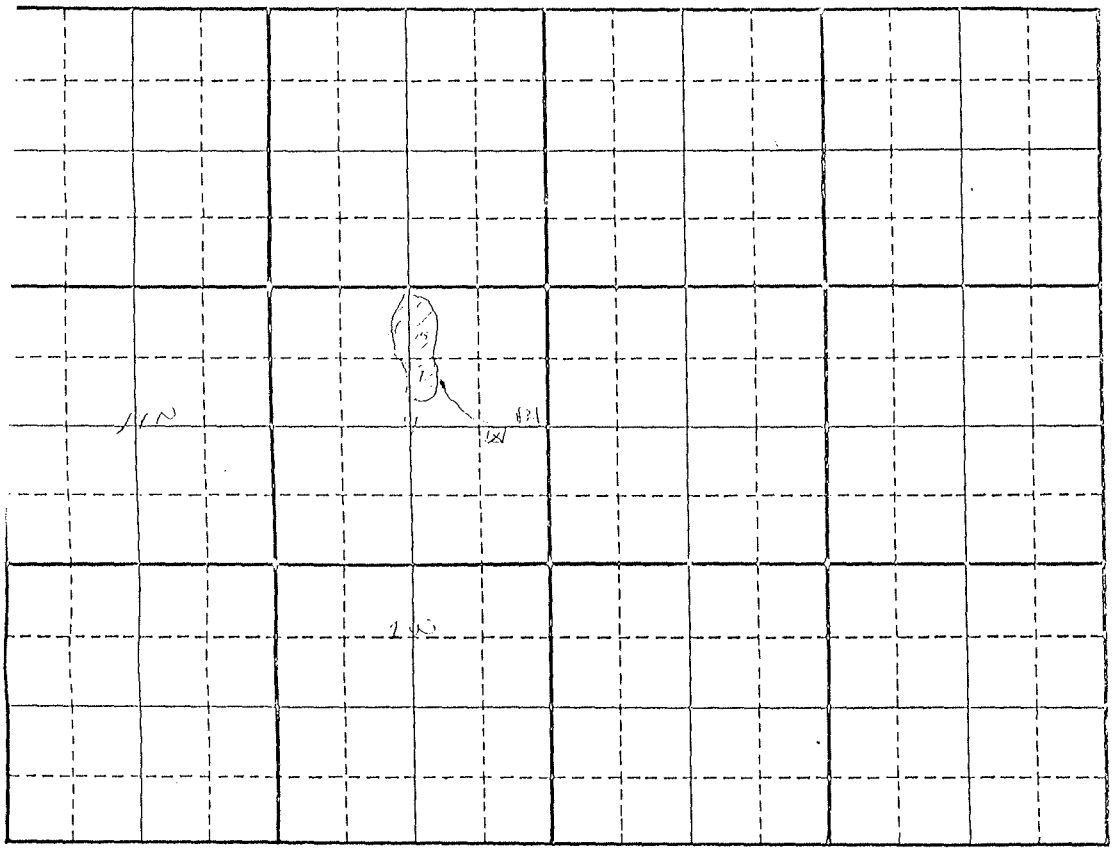
No. of acres 30

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

*NOTE:* Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )
) ss.
County of Adams )

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Thomas E. Dyke
(Claimant)

Sworn to before me this 11 day of May, 1979.

Kathleen A. Walker
Notary Public
Residing at Boise

My commission expires _____

FOR DEPARTMENT USE ONLY

| | | | | | |
|---|---|---|---|---|---|
| Received by CED | Date 11 May 79 | Exception filed by: | Fowarded to claimant by: | Date |
| Prelim. check by _____ | Date _____ | | | |
| $20.00 fee received by CED | Date 5-11-79 #13077 | | | |
| Published in Adams County Leader | | | KK | 6/15/79 |
| Dates 5/24 & 5/31/79 | | | | |

# CONVERSATIONAL MEMORANDUM

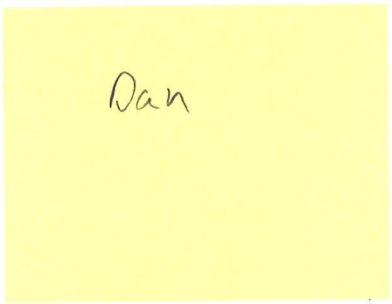
Date: September 14, 2005

To: File 67-4052D, 67-4052E, 67-4273, 67-4276, 67-12338

From: Craig L. Saxton

Subject: Evidence of priority

Received a call from Ethel Pearson and she said she needs an extension on the deadline. I told her to take the time she needs and get back to us as soon as she can. She was really nice and said she was worried to call as she heard that we were all really angry over here.



Denise,

No splits need to be done

67-10167 – Already in Ethel's name
no action needed

67-00457 } Can be changed
67-00458B } no splits necessary
67-04276 } c/o OK
67-04273 }

67-00460 } No change. Deed
67-04274 } provided does not
67-04275 } Indicate ownership of
these Rights.

Craig

SCANNED
APR 0 8 2004

RECEIVED
DEC 18 2001
WATER RESOURCES
WESTERN REGION

2982 Cutler Road
Cambridge, Idaho 83610
December 15, 2001

Lori Graves
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Dear Lori:

Thank you so much for your letter, the copies of the water claims within our property boundaries, and for all the work it took to find them. I have completed the form you sent, and am returning it to you with this note.

I am assuming there is nothing more we need to do at this time. If there is, please let me know.

Again my thanks.

Sincerely,

Thel

Thel Pearson

Previously rec'd 12/94.
See deed attached.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

12/07/2001

Thel Pearson and Robin Thorsen
2982 Cutler Rd
Cambridge ID 83610

Dear Thel and Robin:

Enclosed please find copies of all the claims filed and found within your property boundaries in the name of Delbert and/or Tom Ogle. The claims have yet to be decreed in the Snake River Basin Adjudication, which means we still have tome to do a name change so that the decrees are issued in your names. Please complete nos. 4, 5,and 7 on the enclosed Change of Ownership form and return to my attention. There is no charge.

Let me know if you have any questions.

Sincerely,

Lori Graves
Sr. Water Resource Agent

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DEC 0 3 2001
WATER RESOURCES
WESTERN REGION

2982 Cutler Road
Cambridge, Idaho 83610
November 29, 2001

Lori Graves
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Dear Lori:

In a telephone conversation several months ago, you told me that if I sent in the legal description of our land, you would clarify our water rights in Indian Valley and make sure that they are now in our names. I apologize for taking so long.

I am enclosing several papers. "Exhibit A" gives a brief legal description of the first 825 acres. A longer version is attached, but I think that the details are just trying to define the course of the Little Weiser River. We have no land east of the river. The descriptions of Parcel 1 and Parcel 2 on the Trustee Deed defines the additional 300 acres.

I am also enclosing a copy of the paper given us by the real eastate office. I brought it with me to your office when we first purchased the land. It shows Delbert Ogle on this sheet; water rights might also be listed under Tom Ogle's name, as it was originally his ranch.

I appreciate the work that you will be doing, and look forward to hearing from you.

Sincerely,

Thel Pearson

Robin Thorsen

Thel (Ethel) Pearson
Robin Thorsen

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 67-4273
Date Received: 9/12/1989
Receipt No: C011574
Received By:

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

1. Name of Claimant(s)

ROBIN L THORSEN
2982 CUTLER RD
CAMBRIDGE ID USA 83610-5166
Phone: (208)257-3541

ETHEL J PEARSON
2982 CUTLER RD
CAMBRIDGE ID USA 83610-5166
Phone: (208)257-3541

2. Date of Priority: 05/01/1968

3. Source: WASTE WATER Trib. to: LITTLE WEISER RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 | 1/4 | 1/4 | Lot | County | Type |
|---|---|---|---|---|---|---|---|---|
| 14N | 01W | 4 | SE | NE | SW | | ADAMS | |

5. Description of diverting works:

10" CULVERT FROM WASTE DITCH

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) A.F.A |
|---|---|---|---|---|
| IRRIGATION | 3/15 | 11/15 | 0.14 | |

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

8. Total consumptive use:

SCANNED
APR 0 8 2004

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | | Lot | Use | Acres |
|---|---|---|---|---|---|---|---|
| 14N | 01W | 4 | NE | SW | | IRRIGATION | 7 |
| | | | | | | Section Acres | 7 |
| | | | | | | Total Acres | 7 |

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 7/8/2002

ADDRESS CHANGE, ROUTE AND BOX TO GRID 5/12/99 SS.

15. Basis of Claim: Statutory Claim

Form 42-248/42-1409(6) July, 2000

# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES
# NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
DEC 18 2001
WATER RESOURCES
WESTERN REGION

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 Right No(s). | Adjudication Claim No(s). | Split | Water Right No(s). | Adjudication Claim No(s). | Split |
|---|---|---|---|---|---|
| | 67-4276 | | | 67-4274 | |
| | -457 | | | -4273 | |
| | -458B | | | | |
| | -4275 | | | | |
| | -462 | | | | |

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): DELBERT OGLE
   1039 W INDIAN VALLEY RD, CAMBRIDGE

4. New Owner/Claimant(s): Ethel J Pearson Robin Thorsen
   Name Connector (Check one): [ ] and, [X] or, [ ] and/or

   New Mailing Address: 2982 Cutler Rd.

   City, State and ZIP Code: Cambridge, ID 83610-5166

   New Telephone Number: (208) 257-3541

5. Date you acquired the property: November 1996 + April 1997 (Parcel 1 & 2)

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 Right and/or Adjudication Claim Number _____

| Water Use | Diversion Rate or Volume (cubic feet per second or acre-feet per annum) | Description (acres, number and type of stock, homes, etc) |
|---|---|---|
| Irrigation | | |
| Stock | | |
| Domestic | | |
| Other _____ | | |
| **Total** | | |

**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

| Water Use | Diversion Rate or Volume (cubic feet per second or acre-feet per annum) | Description (acres, number and type of stock, homes, etc) |
|---|---|---|
| Irrigation | | |
| Stock | | |
| Domestic | | |
| Other _____ | | |
| **Total** | | |

7. Signature of New Owner(s) or Claimant(s) (include title if applicable) Ethel J. Pearson
Robin Thorsen

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.

**For Office Use Only**
Received by _____ Date _____ Fee _____
Receipted by _____ Date _____ Receipt No. _____
Processed by _____AJ Date _____ WR _____ Date _____

**Exhibit A**

LEGAL DESCRIPTION

**T14N, R1W B.M.**

**SEC. 4**
S2 of SW4 and that part in NE4 SW4 laying South and West of the Little Weiser river.
Also that part laying West in SW4 SE4 of the Little Weiser River.

**SEC. 5**
S2 SE4 and that part in the SE4 of the SE4 laying South and East

**SEC. 8**
N2 of the NE4; the NE4 of NW4 except the NW corner about 6 acres more or less separated by a property fence line.
Also a 5 acre parcel in the NW4 NW4 in the South East Corner: See Platmap.

**SEC. 9**
The W2; the W2 of the E2 excepting that part East of the Little Weiser River in that section.

Including all water and mineral rights pertaining to subject property.

# SCHEDULE C
# ORDER NO. 100-95-545
# POLICY NO. J-663371

## TRACT 1

Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 4: S1/2SW1/4 and all that part of the NE1/4SW1/4 and SW1/4SE1/4 lying South and West of the thread of the Little Weiser River, the thread being more particularly described as follows:
Beginning at a point on the West line of the NE1/4SW1/4 of said Section 4, from which the SW 1/16 corner bears South 00°10'01" East 637.9 feet;
Thence South 61°04' East 211.9 feet;
Thence North 74°26' East 216.4 feet;
Thence South 80°05' East 187.4 feet;
Thence South 72°29' East 150.6 feet;
Thence South 85°15' East 96.5 feet;
Thence South 06°20' West 74.2 feet;
Thence South 39°47' West 137.6 feet;
Thence South 09°36' East 79.0 feet;
Thence South 67°47' East 119.6 feet;
Thence South 87°22' East 85.0 feet;
Thence North 66°08' East 66.5 feet;
Thence South 74°49' East 347.0 feet;
Thence South 74°49' East 116.0 feet;
Thence South 80°45' East 143.7 feet;
Thence South 31°00' East 88.9 feet;
Thence South 09°00' East 138.9 feet;
Thence South 33°02' West 314.1 feet;
Thence South 50°50' East 106.2 feet;
Thence North 67°29' East 45.5 feet;
Thence North 33°30' East 51.6 feet;
Thence South 48°04' East 89.8 feet;
Thence South 06°03' East 92.2 feet;
Thence North 82°16' West 45.3 feet;
Thence South 19°35' West 40.0 feet;
Thence South 37°53' East 65.3 feet;
Thence South 63°03' East 284.4 feet;
Thence South 23°32' East 66.6 feet;
Thence South 16°10' West 111.7 feet;
Thence South 34°46' West 164.8 feet;
Thence South 60°39' West 76.6 feet;
Thence South 19°18' West 85.7 feet;
Thence South 09°58' East 132.9 feet to a point on the South line of said Section 4, and the POINT OF ENDING from which the 1/4 corner common to Sections 4 and 9 bears South 89°42'48" West 441.9 feet, more or less.

Section 5: S1/2SE1/4 and all that part of the SE1/4SW1/4 lying Southeasterly of the existing boundary line running diagonally in a Southwesterly direction from the NE corner of the SE1/4SW1/4 of Section 5 toward the SW corner of the NW1/4 of Section 8.

Section 8: N1/2NE1/4, and all that part of the NW1/4NW1/4 and the NE1/4NW1/4 lying Southeasterly of the boundary fence above described.

CONTINUED

Section 9: W1/2 excepting the SW1/4SW1/4; W1/2E1/2, Excepting all that part of the W1/2E1/2 lying east of the thread of the Little Weiser River, the thread being more particularly described as follows:
Beginning at a point on the line common to said Sections 9 and 4, from which the common 1/4 corner of said Sections bears South 89°42'48" West 441.9 feet, more or less;
Thence South 31°11' East 459.5 feet;
Thence South 06°34' West 132.2 feet;
Thence South 43°00' West 99.3 feet;
Thence South 06°49' West 90.2 feet;
Thence South 40°14' East 40.1 feet;
Thence North 87°03' East 137.8 feet;
Thence South 73°16' East 48.4 feet;
Thence South 47°44' East 156.4 feet;
Thence South 70°18' East 122.2 feet;
Thence North 70°47' East 59.4 feet;
Thence North 33°57' East 62.0 feet;
Thence South 58°27' East 71.9 feet;
Thence South 31°33' East 66.4 feet;
Thence South 02°17' West 301.5 feet;
Thence South 14°31' East 127.2 feet;
Thence South 17°09' West 133.7 feet;
Thence South 21°57' East 53.7 feet;
Thence South 86°36' East 107.1 feet to a point on the East line of the W1/2E1/2 of said Section 9 (East line of the SW1/4NE1/4 and the POINT OF ENDING from which the Center-East 1/16 corner bears South 00°04'54" West 1138.2 feet, more or less.
EXCEPTING any road rights-of-way as now establised.
EXCEPTING the Weiser River.

## TRACT 2

Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 8: SE1/4SE1/4, E1/2SW1/4SE1/4
Section 9: SW1/4SW1/4
EXCEPTING any road rights-of-way as now established.

# TRUSTEE DEED

FOR VALUE RECEIVED in the amount of one hundred sixty five thousand dollars ($165,000.00), RONALD D. SCHOEN, as duly appointed, qualified and acting Standing Chapter 12 Trustee in Bankruptcy Case No. 95-00557, in the United States Bankruptcy Court for the District of Idaho, wherein Delbert and Marion Ogle appear as Debtors, Grantor therein, does hereby grant, bargain, sell and convey unto ETHEL J. PEARSON, a single person, and ROBIN L. THORSEN, a single person, the Grantees, all right, title and interest to the said Estate, in and to the following described real property, located in the County of Adams, State of Idaho:

**PARCEL 1**
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho.
Section 8: SW1/4SW1/4, E1/2SW1/4, W1/2SW1/4SE1/4, NE1/4SE1/4
EXCEPTING THEREFROM the County Road right-of-way as set forth in deed recorded October 1, 1911 in Book 2 Deeds page 129.

**PARCEL 2**
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho.
Section 8: S1/2NE1/4, SE1/4NW1/4

**THE SALE OF PARCEL 1 and 2 TO THE GRANTEES IS SUBJECT TO:**

1) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

2) Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

3) Easements, claims of easement or encumbrances which are not shown by the public records.

# TRUSTEE DEED

FOR VALUE RECEIVED in the amount of four hundred eighty six thousand four hundred eighty dollars ($486,480.00), RONALD D. SCHOEN, as duly appointed, qualified and acting Standing Chapter 12 Trustee in Bankruptcy Case No. 95-00557, in the United States Bankruptcy Court for the District of Idaho, wherein Delbert and Marian Ogle appear as Debtors, Grantor therein, does hereby grant, bargain, sell and convey unto ETHEL J. PEARSON, a single person, and ROBIN L. THORSEN, a single person, the Grantees, all right, title and interest to the said Estate, in and to the following described real property, located in the County of Adams, State of Idaho:

**TRACT I**
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho.

Section 4:

The S1/2SW1/4, containing 80.56 acres, more or less, the NE1/4SW1/4 and the SW1/4SE1/4 lying southerly and westerly of the thread of the Little Weiser River, the thread being more particularly described as follows:

**BEGINNING** at a point on the East Line of the Northeast 1/4 of the Southwest 1/4 said Section 4, from which the Southwest 1/16 Corner bears South 00°10'01" East, 637.9 feet;

Thence South 61°04' East, 211.9 feet;
Thence South 80°05' East, 187.4 feet;
Thence South 85°15' East, 96.5 feet;
Thence South 39°47' West, 137.6 feet;
Thence South 67°47' East, 119.6 feet;
Thence North 66°08' East, 66.5 feet;
Thence South 74°49' East, 116.0 feet;
Thence South 31°00' East, 88.9 feet;
Thence South 33°02' West, 314.1 feet;
Thence North 67°29' East, 45.5 feet;
Thence North 74°26' East, 216.4 feet;
Thence South 72°29' East, 150.6 feet;
Thence South 06°20' West, 74.2 feet;
Thence South 09°36' East, 79.0 feet;
Thence South 87°22' East, 85.0 feet;
Thence South 74°49' East, 347.0 feet;
Thence South 80°45' East, 143.7 feet;
Thence South 09°00' East, 138.9 feet;
Thence South 50°50' East, 106.2 feet;
Thence North 33°30' East, 51.6 feet;

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WESTERN REGION

**TRACT I (cont'd)**

Thence South 48°04' East, 89.8 feet; Thence South 06°03' East, 92.2 feet;
Thence North 82°16' West, 45.3 feet; Thence South 19°35' West, 40.0 feet;
Thence South 37°53' East, 65.3 feet; Thence South 63°03' East, 284.4 feet;
Thence South 23°32' East, 66.6 feet; Thence South 16°10' West, 111.7 feet;
Thence South 34°46' West, 164.8 feet; Thence South 60°39' West, 76.6 feet;
Thence South 19°18' West, 85.7 feet; Thence South 09°58' East, 132.9 feet, to a point on the South Line of said Section 4 and the **POINT OF ENDING**, from which the 1/4 corner common to Sections 4 and 9 bears, South 89°42'48" West, 441.9 feet, more or less.

Containing 12.35 acres, more or less in the NE1/4SW1/4 and 12.31 acres, more or less in the SW1/4SE1/4.

Section 5:

S1/2SE1/4 and all that part of the SE1/4SW1/4 lying Southeasterly of the existing boundary line running diagonally in a Southwesterly direction from the NE corner of the SE1/4SW1/4 of Section 5 toward the SW corner of the NW1/4 of Section 8.

Section 8:

N1/2NE1/4, and all that part of the NW1/4NW1/4 and the NE1/4NW1/4 lying Southeasterly of the boundary fence above described.

Section 9:

RP 14N01W09 0830A

W1/2 excepting the SW1/4SW1/4; W1/2E1/2 excepting all that part lying easterly of the thread of the Little Weiser River, the thread being more particularly described as follows:

**BEGINNING** at a point on the line common to said Sections 9 and 4, from which the common 1/4 Corner of said Sections bears South 89°42'48" West, 441.9 feet, more or less.

Thence South 31°11' East, 459.5 feet; Thence South 06°34' West, 132.2 feet;
Thence South 43°00' West, 99.3 feet; Thence South 06°49' West, 90.2 feet;
Thence South 40°14' East, 40.1 feet; Thence North 87°03' East, 137.8 feet;
Thence South 73°16' East, 48.4 feet; Thence South 47°44' East, 156.4 feet;
Thence South 70°18' East, 122.2 feet; Thence North 70°47' East, 59.4 feet;
Thence North 33°57' East, 62.0 feet; Thence South 58°27' East, 71.9 feet;
Thence South 31°33' East, 66.4 feet; Thence South 02°17' West, 301.5 feet;
Thence South 14°31' East, 127.2 feet; Thence South 17°09' West, 133.7 feet;
Thence South 21°57' East, 53.7 feet; Thence South 86°36' East, 107.1 feet, to a point on the East Line of the West1/2E1/2 of said Section 9 (East line of the SW1/4NE1/4) and the **POINT OF ENDING,** from which the Center-East 1/16 Corner bears South 00°04'54" West, 1138.2 feet, more or less.

**TRACT I (cont'd)**

Excepting and road rights-of-way as now established.

Said W 1/2 of the East 1/2 contains 145.25 acres more or less.

The Basis of Bearing for this description is Geodetic North as determined at a point that lies 2860 feet East of the Northeast Corner of Section 4, Township 14 North, Range 1 West, Boise Meridian.

**TRACT II**
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho.

Section 8:

SE1/4SE1/4; E1/2SW1/4SE1/4.

Section 9:

SW1/4SW1/4

Excepting and road rights-of-way as now established.

**THE SALE OF TRACT I AND II TO THE GRANTEES IS SUBJECT TO:**

1) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

2) Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

3) Easements, claims of easement of encumbrances which are not shown by the public records.

4) Discrepancies, conflicts in boundary lines, shortage in area, encroachments or by any other facts which a correct survey would disclose, and which are not shown by the public records.

5) Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.

6) Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

**THE SALE OF TRACT I AND II TO THE GRANTEES IS SUBJECT TO (cont'd):**

7) RESERVATIONS, TERMS AND CONDITIONS in deed for undivided one-half interest for oil, gas and mineral rights between UNION CENTRAL LIFE INSURANCE COMPANY and ARTHUR WILSON, recorded April 4, 1935 in Book 14 Deeds page 152. Affects Section 9: S1/2NW1/4 and N1/2SW1/4.

8) EASEMENT granted to FLOOD CONTROL DISTRICT NO. 3 of IDAHO over NE1/4NW1/4, W1/2E1/2, W1/2NE1/4NE1/4 of Section 9, recorded July 12, 1965 in Book 26 Deeds page 600.

9) PERPETUAL EASEMENT AND RIGHT-OF-WAY granted to FLOOD CONTROL DISTRICT NO. 3 OF THE STATE OF IDAHO, recorded July 12, 1965 in Book 26 Deeds page 599.

10) GAS LEASE RATIFICATION recorded July 19, 1982 in Book 11 Misc. pages 304-305, and October 13, 1981 as Instr. No. 63032.

11) ANY CLAIMS ARISING FROM THE AMBIGUOUS LEGAL DESCRIPTION (diagonal lines in Sections 5 and 8).

12) ANY PRESENT OR DEFERRED TAX LIEN on the herein described property arising under or by virtue of the Forest Products Yield Tax as provided by Idaho Code 63-1701 or 63-1706 as amended.

13) LACK OF A RIGHT OF ACCESS TO AND FROM SAID PROPERTY.

14) ANY CLAIM arising from the differences in the mean high water line of the Little Weiser River and the meander line as shown by the original government survey.

15) ANY RIGHTS, INTERESTS OR EASEMENTS in favor of the public which exist or are claimed to exist over any part of said land covered by the Little Weiser River.

16) Grantees acknowledge that any water, ditch or diversion rights which are applicable to the land being retained by the Debtors shall not be changed, modified or reduced by this sale. The Debtors and their successors in interest shall have ingress and egress across the property of the Grantees for purposes of utilizing and maintaining the headgates, waterways and water rights which the Debtors previously have had and currently retain.

17) Grantees are obligated to erect and maintain a fence along the survey line established along the boundary of the property adjacent to and following the Little Weiser River. Said fence shall be established at Grantees' cost and shall be fully maintained by Grantees in the future.

INSTRUMENT NO. 91152

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantees, their heirs and assigns forever. And Grantor does hereby covenant to and with the Grantees that the property is free from all encumbrances except as set forth hereinabove.

DATED This 27TH day of November, 1996.

Ronald D. Schoen

Ronald D. Schoen, Trustee

STATE OF IDAHO )
)
County of Adams )

On this 27TH day of November, 1996, before me, the undersigned, a Notary Public in and for subject State, personally appeared RONALD D. SCHOEN, known to me to be the person whose name is subscribed to the foregoing Trustee Deed, and acknowledged to me that he executed the same as the Trustee of the Estate of DELBERT OGLE AND MARIAN OGLE, husband and wife, and that he executed the same as the Grantor.

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

Christy A. Bury

Notary Public for Idaho
Residing at Irrigtvale Idaho
My Commission Expires 8/4/98

CHRISTY A. BURY NOTARY PUBLIC STATE OF IDAHO

INSTRUMENT NO. 91152
State of Idaho )
County of Adams ) ss.

Filed for record at the request of
Timberline Title & Escrow
11 min. past 11 o'clock A.M.
this 27 day of Nov, 1996
MICHAEL FISK, RECORDER
by Peggy Linbal Deputy
Fee $15.00

INSTRUMENT NO.
U.S. BANKRUPTCY COURT
DISTRICT OF IDAHO

Ronald D. Schoen, Trustee
Box 216
Payette, ID 83661
Tel No. (208) 642-9820
Fax No. (208) 642-1009

COPY

NOV 14 1996
10:40 M. REC'D
LODGED FILED

UNITED STATES BANKRUPTCY COURT

DISTRICT OF IDAHO

RECEIVED
DEC 09 1996
WATER RESOURCES
WESTERN REGION

| | |
|---|---|
| In re: | Chapter 12 |
| DELBERT OGLE<br>MARIAN OGLE | Case No. 95-00557 |
| Debtors. | **ORDER APPROVING TRUSTEE'S MOTION FOR APPROVAL TO SELL REAL PROPERTY** |

Upon Motion of the Trustee, the Court hereby orders the Trustee to convey by Trustee's Deed the following-described real property under the terms and conditions set forth, with distribution of the proceeds of sale as specified herein.

The Trustee shall convey by good and satisfactory Trustee's Deed said real property to Ethel Pearson and Bo Thorsen. Said sale shall be closed no later than November 21, 1996 and the Trustee is authorized to use the services of Timberline Title & Escrow of Council, Idaho to perform necessary and customary services in closing said transaction with all fees and charges to be paid as outlined in this Order.

Legal descriptions in this Order are in accordance with the Committment for Title Insurance No. 100-95-545 issued December 5, 1995 by First American Title Insurance Company, additional property belonging to Ted Moritz, and the legal description contained in this Order pertaining to Section 4 and Section 9 as provided by Bi-State Surveys, Ltd. of Payette, Idaho, November 5, 1996 job number 7402-601-A.

11-14-96

**A. TRACT I (AgAmerica, FCB) $435,000.00**

Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho.

Section 4:

The S1/2SW1/4, containing 80.56 acres, more or less, the NE1/4SW1/4 and the SW1/4SE1/4 lying southerly and westerly of the thread of the Little Weiser River, the thread being more particularly described as follows:

**BEGINNING** at a point on the East Line of the Northeast 1/4 of the Southwest 1/4 said Section 4, from which the Southwest 1/16 Corner bears South 00°10'01" East, 637.9 feet;
Thence South 61°04' East, 211.9 feet; Thence North 74°26' East, 216.4 feet;
Thence South 80°05' East, 187.4 feet; Thence South 72°29' East, 150.6 feet;
Thence South 85°15' East, 96.5 feet; Thence South 06°20' West, 74.2 feet;
Thence South 39°47' West, 137.6 feet; Thence South 09°36' East, 79.0 feet;
Thence South 67°47' East, 119.6 feet; Thence South 87°22' East, 85.0 feet;
Thence North 66°08' East, 66.5 feet; Thence South 74°49' East, 347.0 feet;
Thence South 74°49' East, 116.0 feet; Thence South 80°45' East, 143.7 feet;
Thence South 31°00' East, 88.9 feet; Thence South 09°00' East, 138.9 feet;
Thence South 33°02' West, 314.1 feet; Thence South 50°50' East, 106.2 feet;
Thence North 67°29' East, 45.5 feet; Thence North 33°30' East, 51.6 feet;
Thence South 48°04' East, 89.8 feet; Thence South 06°03' East, 92.2 feet;
Thence North 82°16' West, 45.3 feet; Thence South 19°35' West, 40.0 feet;
Thence South 37°53' East, 65.3 feet; Thence South 63°03' East, 284.4 feet;
Thence South 23°32' East, 66.6 feet; Thence South 16°10' West, 111.7 feet;
Thence South 34°46' West, 164.8 feet; Thence South 60°39' West, 76.6 feet;
Thence South 19°18' West, 85.7 feet; Thence South 09°58' East, 132.9 feet, to a point on the South Line of said Section 4 and the **POINT OF ENDING,** from which the 1/4 corner common to Sections 4 and 9 bears, South 89°42'48" West, 441.9 feet, more or less.

Containing 12.35 acres, more or less in the NE1/4SW1/4 and 12.31 acres, more or less in the SW1/4SE1/4.

Section 5:

S1/2SE1/4 and all that part of the SE1/4SW1/4 lying Southeasterly of the existing boundary line running diagonally in a Southwesterly direction from the NE corner of the SE1/4SW1/4 of Section 5 toward the SW corner of the NW1/4 of Section 8.

Section 8:

N1/2NE1/4, and all that part of the NW1/4NW1/4 and the NE1/4NW1/4 lying Southeasterly of the boundary fence above described.

**A. TRACT I (AgAmerica, FCB) $435,000.00 (cont'd)**
Section 9:

W1/2 excepting the SW1/4SW1/4; W1/2E1/2 excepting all that part lying easterly of the thread of the Little Weiser River, the thread being more particularly described as follows:

**BEGINNING** at a point on the line common to said Sections 9 and 4, from which the common 1/4 Corner of said Sections bears South 89°42'48" West, 441.9 feet, more or less.

Thence South 31°11' East, 459.5 feet; Thence South 06°34' West, 132.2 feet;
Thence South 43°00' West, 99.3 feet; Thence South 06°49' West, 90.2 feet;
Thence South 40°14' East, 40.1 feet; Thence North 87°03' East, 137.8 feet;
Thence South 73°16' East, 48.4 feet; Thence South 47°44' East, 156.4 feet;
Thence South 70°18' East, 122.2 feet; Thence North 70°47' East, 59.4 feet;
Thence North 33°57' East, 62.0 feet; Thence South 58°27' East, 71.9 feet;
Thence South 31°33' East, 66.4 feet; Thence South 02°17' West, 301.5 feet;
Thence South 14°31' East, 127.2 feet; Thence South 17°09' West, 133.7 feet;
Thence South 21°57' East, 53.7 feet; Thence South 86°36' East, 107.1 feet, to a point on the East Line of the W1/2E1/2 of said Section 9 (East line of the SW1/4NE1/4) and the **POINT OF ENDING**, from which the Center-East 1/16 Corner bears South 00°04'54" West, 1138.2 feet, more or less.

Excepting any road rights-of-way as now established.

Said West 1/2 of the East 1/2 contains 145.25 acres more or less.

The Basis of Bearing for this description is Geodetic North as determined at a point that lies 2860 feet East of the Northeast Corner of Section 4, Township 14 North, Range 1 West, Boise Meridian.

**B. TRACT 2 (Ted Moritz) $51,480.00**
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho.

Section 8:

SE1/4SE1/4; E1/2SW1/4SE1/4.

Section 9:

SW1/4SW1/4

Excepting any road rights-of-way as now established.

**3. ITEMS FREE AND CLEAR**

The conveyances described herein shall be free and clear of the following liens or encubrances which currently appear of record:

1. MORTGAGE dated June 11, 1974 to secure an indebtedness in the principal sum of $43,500.00 and any other amounts and/or obligations secured thereby.

| | |
|---|---|
| Recorded: | June 25, 1974 as Instr. No. 52667. |
| Mortgagor: | THOMAS E. GOLE and IRENE OGLE, husband and wife |
| Mortgagee: | FEDERAL LAND BANK OF SPOKANE, a corporation |

2. MORTGAGE dated July 7, 1981 to secure an indebtedness in the principal sum of $265,000.00 and any other amounts and/or obligations secured thereby.

| | |
|---|---|
| Recorded: | July 15, 1981 as Instr. No. 62680. |
| Mortgagor: | DELBERT T. OGLE and MARIAN C. OGLE, husband and wife |
| Mortgagee: | FEDERAL LAND BANK OF SPOKANE, a corporation |

3. UNRECORDED CONTRACT OF SALE upon the terms, conditions and provisions contained therein, constructive notice of which was given by A NOTIFICATION OF CONTRACT INTEREST.

| | |
|---|---|
| Recorded: | April 23, 1982 as Instr. No. 64091. |
| Sellers: | TED MORITZ AND ESTELLA MORITZ, husband and wife |
| Buyers: | DELBERT T. OGLE AND MARIAN C. OGLE, husband and wife |

4. LIS PENDENS action in the Idaho Third District Court for Adams County, THOMAS E. OGLE and IRENE OGLE, husband and wife, Plaintiffs, vs. DELBERT OGLE and MARIAN OGLE, husband and wife, Defendants, determine rights of plaintiffs in and to herein property by virtue of an unrecorded but signed by defendants, mortgage, Case No. CV-93-00111, Lis Pendens recorded October 19, 1993 as Instr. No. 84967.

**4. ITEMS ASSUMED BY BUYERS**

The buyers shall assume the following exceptions:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

3. Easements, claims of easement or encumbrances which are not shown by the public records.

4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or by any other facts which a correct survey would disclose, and which are not shown by the public records.

5. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.

6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

7. RESERVATIONS, TERMS AND CONDITIONS in deed for undivided one-half interest for oil, gas and mineral rights between UNION CENTRAL LIFE INSURANCE COMPANY and ARTHUR WILSON, recorded April 4, 1935 in Book 14 Deeds page 152. Affects Section 9: S1/2NW1/4 and N1/2SW1/4.

8. EASEMENT granted to FLOOD CONTROL DISTRICT NO. 3 of IDAHO over NE1/4NW/1/4, W1/2E1/2, W1/2NE1/4NE1/4 of Section 9, recorded July 12, 1965 in Book 26 Deeds page 600.

**4. ITEMS ASSUMED BY BUYERS (cont'd)**

9. PERPETUAL EASEMENT AND RIGHT-OF-WAY granted to FLOOD CONTROL DISTRICT NO. 3 OF THE STATE OF IDAHO, recorded July 12, 1965 in Book Deeds page 599.

10. GAS LEASE RATIFICATION recorded July 19, 1982 in Book 11 Misc. pages 304-305, and October 13, 1981 as Instr. No. 63032.

11. ANY CLAIMS ARISING FROM THE AMBIGUOUS LEGAL DESCRIPTION (diagonal lines in Sections 5 and 8).

12. ANY PRESENT OR DEFERRED TAX LIEN on the herein described property arising under or by virtue of the Forest Products Yield Tax as provided by Idaho Code 63-1701 or 63-1706 as amended.

13. LACK OF A RIGHT OF ACCESS TO AND FROM SAID PROPERTY.

14. ANY CLAIM arising from the difference in the mean high water line of the Little Weiser River and the meander line as shown by the original government survey.

15. ANY RIGHTS, INTERESTS OR EASEMENTS in favor of the public which exist or are claimed to exist over any part of said land covered by the Little Weiser River.

**5. ADDITIONAL CONDITIONS**

1. The trustee is not authorized to warrant the real property being sold in any respect or manner. The Buyers shall take such property subject to all conditions, defects and encumbrances, except as specifically provided herein.

2. The Buyers and the Seller agree that ~~each party~~ the Buyers shall pay ~~one-half of~~ the cost of surveying a portion of the property to be sold.

**5. ADDITIONAL CONDITIONS (cont'd)**

3. In addition to the property defined in the Trustee's Motion to Sell Real Property, the Buyers consent to purchase an additional 60 acres of land being sold to the Debtors under a contract with Ted Moritz at the purchase price of $608.00 per acre. These proceeds, along with the $15,000.00 originally proposed, will be used to pay in full the claim of Ted Moritz. The balance of the real property being purchased by the Debtors from Ted Moritz shall vest free and clear in the Debtors.

4. The Buyers and Seller acknowledge that with the addition of the 60 acres above-referenced, that part of the 60 acres borders a track of BLM land which is in the center of the Debtors' property. Buyers specifically acknowledge and understands that no BLM rights are being transferred to the Buyers under this agreement.

5. Buyers acknowledge that any water, ditch or diversion rights which are applicable to the land being retained by the Debtors shall not be changed, modified or reduced by this sale. Debtors shall retain the continued right to gain access for the purpose of obtaining their water to irrigate the land being retained.

6. Buyers are obligated to erect and maintain a fence along the survey line established along the boundary of the property adjacent to and following the Little Weiser River. Said fence shall be established at Buyers' cost and shall be fully maintained by Buyers in the future.

**5. ADDITIONAL CONDITIONS (cont'd)**

7. Buyers shall erect a fence along the boundary line between the property being purchased and the property being retained by the Debtors. This shall include a fence along the boundary of the property adjacent to the BLM property above-referenced. After the fence is initially erected, maintenance of subject fence shall be as prescribed by Idaho law, with each party maintaining one-half of the same thereafter. This obligation shall relate only to the boundaries of the property betewen the Moritz property being sold to the Buyers and the Moritz property being retained by the Debtors.

8. Realtor fees and survey fees will be paid by the trustee upon a motion filed by the trustee and allowed by the Court.

9. The trustee is not allowed to collect his 8.0% trustee fees as shown in this Order unless a Chapter 12 Plan is confirmed during calendar year 1996.

10. Upon approval by the Court, attorney fees and costs due Lary C. Walker will be paid from the proceeds of the sale.

**6. PROCEEDS FROM TIMBERLINE TITLE & ESCROW TO TRUSTEE**

| | | |
|---|---|---|
| FCB Property | | $435,000 |
| Moritz Property | | 51,480 |
| ~~One-Half~~ Cost Survey | | ~~3,000~~ 6,000 |
| | | ~~489,480~~ |
| | | 492,480 DO |
| Deductions: | | |
| Earnest Money to Trustee | $10,000 | |
| Title Insurance | 1,650 | |
| 1996 Taxes | 2,470 | |
| Closing Costs | 375 | - 14,495 |
| NET PROCEEDS TO TRUSTEE | | ~~$474,985~~ |
| | | $477,985 JCW |
| | | JCH JS |

**7. DISTRIBUTION OF NET PROCEEDS BY TRUSTEE ON NOV 21'96**

| | | |
|---|---|---|
| Net Proceeds to Trustee from Timberline | | ~~$474,985~~ 477,985 |
| Earnest Money Held by Trustee | | 10,000 |
| | | ~~484,985~~ 487,985 |
| Deductions: | | |
| FCB Loan #301 | $ 42,688 | |
| FCB Loan #302 | 310,061 | |
| FCB Loan #343 (atty fees) | 3,317 | |
| Ted Moritz | 43,005 | |
| Lary C. Walker (1) | 10,901 | |
| 6% Realtor Fees on $486,480 (1) | 29,189 | |
| Survey Fees (1) | 6,000 | |
| | 445,161 | |
| 8.0% Trustee Fees (2) | 35,613 | -480,774 |
| NET FUNDS RETAINED BY TRUSTEE PENDING FURTHER ORDER OF THE COURT | | 7241 $ ~~4,211~~ |

(1) Subject to Court approval.
(2) Allowed only if Chapter 12 Plan confirmed calendar year 1996.

Not withstanding the outcome of the U. S. Trustee's motion to dismiss scheduled for November 14, 1996, and not withstanding the clause in this Order pertaining to the allowance of trustee fees, the trustee is authorized to disburse the funds provided for in this Order.

DATED This 14th day of November, 1996.

UNITED STATES BANKRUPTCY JUDGE

INSTRUMENT NO. 91151
State of Idaho )
County of Adams ) ss.

Filed for record at the request of
Timberline Title & Escrow
10 min. past 11 o'clock A.M.
this 27 day of Nov ,1996
MICHAEL FISK, RECORDER
by Peggy Imbal
Deputy

Fee $ 30.00

APPROVED BY:

Jerry Jensen,
Attorney for AgAmerica, FCB

Lary C. Walker
Attorney for the Debtors

Joseph M. Meier,
Attorney for Thomas & Irene Ogle

Ronald D. Schoen, Trustee

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: **A67-04273**
Date Received: 9/12/1989
Receipt No: C011574
Received By: CF

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

1. Name: DELBERT T. OGLE 208-256-4448
   Address: HC 68, BOX 2450
   CAMBRIDGE, ID 83610

2. Date of Priority: MAY 01, 1968

3. Source: WASTEWATER Trib. to: LITTLE WEISER RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|---|---|---|---|---|---|
| 14N | 01W | 4 | SE NE SW | | ADAMS |

5. Description of diverting works:
   10" CULVERT FROM WASTE DITCH

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|---|---|---|---|---|---|
| IRRIGATION | 03/15 | 11/15 | 0.140 | | |

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

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---|---|---|---|---|---|---|
| 14N | 01W | 4 | NE SW | | IRR | 7.0 |
| | | | | Section Acres | | 7.0 |
| | | | | Total Acres | | 7.0 |



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OCT 02 1992

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
67-00457, 67-00458, 67-04276, C. BEN ROSS

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: -0-

**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): Delbert T. Ogle Date: 9/12/89

_____ Date: _____

State of Idaho )
) SS.
County of Ada )

Subscribed and sworn (or affirmed) before me this 12th day of September 19 89

Carter Fritschle
Notary Public

Seal

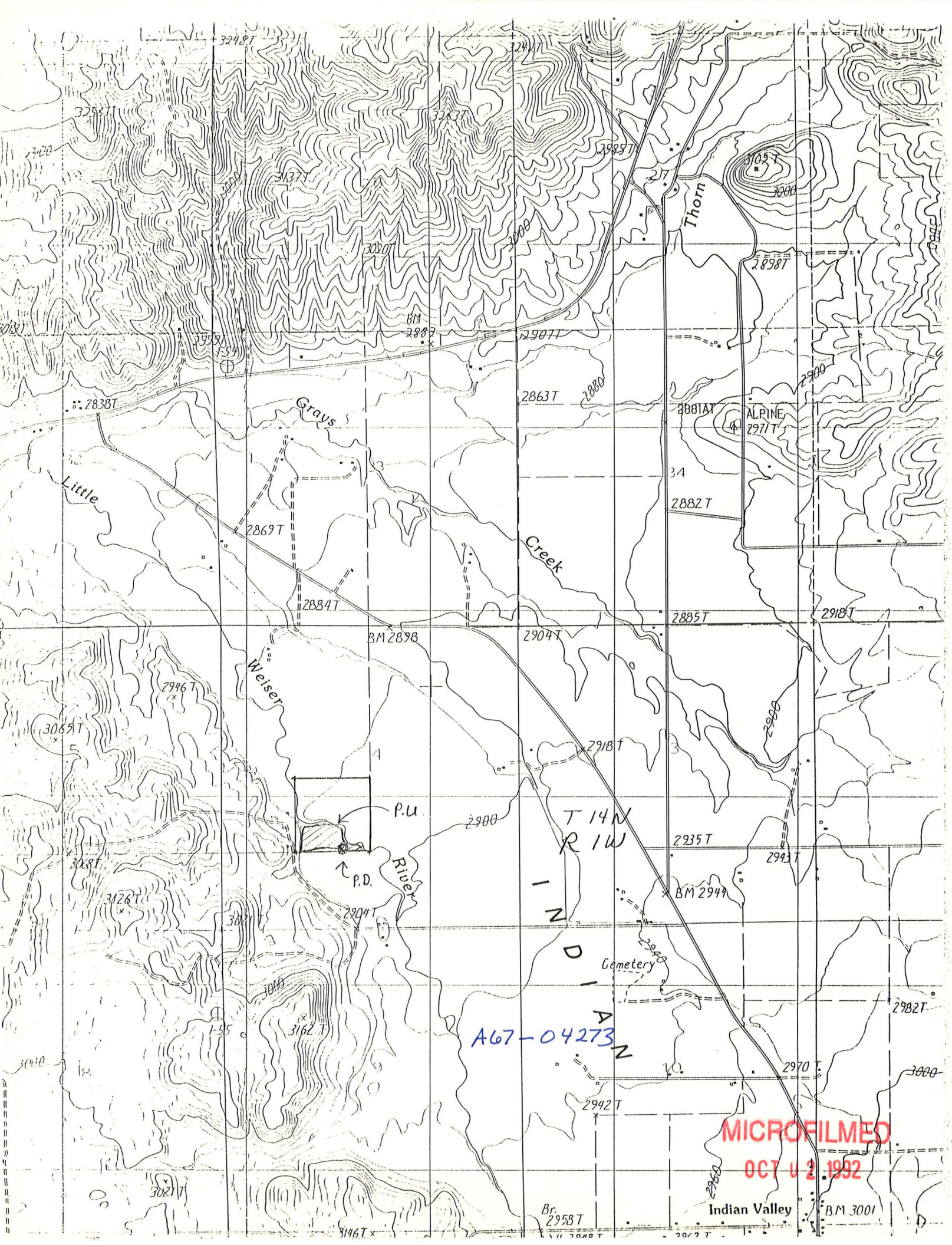
Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994



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OCT 0 2 1992


Thorn
Graves
Little
Creek
Weiser
River
ALPINE
2971T
2881AT
2838T
2863T
2882T
2869T
2884T
2885T
2904T
2907T
2918T
2898
2946T
3065T
3088T
3126T
3162T
3137T
3248T
3225T
3105T
2898T
2935T
2943T
2982T
2970T
2942T
2958T
3001
T 14N
R 1W
P.U.
P.D.
Cemetery
Indian Valley
I-95
A67-04273
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