

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 26 2017

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
13- ~~7713~~ 781	Yes ☒	Yes ☐	13-781 (Split into 13-7713, 13-7714, 13-8008 & 13-8011) 13-782 (Split into 13-8009 & 13-8012) 13-783 (Split into 13-7717, 13-7718, 13-810 & 13-8013)		
13- ~~7715~~ 782	Yes ☒	Yes ☐			
13- ~~7717~~ 783	Yes ☒	Yes ☐			
	Yes ☐	Yes ☐			
	Yes ☐	Yes ☐	13-7715 + 13-7716 No Longer valid	Yes ☐	Yes ☐

2. Previous Owner's Name: ~~Brent Christensen; Susan Christensen~~ W H Mecham
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Douglas Flagg; Sherie Flagg
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 2253 Lago Liberty Rd Grace ID 83241
Mailing address City State ZIP
- (435) 864-7353
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 3-30-207
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
- ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - ☒ Filing fee (see instructions for further explanation):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
 - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
 - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Dough Flagg owner July 26, 2017
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 7/26/2017 Receipt No. E043224 Receipt Amt. \$500 -

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by JB Processed by JB Date 2/28/18

SUPPORT DATA

IN FILE # 13-781

INSTRUMENT NO. 171839

QUIT CLAIM DEED

THIS INDENTURE, Made the 14th day of October in the year of our Lord One Thousand Nine Hundred and thirty between J. E. Campbell Lydia May Campbell of Lava Hot Spgs, of the County of Bannock and State of Idaho the parties of the first part, and Harvey W. Higley of Lava Hot Springs of the County of Bannock and State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One ~~-----~~ DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents demise, release and forever Quit claim unto the said party of the second part, and to his heirs and assigns all that certain lot situated in Bannock County, of the State of Idaho, particularly described as follows, to-wit:

Lot Six (6) in Block Nine (9) A. W. Hall's third addit on Lava Hot Springs.

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 said premises, together with the appurtenances unto said party of the second part, and to his heirs and assigns forever.

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

Signed, Sealed and Delivered in the Presence of
M. J. Kasiska

J. E. Campbell (Seal)
Lydia May Campbell (Seal)

STATE OF IDAHO, }
County of Bannock } ss.

On this 14th day of October in the year 1930 before me M. J. Kasiska, a Notary Public in and for said County and State, personally appeared J. E. Campbell and his wife Lydia May Campbell known to me to be the persons whose name 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.

M. J. Kasiska
Notary Public.

(SEAL)

Residence and P.O. Address Lava Hot Springs, Idaho

I hereby certify that this instrument was filed for record at the request of Harvey W. Higley at 16 minutes past 3 o'clock PM, this 25 day of June A.D. 1934 at my office and duly recorded in Book 69 of Deeds at page 289.

Grace L. Hall, Recorder

Anna Keefe, Deputy

Fee .60

INSTRUMENT NO. 171844

DEED

THIS INDENTURE, Made the 14th day of December in the year of our Lord, One Thousand Nine Hundred Thirty Three between Thatcher Brothers Banking Company, a corporation of Logan in the County of Cache and State of Utah, party of the first part, and Glenn A. Ruud, C. Norman Ruud and Andrew O. Ruud the parties of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Eight Thousand Five Hundred Forty One and 16/100 (\$8,541.16) -----DOLLARS, lawful money of the United States of America, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, by these presents does grant bargain, sell and convey unto the said parties of the second part, and to their heirs, successors and assigns forever, all those certain piece or parcel of land situated in Bannock County, State of Idaho and described as follows, to-wit:

The Southeast Quarter of Section Seventeen (17), Township (11) Eleven South of Range Forty One (41) East of the Boise Meridian, containing One Hundred Sixty (160) acres.

Also the North Half of the Northeast Quarter of Section Twenty (20), Township Eleven (11) South Range Forty One (41) East of the Boise Meridian, containing Eighty (80) acres.

Together with all water rights appertaining thereto.

This deed is given subject to one certain mortgage in favor of the Pacific Coast Joint Stock Land Bank of Salt Lake City, Utah, dated March 15, 1925, for the sum of Nine Thousand Dollars.

(\$9,000 IRS attached and cancelled)

Together with all and singular, the tenements, hereditaments and appurtenances thereto 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 said premises, together with the appurtenances unto the said parties of the second part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has caused this instrument to be executed by its officers thereunto lawfully authorized.

THATCHER BROTHERS BANKING COMPANY

(Corporate Seal)

H. J. Hatch (Seal)
N. D. Salisbury (Seal)
Cashier

STATE OF UTAH, }
COUNTY OF CACHE } ss

On this 14th day of December 1935, before me, Annie Peterson a Notary Public in and for said County personally appeared H. J. Hatch and N. D. Salisbury known to me to be the Vice President and Cashier, respectively, of the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

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

(SEAL)

Annie Peterson
Notary Public Residing at Logan, Utah

My commission expires: January 28, 1936

Filed for Record June 25 A.D. 1934 at 3 32 PM and recorded in Book 69 of Deeds at Page 289, at request of B T A Co.

Grace L. Hall, Recorder

Fee 1.00

Anna Keefe, Deputy

INSTRUMENT NO. A171276

IN THE PROBATE COURT OF BANNOCK COUNTY, STATE OF IDAHO.

In the Matter of the Estate of
Charles Nelson,
Deceased.

D E C R E E

The petition of Henrietta Wilhelmina Nelson, filed in the above entitled matter, praying for the determination of the time of the death of Charles Nelson, deceased, the heirs of said deceased and the degree of kinship and the right of descent, coming on to be heard this 22nd day of May, 1934, and H. R. Turner, attorney, appeared for and on behalf of Henrietta Wilhelmina Nelson, the petitioner herein, and no one appearing either in person or by an attorney in opposition to the granting of said petition and no objections having been filed or made in any manner;

And it appearing that the said Henrietta Wilhelmina Nelson filed said petition in the above entitled court on the 13th day of March 1934, and the Court on the 17th day of April, 1934, fixed the 22nd day of May, 1934, at the hour of two o'clock P.M. of said day, and the Court room of said Court, located in the court house of Bannock County, in Pocatello, Idaho, as the time and place for hearing said petition; that thereafter due and proper notice of the hearing was given to all persons in said estate, including both creditors and heirs, in the form and manner provided by law, and it further appearing to the court from the evidence adduced at said hearing that the said Charles Nelson died intestate at Baneroff, in the County of Bannock, State of Idaho, on the 16th day of October, 1928, and at the time of his death was the owner of, with his wife, Henrietta Wilhelmina Nelson, of certain community property located in the County of Bannock, State of Idaho, and particularly described as follows, to-wit:

Southwest quarter of the Southeast quarter of Section 31, Township 7 South, Range 40 East of Boise Meridian; also Lots one, two, three and the Southeast quarter of Northwest quarter, Northeast quarter of Southwest quarter, Northwest quarter of Southeast quarter and Southwest quarter of Northeast quarter of Section six, Township eight South, Range forty East of Boise Meridian;

Lot two, Southeast quarter of Northwest quarter, and East half of Southwest quarter of Section 31, Township 7 South, Range 40 East of Boise Meridian, Bannock County, Idaho;

INSTRUMENT No. 4215380

WARRANTY DEED

This Indenture, Made this second day of June in the year of Our Lord
 One Thousand Nine Hundred and Forty-one (1941), between Andrew O. Ruud, a bachelor,
 of Grace, County of Bannock, State of Idaho, the part y of the
 first part, and Glenn A. Ruud and C. Norman Ruud,
 of Grace, County of Bannock, State of Idaho, the parties of the
 second part

WITNESSETH That the said party of the first part, for and in consideration of the sum of
One (\$1.00) - - - - - DOLLARS,
 lawful money of the United States of America, to him in hand paid by the said parties of the second part, the receipt
 whereof is hereby acknowledged, and for other valuable considerations does
 by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said parties of the second part, and to
their heirs and assigns forever all those certain lots, pieces or parcels of land situate, lying and
 being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast quarter of Section Seventeen (17) and the North
 Half of the Northeast quarter of Section Twenty (20), Township
 Eleven (11) South, Range Forty-one (41) East, Boise Meridian in
 Idaho, containing in all 240 acres, according to the official
 plat of the survey of the said lands returned to the General
 Land Office by the Surveyor General;
 Also, any and all water and water rights, ditches and ditch
 rights, however evidenced, belonging to or with said lands, or
 any part or parcel thereof, for the irrigation of the same or
 for domestic or culinary purposes thereon, and particularly the
 right to the use of 240 inches of the water from Trout Creek.

This deed is given and accepted subject to all mortgage indebtedness upon
 said lands, and particularly the mortgages to the Federal Land Bank of Spokane
 and the Land Bank Commissioner.

The actual consideration herefor does not exceed \$100.00, and no internal
 revenue documentary stamp is required hereon.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining and the
 rents, issues and profits thereof

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident unto
 the said parties of the second part, and to their heirs and assigns forever And the said party of the first part,
 and his heirs warrant the said premises in the quiet and peaceable possession of the said part 1e of the second part,
their heirs and assigns against the said part y of the first part, and his heirs and against all and every
 person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these premises 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 THE PRESENCE OF

Andrew O. Ruud (s) (u)
 (s) (u)
 (s) (u)
 (s) (u)

STATE OF IDAHO,

County of Bannock ss

On this 4 day of June, in the year 1941, before me, Alvin Whitehead,
 a Notary Public in and for said County and State, personally appeared Andrew O. Ruud, 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 the certificate first above written

(SEAL) My commission expires Jan 13, 1945
Alvin Whitehead
Notary Public
Residence: Idaho,
Notary Public, residing at Grace, Idaho.

I hereby certify that this instrument was filed for record at the request of B T & CO., Pocatello, Idaho
 at 19 minutes past 3 o'clock P.M., this 6th day of June
 A D 1941, in Book 83 of Deeds, at page 160
Anna Keefe
 Fee, \$1.20 Ex-Officio Recorder By Deputy

INSTRUMENT No. 226434

PAGES 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

WARRANTED

This Indenture, Made this 17th day of April in the year of Our Lord One Thousand Nine Hundred and Forty-Three, between C. Norman Ruud, a bachelor, of Lago, County of Bannock, State of Idaho, the part y of the first part, and Glenn A. Ruud and Lenore Ruud, husband and wife, of Lago, County of Bannock, State of Idaho, the part 1e of the second part

WITNESSETH That the said part y of the first part, for and in consideration of the sum of One and No/100 lawful money of the United States of America, to him in hand paid by the said part 1e of the second part, the receipt whereof is hereby acknowledged by these presents, Grant, Bargain, Sell and Convey and Confirm unto said part 1e of the second part, and to their heirs and assigns forever All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast Quarter of Section Seventeen; and the North Half of the Northeast Quarter of Section Twenty, all in Township Eleven South, Range Forty-One East of the Boise Meridian.

Together with all water rights, and rights in ditches, canals, and laterals, and rights of way therefore, appurtenant to said premises or used in connection therewith, including, (but not limited to) the following:

240 inches of the waters of The Middle Fork of Trout Creek, adjudicated in the Case of W. H. Yeachem et al, vs. Christian Christensen et al, District Court of the Fifth Judicial District of Bannock County, Idaho. Bannock County, Idaho.

(§2.75 I. R. S. Attached to deed and cancelled.)

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

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said part 1e of the second part, and to their heirs and assigns forever And the said party of the first part, and his heirs warrant the said premises in the quiet and peaceable possession of the said part 1e of the second part, and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend

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

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Royal Cole

C. NORMAN RUUD

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of Bannock

On this 17th day of April, in the year 1943, before me, L. Sumner Ford, a Notary Public in and for said County and State, personally appeared C. Norman Ruud, a bachelor, known to me to be the person whose name 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 the certificate first above written.

L. Sumner Ford, Notary Public

(SEAL)

Residence Grace, Idaho

My commission expires December 17, 1946.

I hereby certify that this instrument was filed for record at the request of Glenn A. Ruud R. F. D. Grass at 15 minutes past 3 o'clock PM, this 10 day of June A D 19 43, in Book 88 of Deeds, at page 93 Anna Keefe Fee, \$1.00 Ex-Officio Recorder By Deputy.

STATE OF IDAHO)
) SS
 County of Caribou)

On this 22nd day of October in the year 1956 before me THE UNDERSIGNED a NOTARY PUBLIC in and for said County and State personally appeared UNA HANSEN, a spinster known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal theday andyear in this certificate first above written

At request of Una Hansen
 October 22 1956 at 3 20 p m
 Fee \$1 50

SEAL

S E Matthews Notary Public
 Residence Soda Springs Idaho
 My Com Expires July 1st 1960

COLIN CHESTER

Recorder

-----000-----

Instrument 438429

WARRANTY DEED

THIS INDENTURE, Made this 17th day of October in the year of our Lord One Thousand Nine Hundred and fifty-six between GLENN A RUUD and LENOIRE RUUD husband and wife of Grace County of Caribou, State of Idaho the parties of the first part and UNA HANSEN a spinster of Grace, County of Caribou State of Idaho the party of the second part

WITNESSETH That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100ths DOLLARS and Other Good & 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, do by these presents Grant, Bargain, Sell and convey and Confirm unto said party of the second part, and to her heirs and assigns forever All those certain lots pieces or parcels of land situate lying and being in the County of Caribou, State of Idaho bounded and more particularly described as follows to-wit

Commencing at the Center of Section Seventeen (17) in Township 11 South Range 41 E B M in Caribou County Idaho THENCE running East a long the North Boundary Line of the NW $\frac{1}{4}$ -SE $\frac{1}{4}$ of said Section 17 Township and Range aforesaid a distance of Forty-five (45) rods thence SOUTHWESTERLY a distance of Sixty-four (64) rods, more or less, to a point on the West Boundary line of said NW $\frac{1}{4}$ -SE $\frac{1}{4}$ of said Section 17, Forty-five (45) Rods South of the place of beginning thence North Forty-five (45) rods to the place of beginning

Subject to taxes for the Year 1957 and subsequent years

(\$ 55 I R Stamps)

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

TO HAVE AND TO HOLD all and singular the said premises together with the appurtenances and privileges thereunto incident unto the said party of the second part, and to her 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 her heirs and assigns against the said parties of the first part and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend

IN WITNESS WHEREOF The said parties of the first part have hereunto set their

hands and seals the day and year first above written

Signed Sealed and Delivered in
the Presence of S E Matthews

Glenn Ruud
Lenore Ruud

(Seal)
(Seal)

STATE OF IDAHO)

) SS

County of Caribou)

On this 22nd day of October in the year 1956, before me THE UNDERSIGNED a
NOTARY PUBLIC in and for said County and State personally appeared GLENN A RUUD
and LENORE RUUD husband and wife (Glenn A Ruud being also sometimes known as GLEN
A RUUD) 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

At request of Glenn A Ruud
October 22 1956 at 3 22 p m
Fee \$1 50

SEAL

S E Matthews, Notary Public
Residence Soda Springs, Idaho
My Com Expires July 1 1960

COLIN CHESTER

Recorder

-----000-----

Instrument #38430

DEED

THIS INDENTURE MADE this 22nd day of October, 1956 by and between Mary
D Burton, a widow of Grace Caribou County Idaho party of the first part and
Annie B Lowe, Janet B Lowe, Elda B Van Vleet J Bruce Burton, Clarence Burton
Rulon L Burton James Lloyd Burton and Thelma Grandquest parties of the second
part

WITNESSETH That the said party of the first part for and in consideration
of the sum of Ten and No/100 (\$10 00) Dollars lawful money of the United States of
America and other valuable considerations to them in hand paid by the parties of the
second part, the receipt whereof is hereby acknowledged does by these presents,
grant bargain, and sell convey and confirm unto the parties of the second part and
to their heirs and assigns forever, all her right title and interest excepting
only the life estate as hereinafter set forth in and to all those certain lots
pieces or parcels of land situate, lying and being in the County of Caribou, State
of Idaho bounded and more particularly described as follows, To-wit

(55 I R Stamps)
The North one-half (N $\frac{1}{2}$) of Lot Sixteen (16), All of Lots Seventeen (17)
and Eighteen (18) all in Block Nine (9) in the Citizens Addition to Grace Townsite
in Caribou County Idaho as t he same is now platted and of record

Together with all and singular the tenements hereditaments, and appurtenances
thereunto belonging or in anywise appertaining To have and to hold the same unto the
parties of the second part their heirs and assigns forever

The above and foregoing land being subject to any and all existing right-
of-ways

To have and to hold all and singular, the said premises, together with the
appurtenances and privileges thereunto incident unto the said parties of the second
part, to their heirs and assigns forever the said party of the first part reserving
to herself a life estate only in and to said premises Said estate to be for the
life of Mary D Burton And the said party of the first part the said premises in
the quiet and peaceable possession of the said parties of the second part, to their

STATE OF IDAHO, COUNTY OF CARIBOU: SS.

INSTRUMENT NO. 56244

I hereby certify that this instrument was filed for record at the request of Glen A. Ruud
at 1:55 o'clock P. M., this 3rd day of January, 1965, in my office, and duly recorded
in Book of Deeds, at page 56244

Fees: \$ 1.50
Return to:

Kenneth M. Fowler

Ex-Officio
Recorder

By: Lyle E. Eiler

Deputy

WARRANTY DEED

For Value Received, Glen A. Ruud and Lenore Ruud, husband and wife,
of Grace, Caribou County, Idaho,



the grantors, do hereby grant, bargain, sell and convey unto
Boyd A. Ruud and Jane M. Ruud, husband and wife, of Grace,
Caribou County, Idaho,

grantees, the following described premises in Caribou County, State of Idaho, to-wit:

Beginning at the Southeast corner of Section 17, Township 11 South, Range
41 East of the Boise Meridian, and running thence North 72 rods, more or less;
thence North 53°32' West 11 rods, more or less;
thence North 76°00' West 28 rods, more or less;
thence South 49°32' West 32 rods, more or less;
thence South 79°00' West 72 rods, more or less;
thence South 18°00' West 31½ rods, more or less;
thence Southeasterly in a curve 35 rods, more or less (this curve
follows the now existing wash or ditch), to the South line of said
Section 17, at a point 118 rods West of the Southeast corner of said
Section 17;

thence East 118 rods, more or less, to the point of beginning.

Together with 40 inches of decreed water, having a priority date of
1884.

wrong
S/B
Sec 20

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said
Grantees, that they are the owners in fee simple of said premises; that they are free from
all encumbrances except a mortgage to the F.H.A., on which a balance of approximately \$3,600.00
remains due, which mortgage the Grantees assume and agree to pay, as part of the purchase
price hereon; and a mortgage to the Federal Land Bank of Spokane, which mortgage is to be
assumed and paid by another party, in connection with other land adjacent hereto;

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

DATED: December 21, 1965.

Glen A. Ruud
Lenore Ruud

STATE OF IDAHO } ss.
County of Caribou

On this 21st day of December, 1965, before me, Leonard O. Kingsford, a Notary Public in and for
said State personally appeared Glen A. Ruud and Lenore Ruud, 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.

Leonard O. Kingsford
NOTARY PUBLIC for Idaho, residing
at Soda Springs, Idaho.
My commission expires: August 14, 1969.

Warranty Deed

THIS INDENTURE, Made this 21st day of December
in the year of our Lord One Thousand Nine Hundred and Sixty-five, between
Glen A. Ruud and Lenore Ruud, husband and wife,
of Grace, County of Caribou, State of Idaho,
the parties of the first part, and
Alan K. Ruud and Dorothy B. Ruud, husband and wife,
of Grace, County of Caribou, State of Idaho,
the parties of the second part:

WITNESSETH: That the said part ies of the first part, for and in consideration of the sum of
TEN AND NO/100= = = = = DOLLARS,
lawful money of the United States of America, to them in hand paid by the said part ies of the second part, the receipt
whereof is hereby acknowledged, together with other good and valuable considerations
 , do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said part ies
of the second part, and to their heirs and assigns forever: All that certain lot ,
piece or parcel of land situate, lying and being in the County of Caribou State of Idaho, bounded
and more particularly described as follows, to-wit:

Township 11 South, Range 41 East of the Boise Meridian:

Section 17: SET, EXCEPT THEREFROM THE FOLLOWING TWO TRACTS:

1. Beginning at the center of said Section 17, and running thence East 45 rods; thence Southwesterly 64 rods, more or less, to a point 45 rods South of the point of beginning; thence North 45 rods, to the point of beginning.

2. Beginning at the Southeast corner of said Section 17,
and running thence North 72 rods, more or less;
thence North 53°32' West 11 rods, more or less;
thence North 76°00' West 28 rods, more or less;
thence South 49°32' West 32 rods, more or less;
thence South 79°00' West 72 rods, more or less;
thence South 18°00' West 31½ rods, more or less;
thence Southeasterly in a curve 35 rods, more or less, (this curve
follows the now existing wash or ditch), to the South line of said
Section 17, at a point 118 rods, more or less, West of the South-
east corner of said Section 17;
thence East 118 rods, more or less, to the point of beginning.

Section 20: $N\frac{1}{2}NE\frac{1}{4}$.

Together with all water rights appertenant thereto, including but not limited to 140 inches of decreed water.

Subject to a Federal Land Bank mortgage on which there is a balance of approximately \$11,900.00 due, which mortgage parties of the second part assume and agree to pay as part of the consideration herefor; and subject to an F.H.A. mortgage, which mortgage, however, is being assumed and paid by another party in connection with the purchase of Exception No. 2, above.

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

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

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

Signed, Sealed and Delivered in the Presence of

_____ [Seal]
 _____ [Seal]
 _____ [Seal]

STATE OF IDAHO,
County of Caribou

ss.

On this 21st day of December in the year 1965, before me
Leonard O. Kingsford, a Notary Public in and for said County and State, personally appeared

Glen A. Ruud and Lenore Ruud, 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.

Leonard O. Kingsford
Notary Public.

Residence and P. O. Address..... Soda Springs, Idaho.....

My commission expires: August 14, 1969.

56245

WARRANTY DEED

TO

Dated

19

STATE OF IDAHO,

County of Caribou

ss.

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

Glen A. Ruud

at 58 minutes past 1

o'clock P. M., this 21st day

of January, A. D. 1965

in my office and duly recorded in Book

of Deeds at page 56245

Ex-Officio Recorder

Ex-Officio Recorder.

By *John A. Galt*

Deputy.

Fee, \$ 0.80

STATE OF IDAHO, COUNTY OF CARIBOU: SS.

INSTRUMENT NO. 57946

I hereby certify that this instrument was filed for record at the request of Caribou Title Company at 4:17 o'clock P.M., this 19th day of July, 1966, in my office, and duly recorded in ~~the~~ the microfilm records of Caribou County, Idaho.

Fees: \$ 1.50
Return to:

Kenneth McFowler Ex-Officio Recorder
By: Lytha Ellis Deputy

CORRECTION

WARRANTY DEED

For Value Received Glen A. Ruud and Lenore Ruud, husband and wife, of Grace, Caribou County, Idaho,

the grantors, do hereby grant, bargain, sell and convey unto Boyd A. Ruud and Jane M. Ruud, husband and wife, of Grace, Caribou County, Idaho,

grantee s, the following described premises in Caribou County, State of Idaho, to-wit:

Beginning at the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, Township 11 South, Range 41 East of the Boise Meridian, and running thence North 72 rods, more or less;

thence North 53°32' West 11 rods, more or less;

thence North 76°00' West 28 rods, more or less;

thence South 49°32' West 32 rods, more or less;

thence South 79°00' West 72 rods, more or less;

thence South 18°00' West 31 $\frac{1}{2}$ rods, more or less;

thence Southeasterly in a curve 35 rods, more or less (this curve follows the now existing wash or ditch), to the North one-sixteenth line of Section 20, at a point 118 rods West of the Southeast corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$;

thence East 118 rods, more or less, to the point of beginning.

Together with 40 inches of decreed water, having a priority date of 1884.

This deed is given to correct that certain Warranty Deed recorded as instrument No. 56244, in the microfilm records of Caribou County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances except a mortgage to the F.H.A., on which a balance of approximately \$3,600.00 remains due, which mortgage the Grantees assume and agree to pay, as part of the purchase price hereon; and a mortgage to the Federal Land Bank of Spokane, which mortgage is to be assumed and paid by another party, in connection with other land adjacent hereto;

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

DATED: July 19, 1966.

Glen A. Ruud
Lenore Ruud

STATE OF IDAHO } ss.
County of Caribou }

On this 19th day of July, 1966, before me, Leonard O. Kingsford, a Notary Public in and for said State personally appeared Glen A. Ruud and Lenore Ruud, 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.

Leonard O. Kingsford
NOTARY PUBLIC for Idaho, residing
at Soda Springs, Idaho.
My commission expires: August 14, 1969.

QUIT CLAIM DEED

THIS INDENTURE, Made the 19th day of July, in the year of our Lord One Thousand Nine Hundred and sixty-six between Boyd A. Ruud and Jane M. Ruud, husband and wife, of Grace, of the County of Caribou and State of Idaho the parties of the first part, and Alan K. Ruud and Dorothy B. Ruud, husband and wife, of Grace, of the County of Caribou and State of Idaho, the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE AND NO/100- - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents demise, release and forever Quit Claim unto the said parties of the second part, and to their heirs and assigns all that certain piece of land situated in Caribou County, of the State of Idaho, particularly described as follows, to-wit:

Beginning at the Southeast corner of Section 17, Township 11 South, Range 41 East of the Boise Meridian, and running thence North 72 rods, more or less; thence North 53°32' West 11 rods, more or less; thence North 76°00' West 28 rods, more or less; thence South 49°32' West 32 rods, more or less; thence South 79°00' West 72 rods, more or less; thence South 18°00' West 31½ rods, more or less; thence Southeasterly in a curve 35 rods, more or less (this curve follows the now existing wash or ditch), to the South line of said Section 17, at a point 118 rods West of the Southeast corner of said Section 17; thence East 118 rods, more or less, to the point of beginning, EXCEPT THEREFROM any part thereof lying within the description contained in that certain Correction Deed from Glen A. Ruud and Lenore Ruud, husband and wife, to Boyd A. Ruud and Jane M. Ruud, husband and wife, recorded as Instrument No. records of Caribou County, Idaho.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the revision and revisions, remainder and remainders, rents, issues and profits thereof.

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

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

Signed, Sealed and Delivered in the Presence of

1 x *Boyd A. Ruud*
x *Dorothy B. Ruud*
1

(Seal)

(Seal)

(Seal)

STATE OF IDAHO,

County of Caribou

SS.

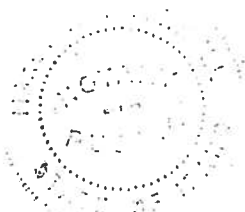
On this 2nd day of August, ~~1966~~, in the year 1966, before me
Marcy Kay Merrill, a Notary Public
in and for said County and State personally appeared Boyd A. Ruud and Jane M. Ruud, husband and wife,
known to me to be the persons whose names are subscribed to the within instrument, and acknowledged 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.

Marcy Kay Merrill
Notary Public.

Residence Coda Springs, Idaho.

My commission expires: May 9, 1970.



No. 58068

Boyd A. Ruud and Jane M. Ruud,
husband and wife,

TO

Alan K. Ruud and Dorothy B.
Ruud, husband and wife.

Dated July 19, 1966

QUIT CLAIM DEED

STATE OF IDAHO,
County of Caribou SS.

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

Caribou Title Company

at 05 minutes past

3:00, o'clock, P. M.,

this 2nd day of August,

A. D. 1966, in my office and duly recorded in the microfilm records of Caribou

County, Idaho.

Janice M. Merrill
Ex-Officio Recorder.

By

Deputy.

Fee, \$ 1.80

QUIT CLAIM DEED

THIS INDENTURE, Made the 12th day of December in the year of our Lord One Thousand Nine Hundred and sixty-seven between Alan K. Ruud and Dorothy B. Ruud, husband and wife, of Grace, of the County of Caribou and State of Idaho, the parties of the first part, and Boyd A. Ruud and Jane M. Ruud, husband and wife, of Grace, of the County of Caribou, and State of Idaho, the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE AND NO/100- - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents demise, release and forever Quit Claim unto the said parties of the second part, and to their heirs and assigns all that certain property situated in

Caribou County, of the State of Idaho, particularly described as follows, to-wit:

Beginning at the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, Township 11 South, Range 41 East of the Boise Meridian, and running thence North 72 rods, more or less; thence North 53°32' West 11 rods, more or less; thence North 76°00' West 28 rods, more or less; thence South 49°32' West 32 rods, more or less; thence South 79°00' West 72 rods, more or less; thence South 18°00' West 31 $\frac{1}{2}$ rods, more or less; thence Southeasterly in a curve 35 rods, more or less, (this curve follows the now existing wash or ditch) to the South line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20, at a point 118 rods West of the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20; thence East 118 rods, more or less, to the point of beginning.

This deed is given to clear title only, and no consideration is involved. Therefore, no revenue stamps are necessary.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the revision and revisions, remainder and remainders, rents, issues and profits thereof.

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

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

Signed, Sealed and Delivered in the Presence of

Alan K. Ruud (Seal)
Dorothy B. Ruud (Seal)

_____ (Seal)

QUITCLAIM DEED

For Value Received

DOROTHY B. RUUD,

do hereby convey, release, remise and forever quit claim unto

ALAN K. RUUD,

the following described premises, to-wit:

Section 17: SE 1/4

EXCEPT THEREFROM, Beginning at the center of said Section 17, and running thence East 45 rods; thence Southwesterly 64 rods, more or less, to a point 45 rods South of the point of beginning; thence North 45 rods to the point of beginning;

Section 20: N 1/2 NE 1/4, EXCEPT THEREFROM, Beginning at the Southeast corner of the NE 1/4 NE 1/4 of said Section 20, and running

thence North 72 rods, more or less;
thence North 53° 32' West 11 rods, more or less;
thence North 76° 00' West 28 rods, more or less;
thence South 49° 32' West 32 rods, more or less;
thence South 79° 00' West 72 rods, more or less;
thence South 18° 00' West 31 1/2 rods, more or less;
thence Southeasterly in a curve 35 rods, more or less (this curve follows the now existing wash or ditch) to the South line of the N 1/2 NE 1/4 of said Section 20, at a point 118 rods West of the Southeast corner of the NE 1/4 NE 1/4 of said Section 20;
thence East 118 rods, more or less, to the point of beginning.

ALSO: Beginning at a point 25 feet North and 25 feet East of the Southwest corner of SW 1/4 NW 1/4 of said Section 20, and running

thence North 16 rods; thence East 10 rods;
thence South 16 rods; thence West 10 rods,
to the point of beginning.

The above being in Township 11 South, Range 41 East of the Boise Meridian, Caribou County, Idaho.

together with their appurtenances.

Dated: October 5th, 1970

X Dorothy B. Ruud

STATE OF IDAHO, COUNTY OF CARIBOU

On this DEC 14 1970 day of Oct., 1970
before me, a notary public in and for said State, personally
appeared DOROTHY B. RUUD,

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

[Signature]
Residing at Grace
Idaho
Comm. Expires March 18, 1973

Notary Public
Idaho

70105

Caribou County, Idaho

I hereby certify that this instrument was filed in the records

Caribou County, Idaho, on 1050 rods A

this 15th day of October, 1970, in my office

duly recorded in the records of Caribou County,

No. 70105 and with M. Fowler

as Official Recorder

for \$1.00

Furnished by the POCAHONTO TRUST CO

Warranty Deed

THIS INDENTURE, Made this 9th day of December
in the year of our Lord One Thousand Nine Hundred and Eighty-three, between
ALAN K. RUUD and ELLEN, RUUD, husband and wife,
of Lago, County of Caribou, State of Idaho
the parties of the first part, and
BOYD A. RUUD and JANE M. RUUD, husband and wife,
of Lago, County of Caribou, State of Idaho
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of _____
TEN THOUSAND AND NO/100----- DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties
of the second part, and to their heirs and assigns forever: All that certain lot
piece or parcel of land situate, lying and being in the County of Caribou State of Idaho, bounded
and more particularly described as follows, to-wit:
Caribou County, Idaho:

Township 11 South, Range 41 East of the Boise Meridian:

Section 20: Beginning at the Southwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said
Section 20, and running
thence North 957 feet;
thence North 66°28' East 434 feet;
thence South 63° East 162 feet;
thence South 41°45' East 256 feet;
thence South 79° West 200 feet, more or less;
thence South 18° West 519.75 feet, more or less;
thence Southeasterly in curve 577.5 feet, more or less, (this
curve follows existing wash or ditch): to the South line of
the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20, at a point 693 feet East of the
point of beginning;
thence West 693 feet, more or less,
to the Point of Beginning.

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

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

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

ALAN K. RUUD [Seal]

ELLEN RUUD [Seal]

[Seal]

STATE OF IDAHO,
County of Caribou

ss.

On this 16th day of December, in the year 1983, before me
the undersigned a Notary Public in and for said County and State, personally appeared

Alan K. Ruud and Ellen Ruud, 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.

Rona Jean Benson
Notary Public.

Residence and P. O. Address..... Soda Springs..... Idaho

My commission expires: Lifetime.

118653

WARRANTY DEED

Alan K. Ruud and Ellen Ruud,
husband and wife,

TO

Boyd A. Ruud and Jane M. Ruud,
husband and wife,

Dated December 9, 1983

STATE OF IDAHO,
County of Caribou ss.

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

Caribou Title Co.

at 40 minutes past 9:00

o'clock A. M. this 16 day

of December, A. D. 1983

in the microfiche records of Caribou
County, Idaho.

NOTED & FILED

Ex-Officio Recorder.

Rona Jean Benson
Deputy

Fee, \$ 4.00

QUITCLAIM DEED

For Value Received

ELLEN RUUD, a single person,

do hereby convey, release, remise and forever quit claim unto

ALAN K. RUUD, a single man,

the following described premises, to-wit:

Caribou County, Idaho:

Township 11 South, Range 41 East of the Boise Meridian:

Section 17: SE $\frac{1}{4}$.

Section 20: NE $\frac{1}{4}$ NE $\frac{1}{4}$.

EXCEPT THEREFROM, Beginning at the center of said Section 17, and running thence East 742.5 feet;

thence Southwesterly 1056 feet, more or less, to a point 742.5 feet South of the point of beginning;

thence North 742.5 feet to the point of beginning.

ALSO, EXCEPT THEREFROM, Beginning at the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20, and running

thence North 1188 feet, more or less;

thence North 53°32' West 181.5 feet, more or less;

thence North 76°00' West 462 feet, more or less;

thence South 49°32' West 528 feet, more or less;

thence South 79°00' West 1188 feet, more or less;

thence South 18°00' West 519.75 feet, more or less;

thence Southeasterly in a curve 577.5 feet, more or less, (this curve follows the now existing wash or ditch) to the South line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20, at a point 1947 feet West of the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20;

thence East 1947 feet, more or less, to the point of beginning.

ALSO, EXCEPT THEREFROM, Beginning at the Southwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20, and running

thence North 957 feet;

thence North 66°28' East 434 feet;

thence South 63° East 162 feet;

thence South 41°45' East 256 feet;

thence South 79° West 200 feet, more or less;

thence South 18° West 519.75 feet, more or less;

thence Southeasterly in curve 577.5 feet, more or less, (this curve follows existing wash or ditch) to the South line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of

said Section 20, at a point 693 feet East of the point of beginning;

thence West 693 feet, more or less,

to the point of beginning.

together with their appurtenances.

Dated: December 19, 1986

Ellen Ruud
ELLEN RUUD

ARIZONA

STATE OF ~~ARIZONA~~ COUNTY OF Maricopa

On this 22nd day of December, 1986,
before me, a notary public in and for said State, personally
appeared Ellen Ruud, a single person,

OFFICIAL SEAL

MARY LOU PLACENSIO

Notary Public — State of AZ

MARICOPA COUNTY

My Comm. Expires Sept. 1, 1987

known to me to be the person who so name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Mary Lou Placensio
Notary Public

Residing at Phoenix, Arizona
Comm. Expires

STATE OF IDAHO, COUNTY OF *Caribou*

I hereby certify that this instrument was filed for record at
the request of Caribou Title Company

at 31 minutes past 10 o'clock A.m.,
this 31 day of December,
19 86, in my office, and duly recorded in Microfilm
Records.

MYRNA W. ARCHIBALD

Ex-Officio Recorder

By *[Signature]* Deputy.

Fees \$ 2.00
Mail to:

130526

INSTRUMENT No.

STATE OF IDAHO
County of Caribou

143532

Date: May 15th 1992

Time: 2:45 PM

Microfilm Records

Recorder: Rebecca Jenkins Smith

Deputy: Stephanie Hansberry

Fee: 6.00 chg. CT
WARRANTY DEED

THIS INDENTURE, Made this 5th day of March, 1992, between JAY WARD BARKER AND MIRJAM D. BARKER, husband and wife, formerly of Grace, Caribou County, Idaho, hereinafter called First Party, and BRENT S. LOWDER AND JANICE A. LOWDER, husband and wife, of 2270 Bench-Lago Road, Grace, Caribou County, Idaho, hereinafter called Second Party:

WITNESSETH: That the said First Party, for and in consideration of the sum of TEN DOLLARS, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, more particularly described as follows, to-wit:

Township 11 South, Range 41 East of the Boise Meridian:
Section 17: A tract of land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17,

described as follows:

Beginning at a point 36 feet West of the Southeast corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, and running thence North 38°29' West 208 feet;
thence North 68°25' West 263 feet;
thence South 44°22' West 364 feet, more or less,
to the intersection with the South boundary line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;

thence East along the South boundary line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 630 feet, more or less,
to the point of beginning.

ALSO, a tract of land in the N $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17,
described as follows:

Beginning at a point 742.5 feet South of the Northwest corner of SE $\frac{1}{4}$ of Section 17, and running thence South 217.5 feet, more or less to the North right of way of North Lago County Road;
thence Northeasterly along said County Road to a point 2160 feet, more or less, East of the Northwest corner of SE $\frac{1}{4}$;

thence West 1247.5 feet, more or less to a point 742.5 feet East of the Northwest corner of the SE $\frac{1}{4}$;
thence Southwesterly 1056 feet, more or less,
to the point of beginning.

Order No.

THIS DEED OF TRUST,
BETWEEN BRENT S.

whose address is
CARIBOU LAND TITLE, INC
JAY WARD BARKER AND MTD
WITNESSETH: That Grant
IN TRUST, WITH POWER
State of Idaho, described as
See Exhibit A attached

SUBJECT to all easements, rights of way, and public roads or highways adjoining or crossing said property, and further subject to retention or reservation of mineral, oil and gas rights by prior owners of said real property or by the United States of America or the State of Idaho.

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

TO HAVE AND TO HOLD, all and singular, the said premises together with the appurtenances and privileges thereunto incident unto the said First Party, and said First Party's heirs, the said premises in the quiet and peaceable possession of said Second Party, said Second Party's heirs and assigns against the said First Party, First Party's heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said First Party has hereunto set
their hands and seals, the day and year first above written.

Jay Ward Barker
JAY WARD BARKER
Muriel D. Barker
MURIEL D. BARKER

STATE OF UTAH)
County of Weber) ss.

On this ^{and} 6 day of March, 1992, before me the undersigned, a Notary Public in and for said County and State, personally appeared JAY WARD BARKER and MIRIAM D. BARKER, 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.

Connie L. Loman
 NOTARY PUBLIC for the State of Utah
 Residing at: *North Ogden*, Utah
 Commission expires: *2/28/93*



TOGETHER WITH the said, less
and to be conferred upon Beneficiary.
For the Purpose of Securing
Grantor if the sum of TEN
1. final payment due
and to secure payment of all such
herein, or any or either of them,
monies representing such further
provided. Provided, however, that
and provided, further, that the
security until paid for all such
A. To protect the security of this
1. To keep said property in
property and in good and
when due all claims or demands
ing any alterations or improvements
any act upon said property in
character or use of said property
2. To provide, maintain and
amount collected under any fire
to such order as Beneficiary may
received to Grantor. Such applica-
any act done pursuant to such notice
3. To appear in and defend a
society or Trustee; and to pay all
any such action or proceeding in
4. To pay, at least ten days
charges and liens, with interest,
and expenses of this Trust. It
shall at the option, and on demand
premiums, maintenance and other
money of beneficiary of any such
5. To pay immediately and
with interest from date of expendi-
6. Should Grantor fail to make
obligation so to do and without
make or do the same in such man-
or Trustee being authorized to en-
porting to affect the security hereon
encumbrance, charge or lien which
powers, or in enforcing this Deed
fees.
B. It is mutually agreed that:
1. Any award of damages in
is hereby assigned and shall be paid
and with the same effect as above.
2. By accepting payment of an
prompt payment when due of all
3. At any time or from time to
presentation of the said award in
the indebtedness secured hereby,
plus thereof; join in granting any
or charge hereon.
4. Upon written request of the
said note to Trustee for cancel-
the property then held hereunder
shall be the sole proof of the
legally entitled thereto.
5. As additional security, Grant
continuance of these Trusts, in the
default by Grantor in payment of
retain such rents, issues and profits
notable, either in person, by agent, or
for the indebtedness hereby secured.
or otherwise collect such rents,
and the same shall be applied to the
society may determine. The amount
the application thereof as afore-
pursuant to such notice.

FOR THE RECORD

143530

WARRANTY DEED

THIS INDENTURE, Made this 6th day of March 1992, between JAY WARD BARKER AND MIRJAN D. BARKER, husband and wife, of Ogden, Weber County, Utah, hereinafter called First Party, and BRENT CHRISTENSEN AND SUSAN MARIE CHRISTENSEN, husband and wife, of Grace, Caribou County, Idaho hereinafter called Second Party:

WITNESSETH: That the said First Party, for and in consideration of the sum of ONE HUNDRED THIRTEEN THOUSAND EIGHT HUNDRED DOLLARS, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, more particularly described as follows, to-wit:

Township 11 South, Range 41 East of the Boise Meridian:

Section 17: SE $\frac{1}{4}$.

Section 20: N $\frac{1}{2}$ NE $\frac{1}{4}$.

ALSO, A tract of land in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, described as follows:

Beginning at the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 17, and running thence North 0°30' East along the East boundary line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ 341 feet to the center of a County Road; thence South 60°20' West along the center of said County Road 688 feet, more or less, to the intersection with the South boundary line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence East along said South boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ 595 feet, more or less, to the point of beginning.

EXCEPT THEREFROM, All that portion of SE $\frac{1}{4}$ of Section 17 lying North of County Road described as follows:

Beginning at the Northwest corner SE $\frac{1}{4}$ of Section 17, and running thence East 1990 feet more or less to the intersection of the North line of SE $\frac{1}{4}$ and the Westerly right of way of North Lago County Road; thence Southwesterly along the Northerly right of way of the North Lago County Road to a point 960 feet South of Northwest corner of SE $\frac{1}{4}$; thence North 960 feet, more or less, to the point of beginning.

ALSO, EXCEPT THEREFROM, Beginning at the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20, and running thence North 1188 feet, more or less; thence North 53°32' West 181.5 feet, more or less; thence North 76°00' West 462 feet, more or less; thence South 49°32' West 528 feet, more or less;

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March 6, 1992:

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thence South 79°00' West 1188 feet, more or less;
thence South 18°00' West 519.75 feet, more or less;
thence Southeasterly in a curve 577.5 feet, more or less, (this
curve follows the now existing wash or ditch) to the South line
of the N½NE¼ of said Section 20, at a point 1947 feet West of
the Southeast corner of the NE¼NE¼ of said Section 20;
thence East 1947 feet, more or less, to the point of beginning.

ALSO, EXCEPT THEREFROM, Beginning at the Southwest corner of
the NW¼NE¼ of said Section 20, and running
thence North 957 feet;
thence North 66°28' East 434 feet;
thence South 63°00' East 162 feet;
thence South 41°45' East 256 feet;
thence South 79°00' West 200 feet, more or less;
thence South 18°00' West 519.75 feet, more or less;
thence Southeasterly in curve 577.5 feet, more or less, (this curve
follows an existing wash or ditch) to the South line of the
N½NE¼ of said Section 20, at a point 693 feet East of the point
of beginning;
thence West 693 feet, more or less, to the point of beginning.

This Warranty Deed is given to correct that certain Warranty Deed
executed by the above parties, dated March 6, 1992 and recorded
March 6, 1992 under recorder's instrument No. 143160.

TOGETHER with all water and water rights appertenant thereto
and including but not limited 3½ lines of 4 in. sprinkler pipe.

SUBJECT to all easements, rights of way, and public roads
or highways adjoining or crossing said property, and further
subject to retention or reservation of mineral, oil and gas rights
by prior owners of said real property or by the United States of
America or the State of Idaho.

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

TO HAVE AND TO HOLD, all and singular, the said premises,
together with the appurtenances and privileges thereunto incident
unto the said First Party, and said First Party's heirs, the said
premises in the quiet and peaceable possession of said Second
Party, said Second Party's heirs and assigns against the said First
Party, First Party's heirs and against all and every person or
persons whomsoever, lawfully claiming or to claim the same, shall
and will warrant and by these presents forever defend.

STATE OF IDAHO } ss.
County of Caribou }

I hereby certify that this instrument was filed at the request
of Caribou Title
at 545 o'clock P on this 15th day of
May, 1992 in my office and duty
recorded in Microfilm Records

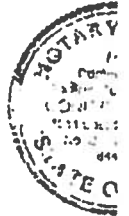
Rebecca Jenkins-Smith 9:00
Stephanie Lansberry Deputy Chg.
Ex-Officio Recorder

IN WITNESS
their hands and

STATE OF UTAH

County of Utah

On this 6
Notary Public I
JAY WARD BARKEF
me to be the
instrument, and
IN WITNESS
my official seal
written.



IN WITNESS WHEREOF, The said First Party has hereunto set their hands and seals, the day and year first above written.

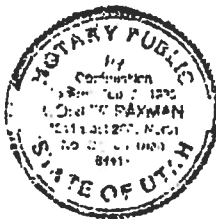
Jay Ward Barker
JAY WARD BARKER

Miriam D. Barker
MIRIAM D. BARKER

STATE OF UTAH)
County of Utah) ss.

On this 6 day of April, 1992, before me the undersigned, a Notary Public in and for said County and State, personally appeared JAY WARD BARKER AND MIRIAM D. BARKER, 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.



Connie L. Payman
NOTARY PUBLIC for the State of Utah
Residing at: South Ogden
Commission expires: 2/28/93

THIS INDENTURE
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RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Racine, Olson, Nye, Budge & Bailey, CHTD.
c/o Heidi Buck Morrison
P.O. Box 1391
Pocatello, ID 83204

(Space Above For Recorder's Use)

WARRANTY DEED

FOR VALUE RECEIVED, **CAMA SDIRA LLC, fbo Scott Brinkmeyer IRA**, whose address is 512 E. Township Line Rd., 5 Valley Square, Suite 200, Blue Bell, PA 19422 (Grantor), does hereby grant, warrant, and convey unto **DOUGLAS E. FLAGG and SHERIE **A. FLAGG**, whose address is 2520 South, West 500, Delta, UT 84624 (Grantee), the following described premises, located in Caribou County, State of Idaho, to wit:

****aka Sherie Ann Flagg**

Tract I:

Township 11 South, Range 41 East of the Boise Meridian:

Section 20: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, ALSO Beginning at the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20, and running
thence North 1188 feet, more or less;
thence North 53°32' West 181.5 feet, more or less;
thence North 76°00' West 462 feet, more or less;
thence South 49°32' West 528 feet, more or less;
thence South 79°00' West 1188 feet, more or less;
thence South 18°00' West 519.75 feet, more or less;
thence southeasterly in a curve 577.5 feet, more or less, (this curve follows the now existing wash or ditch) to the South line of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 20, at a point 1947 feet West of the southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20;
thence East 1947 feet, more or less,
to the Point of Beginning

Section 21: Beginning at the northwest corner of the SW $\frac{1}{4}$ of Section 21, and running
thence South 1320 feet; thence East 866.25 feet;
thence North 1320 feet; thence West 866.25 feet,
to the Point of Beginning
EXCEPT THEREFROM, a tract of land in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 and the

E-RECORDED

simplifile®

ID: 198774County: Caribou County IdahoDate: 3-30-2017Time: 4:35:40pm

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Racine, Olson, Nye, Budge & Bailey, CHTD.
c/o Heidi Buck Morrison
P.O. Box 1391
Pocatello, ID 83204

(Space Above For Recorder's Use)

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****aka Sherie Ann Flagg**

Tract I:

Township 11 South, Range 41 East of the Boise Meridian:

Section 20: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, ALSO Beginning at the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20, and running
thence North 1188 feet, more or less;
thence North 53°32' West 181.5 feet, more or less;
thence North 76°00' West 462 feet, more or less;
thence South 49°32' West 528 feet, more or less;
thence South 79°00' West 1188 feet, more or less;
thence South 18°00' West 519.75 feet, more or less;
thence southeasterly in a curve 577.5 feet, more or less, (this curve follows the now existing wash or ditch) to the South line of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 20, at a point 1947 feet West of the southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20;
thence East 1947 feet, more or less,
to the Point of Beginning

Section 21: Beginning at the northwest corner of the SW $\frac{1}{4}$ of Section 21, and running
thence South 1320 feet; thence East 866.25 feet;
thence North 1320 feet; thence West 866.25 feet,
to the Point of Beginning
EXCEPT THEREFROM, a tract of land in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 and the

NW_{1/4} SW_{1/4} of Section 21, aforesaid, more particularly described as follows:
Beginning at the Southeast corner of the NE_{1/4} SE_{1/4} of said Section 20, and running
thence East 515 feet;
thence North 600 feet;
thence West 380 feet;
thence Southwesterly 690 feet, to a point 185 feet West of the Southeast corner of the NE_{1/4}SE_{1/4} of Section 20;
thence East 185 feet,
to the Point of Beginning.

Tract II:

Township 11 South, Range 41 East of the Boise meridian:

Section 20: Beginning at the Southwest corner of the NW_{1/4}NE_{1/4} of said section 20, and running
thence North 957 feet;
thence North 66°28' East 434 feet;
thence South 63° East 162 feet;
thence South 41°45' East 256 feet;
thence South 79° West 200 feet, more or less;
thence South 18° West 519.75 feet, more or less;
thence Southeasterly in a curve 577.5feet, more or less, (this curve follows the now existing wash or ditch) to the South line of the N_{1/2}NE_{1/4} of said Section 20, at a point 693 feet East of the point of beginning;
thence West 693 feet, more or less,
to the Point of Beginning.

Tract III

Township 11 South, Range 41 East of the Boise Meridian:

Section 21 : A tract of land in the SW_{1/4} of Section 21, more particularly described as follows:
Beginning at a point in the existing fence line which is East 816.10 feet along the Quarter Section line fence and South 1°10'00" East 893.30 feet along the existing fence line from the Northwest Corner of the SW_{1/4} of said Section 21, and running
thence East 597.33 feet to the existing fence on the Westerly right of way line of Lago Liberty Road;
thence South 28°29'40" West 84.14 feet along said right of way fence line;
thence South 33°40'00" West 141.08 feet along said right of way fence line;

thence South 36°44'10" West 86.66 feet along said right of way fence line;
thence South 39°20'40" West 150.02 feet along said right of way fence line;
thence South 49° 54'30" West 77.73 feet along said fence line along said right of way of Lago Liberty Road, to a point on the South line of the N_{1/2} SW_{1/4} of said Section 21;
thence West 253.63 feet along the 1/16th line to the East line of a lane;
thence North 16°17'00" West 39.33 feet along the existing fence line on the Easterly line of said lane to the North line of said lane;
thence North 1°10'00" West 389.21 feet along the existing fence line, to the Point of Beginning.

Township 11 South, Range 41 East of the Boise Meridian:

Section 21: A tract of land in the SW ¼, described as follows:
Beginning at a point on the East line of an existing lane which is East 816.10 feet along the Quarter Section line fence and South 1°10' East 1282.51 feet along the existing fence line and South 16°17' East 39.33 feet from the Northwest Corner of the SW¼ of Section 21, and running thence East 253.63 feet along the 1/16th line to the Westerly fence line on the right of way of Lago Liberty road;
thence South 49°54'30" West 320.27 feet along said right of way fence line of Lago Liberty road;
thence North 1°10' West 190.05 feet along the existing fence line on the East side of a lane;
thence North 16°17' West 16.93 feet along the existing fence line on the Easterly line of said lane,
to the Point of Beginning.

TOGETHER WITH the following water rights registered with the State of Idaho, Dept. of Water Resources: No. 13-7713, 13-7715, 13-7717.

ALSO TOGETHER WITH any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way, water rights, and irrigation entity stock in anywise appertaining to the real property herein described.

SUBJECT TO all matters of record in the records of Caribou County, Idaho, matters that a correct survey would disclose, easements or claims of easement not shown by the public records, and taxes and assessments for the current year not yet due and payable.

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of said real property; that the real property is free from all encumbrances, excepting those as may be herein set forth, that Grantor will warrant and defend the same from all lawful claims.

DATED: ~~February~~ ^{March} 27, 2017

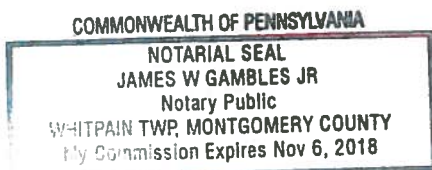
Donna Ianuzzi
CAMA SDIRA LLC, fbo Scott Brinkmeyer IRA

Scott Brinkmeyer

STATE OF PA)
County of Montgomery : ss.)

On this 27th day of March, 2017, before me, a Notary Public in and for said State, personally appeared Donna Ianuzzi, known or identified to me to be the person whose name is subscribed to the within Instrument as Vice President and authorized signer of the CAMA SDIRA LLC, fbo Scott Brinkmeyer IRA, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that she executed the same in said Limited Liability Company's name.

James W. Gambles Jr.
NOTARY PUBLIC FOR Cama Plan
Residing at: _____
Commission expires: 11/6/2018



E-RECORDED

simplifile

ID: 198775
County: Caribou County Idaho
Date: 3-30-2017 Time: 14:35:40 pm

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Racine, Olson, Nye, Budge & Bailey, CHTD.
c/o Heidi Buck Morrison
P.O. Box 1391
Pocatello, ID 83204

(Space Above For Recorder's Use)

QUITCLAIM DEED

FOR VALUE RECEIVED, **CAMA SDIRA LLC, fbo Scott Brinkmeyer IRA**, whose address is 512 E. Township Line Rd., 5 Valley Square, Suite 200, Blue Bell, PA 19422 (Grantor), does hereby quitclaim unto **DOUGLAS E. FLAGG and SHERIE A. FLAGG,**** whose address is 2520 South, West 500, Delta, UT 84624 (Grantee), any and all interest in the water rights registered with the State of Idaho, Dept. of Water Resources: No. 13-743, 13-744, 13-751, and 13-753.

****aka Sherie Ann Flagg**

TOGETHER WITH one water hook-up in Trout Creek Culinary Water, Inc.

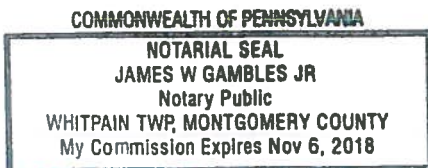
DATED: MARCH 27, 2017

[Signature]
CAMA SDIRA LLC, fbo Scott Brinkmeyer IRA

[Signature]
Scott Brinkmeyer

STATE OF PA)
) ss.
County of Montgomery)

On this 27th day of March, 2017, before me, a Notary Public in and for said State, personally appeared Donna Ianuzzi, known or identified to me to be the person whose name is subscribed to the within Instrument as Vice President and authorized signer of the CAMA SDIRA LLC, fbo Scott Brinkmeyer IRA, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that she executed the same in said Limited Liability Company's name.



[Signature]
NOTARY PUBLIC FOR Cama Flagg
Residing at:
Commission expires: 11/6/2018

TO: State of Idaho
Department of Water Resources

Statement concerning shares of the following water rights: 13-743 and 13-744.

Boyd and Jane Ruud and Douglas and Sherie Ann Flagg are the current owners of properties making up the 106.25 acres that originally belonged to A.A. Ruud in the Lago area of Caribou County. The property is located in the SENE and NESE of section 20 and the west 26.25 acres of the NWSW of section 21, T115S, R41E.

It has been agreed the amount of water that each owner is entitled to is based on the percentage of acres owned as follows:

NAME	ACRES	%	13-743	13-744
Boyd & Jane Ruud	7.4	6.94	.104	.035
Douglas & Sherie Ann Flagg	98.85	93.06	1.396	.465
Totals	106.25	100	1.5	.5

Boyd & Jane Ruud

Boyd A. Ruud 6-27-2017
Signature/Date

Mary Jane Ruud 6-27-2017
Signature/Date

Douglas & Sherie Ann Flagg

Douglas Flagg June 19, 2017
Signature/Date

Sherie Ann Flagg June 19, 2017
Signature/Date

Instrument # 198775

CARIBOU COUNTY, IDAHO

03-30-2017 14:36:40 No. of Pages: 1

Recorded for: FIRST AMERICAN TITLE CO, INC - SODA

Denise Horsley Fee: \$10.00

Ex-Officio Recorder Deputy

Index to: QUITCLAIM DEED

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Racine, Olson, Nye, Budge & Bailey, CHTD.

c/o Heidi Buck Morrison

P.O. Box 1391

Pocatello, ID 83204

(Space Above For Recorder's Use)

QUITCLAIM DEED

FOR VALUE RECEIVED, CAMA SDIRA LLC, fbo Scott Brinkmeyer IRA, whose address is 512 E. Township Line Rd., 5 Valley Square, Suite 200, Blue Bell, PA 19422 (Grantor), does hereby quitclaim unto DOUGLAS E. FLAGG and SHERIE A. FLAGG,** whose address is 2520 South, West 500, Delta, UT 84624 (Grantee), any and all interest in the water rights registered with the State of Idaho, Dept. of Water Resources: No. 13-743, 13-744, 13-751, and 13-753.

**aka Sherie Ann Flagg

TOGETHER WITH one water hook-up in Trout Creek Culinary Water, Inc.

DATED: MARCH 27, 2017

Donna Ianuzzi as TOA
CAMA SDIRA LLC, fbo Scott Brinkmeyer IRA

Scott Brinkmeyer

STATE OF PA)
) ss.
County of Montgomery)

On this 27th day of March, 2017, before me, a Notary Public in and for said State, personally appeared Donna Ianuzzi, known or identified to me to be the person whose name is subscribed to the within Instrument as Vice President and authorized signer of the CAMA SDIRA LLC, fbo Scott Brinkmeyer IRA, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that she executed the same in said Limited Liability Company's name.

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
JAMES W GAMBLES JR
Notary Public
WHITPAIN TWP, MONTGOMERY COUNTY
My Commission Expires Nov 6, 2018

James W. Gambles Jr.
NOTARY PUBLIC FOR Cama P/Corp
Residing at: _____
Commission expires: 11/6/2018



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 North Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 28, 2018

RE: Revised Split of Water Rights 13-781, 13-782 and 13-783

Dear Property Owner:

On October 11, 2005, Brent and Susan Christensen filed a Notice of Change in Water Right Ownership for water rights 13-781, 13-782 and 13-783. The Department updated its records to list the Christensens as the owner of all of the three rights. On May 2, 2007, Brent and Janice Lowder filed a Notice of Change in Water Right Ownership for a portion of water rights 13-781, 13-782 and 783. The Department split the water rights based on the deeds provided at that time.

Recently, Douglas and Sherie Ann Flagg filed a Notice of Change in Water Right Ownership, proposing to split off another portion of water rights 13-781, 13-782 and 13-783. The Flaggs provided copies of deeds, tracing ownership of their property back to the early 1900s. These deeds provide a more complete picture of how the water rights should be divided between the current property owners. This letter is intended to summarize the relevant deeds available to the Department at this time and explain how the Department has updated its water right records to reflect those deeds.

Water rights 13-781, 13-782 and 13-783 were described under Entry No. 369 in the 1920 Bear River Decree (*Utah Power & Light Co. v. Last Chance Canal Co.*) The decree describes the following elements:

369. W. H. Mecham
- | | |
|---------------|--|
| 1871 – May 1 | 2.8 cfs [140 inches, identified as water right 13-781] |
| 1884 – May 1 | 0.8 cfs [40 inches, identified as water right 13-782] |
| 1901 – June 1 | 1.2 cfs [60 inches, identified as water right 13-783] |

To be diverted through numerous ditches in Sections 16, 17 and 21, Township 11 South, Range 41 East, and from three springs located in the East half of the Southeast quarter of said Section 17, for the irrigation of 240 acres in the North half of the Northeast quarter of Section 20, and the Southeast quarter of Section 17, said Township and Range.

On October 2, 1915, William & Almira Mecham conveyed the full 240-acre property to T. Redford. The conveyance document stated: "Together with two hundred (200) inches of Decreed primary water right and forty (40) inches of secondary water right." The decree entry for W.H. Mecham described 240 inches of water. It appears the Mecham>Redford deed should have described 180 inches of senior water rights and 80 inches of secondary water rights. This error in the Mecham>Redford is inconsequential.

On April 24, 1925, T.L. & Gwen H. Redford conveyed the full 240-acre property to Thatcher Brothers Banking Company. The conveyance document stated: "Also Two Hundred Forty (240) inches of water from Trout Creek."

On December 14, 1933, Thatcher Brothers Banking Company conveyed the full 240-acre property to Glen A. Ruud, C. Norman Ruud and Andrew O. Ruud. The conveyance document was silent regarding water rights.

On June 2, 1941, Andrew O. Ruud conveyed his interest in the 240-acre property to Glen A. Ruud and C. Norman Ruud. The warranty deed stated: "Also, any and all water and water rights . . . particularly the right to the use of 240 inches of the water from Trout Creek."

On April 17, 1943, C. Norman Ruud conveyed his interest in the 240-acre property to Glen A. & Lenore Ruud. The warranty deed included: "240 inches of the waters of the Middle Fork of Trout Creek, adjudicated in the case of W.H. Mecham et al, vs. Christian Christensen et al, District Court of the Fifth Judicial District of Bannock County, Idaho." (The Mecham v. Christensen Decree (dated September 18, 1900) was superseded by the 1920 Bear River Decree.) Therefore, in 1943, the 240-acre property described in the 1920 Bear River Decree was still under single ownership (Glen & Lenore Ruud).

On October 17, 1956, Glen & Lenore Ruud conveyed to Una Hansen a 6-acre triangular parcel in the NWSE of Section 17, T11S, R41E. The warranty deed was silent regarding water rights. In Idaho, water rights are considered an appurtenance to the land described in the decree or license, and are conveyed with the property unless specifically reserved from the conveyance by the deed. Because the conveyance to Una Hansen did not explicitly reserve or withhold water rights, all water rights appurtenant to the property were included in the conveyance. Therefore, Una Hansen acquired a 6/240 (2.5%) share of all three of the W.H. Mecham water rights. Neither Ms. Hansen nor her successors in interest have ever updated the ownership records for the 6-acre portion of the water rights.

On December 21, 1965, Glen & Lenore Ruud conveyed a 55.6-acre portion of the 240-acre property to Boyd & Jane Ruud. The warranty deed included an error in the legal description of the property, which was fixed through a Correction Warranty Deed signed on July 19, 1966. The warranty deed stated: "Together with 40 inches of decreed water, having a priority date of 1884." Because a 2.5% (6-acre) portion of all three water right had already been conveyed to Una Hansen, Glen & Lenore Ruud no longer owned 40 inches of the 1884 water right. They only owned 0.78 cfs (39 inches) of the 1884 water right.

The other two water rights (1871 and 1901) were not mentioned in the Glen>Boyd warranty deed. Because they were not explicitly reserved from the conveyance, however, they were included in the conveyance to Boyd & Jane Ruud.

In their original form, the three water rights described a total of 4.80 cfs (240 inches) and the irrigation of 240 acres. This equates to one inch per acre. Because the Glen>Boyd warranty deed described 39 inches of the 1884 water right, the Department will assume that this water right covered 39 acres of the 55.6 acres conveyed to Boyd & Jane Ruud. The remaining 16.6 acres would be covered by a proportionate share of the 1871 and 1901 water rights.

On December 21, 1965, Glen & Lenore Ruud conveyed to Alan & Dorothy Ruud all of the 240-acre property, excluding the 6.3-acre parcel conveyed to Una Hansen and the 55.6-acre parcel conveyed to Boyd & Jane Ruud. The warranty deed stated: "Together with all water rights appurtenant thereto, including by not limited to 140 inches of decreed water."

After the conveyances by Glen & Lenore Ruud, the original 240-acre property was split into three pieces. At that time, the water rights would have been divided as follows:

Right No.	Decreed Rate	U. Hansen	B&J Ruud	A&D Ruud
13-781	2.8 cfs (140 in.)	0.07 cfs (3.5 in.)	0.23 cfs (11.5 in.)	2.50 cfs (125 in.)
13-782	0.8 cfs (40 in.)	0.02 cfs (1 in.)	0.78 cfs (39 in.)	None
13-783	1.2 cfs (60 in.)	0.03 cfs (1.5 in.)	0.10 cfs (5 in.)	1.07 cfs (53.5 in.)
Total	4.8 (240 in.)	0.12 cfs (6 in.)	1.11 cfs (55.5 in.)	3.57 cfs (178.5 in.)
Acres	240 acres	6 acres	55.6 acres	178.4 acres

On December 9, 1983, Alan & Ellen Ruud conveyed an additional parcel located in the NWNE of Section 20, T11S, R41E, to Boyd & Jane Ruud. The warranty deed did not explicitly reserve or withhold any water rights. Therefore, a portion of the 1871 and 1901 rights were included in the conveyance.

On March 5, 1992, Jay & Mirjam Barker (successors in interest to Alan & Ellen Ruud) conveyed a portion of the NESE and NWSE of Section 17, T11S, R41E, to Brent & Janice Lowder. The warranty deed did not explicitly reserve or withhold any water rights. Therefore, a portion of the 1871 and 1901 rights were included in the conveyance. The conveyance to Lowder could not include any portion of the 1884 right because it had been conveyed in its entirety to Boyd & Jane Ruud in 1965 (NENE and NWNE of Section 20). On March 6, 1992, Jay & Mirjam Barker sold the remaining property to Brent & Susan Christensen.

Currently, there are four property owners within the original 240-acre place of use described in the 1920 Bear River Decree: William P Hansen Revocable Trust (successor in interest to Una Hansen), Brent & Janice Lowder, E&H Land Ltd. (successor in interest to Brent & Susan Christensen), and Douglas & Sherie Flagg (successors in interest to Boyd & Jane Ruud).

Given the additional deeds now available to the Department, it is clear that the previous splits of water rights 13-781, 13-782 and 13-783 were erroneous. The Department did not have all of the relevant information at the time the splits were calculated. Based on the deeds summarized above, water rights 13-781, 13-782 and 13-783 should be split as follows:

	Hansen	Lowder	E&H Land	Flagg
Acres	6	12	154	68
1871 Right No.	13-8011	13-7714	13-7713	13-8008
1871 Rate (cfs)	0.07	0.16	2.16	0.41
1871 Rate (in.)	3.5	8	108	20.5
1884 Right No.	13-8012	13-7716	13-7715	13-8009
1884 Rate (cfs)	0.02	None	None	0.78
1884 Rate (in.)	1	None	None	39
1901 Right No.	13-8013	13-7718	13-7717	13-8010
1901 Rate (cfs)	0.03	0.08	0.92	0.17
1901 Rate (in.)	1.5	4	46	8.5
Total Rate (cfs)	0.12	0.24	3.08	1.36
Total Rate (in.)	6	12	154	68

Revised water right reports and maps showing the irrigation places of use are enclosed. Please contact me if you have any questions or concerns. The William Hansen Revocable Trust and E&H Land Ltd. should consider filing the documents necessary to update the ownership records for their water rights.

Sincerely,



James Cefalo
(208) 525-7161

Letter sent via Certified Mail to the following:

Brent & Susan Christensen
1231 S 5400 W
Grace, ID 83241

E&H Land Ltd.
6534 W Burch Way
Highland, UT 84003-5512

William P Hansen Revocable Trust
1886 N Brom Circle
Layton, UT 84040-2325

Douglas & Sherie Flagg
2253 Lago Liberty Road
Grace, ID 83241

Brent & Janice Lowder
2270 Bench Lago Road
Grace, ID 83241

Brent & Janice Lowder
4475 Vista Drive
Ogden, UT 84403-3044

Cc: Lynn Rasmussen,
Watermaster WD 13Q