

13.137

Rev 01/15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 31 2017

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Betty Jo. Mumford or Betty Jo Mumford Family Trust Phone 435-760-1956
Mailing address Ronald E. Mumford, Personal Representative/Successor Trustee
60 West 66th Str., New York City, NY 10023 Email eremny16@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it Attachment #1.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it Attachment #2a.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it Attachment #2b.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it Attachment #3.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Lucas Mumford Phone 208-351-0609
Mailing address 97 West 600 North, Clifton, ID 83228 Email duke.mum@gmail.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it Attachment #4.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Ronald E. Mumford, Representative Ronald E. Mumford, Personal Representative May 20, 2017
Signature of Applicant or Authorized Representative Print Name and Title if applicable Representative Date

Ronald E. Mumford, Successor Trustee Ronald E. Mumford, Successor Trustee May 20, 2017
Signature of Applicant or Authorized Representative Print Name and Title if applicable Trustee Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.2.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.		Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part	☒	13-137	0.20	Irrigation	04/01 to 10/31	Groundwater
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 0.20 cfs and/or acre-feet.

2. Total amount of water proposed to be transferred or changed cubic feet per second and/or acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			SW	SW	14	14S	38E	Franklin	Groundwater	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	38E	14										8.6	1.4						10.0
Total Acres (for irrigation use)																			10.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
It will be dried up

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

13-7128 Existing water rights on this property will be transferred to other property at a later date. pen

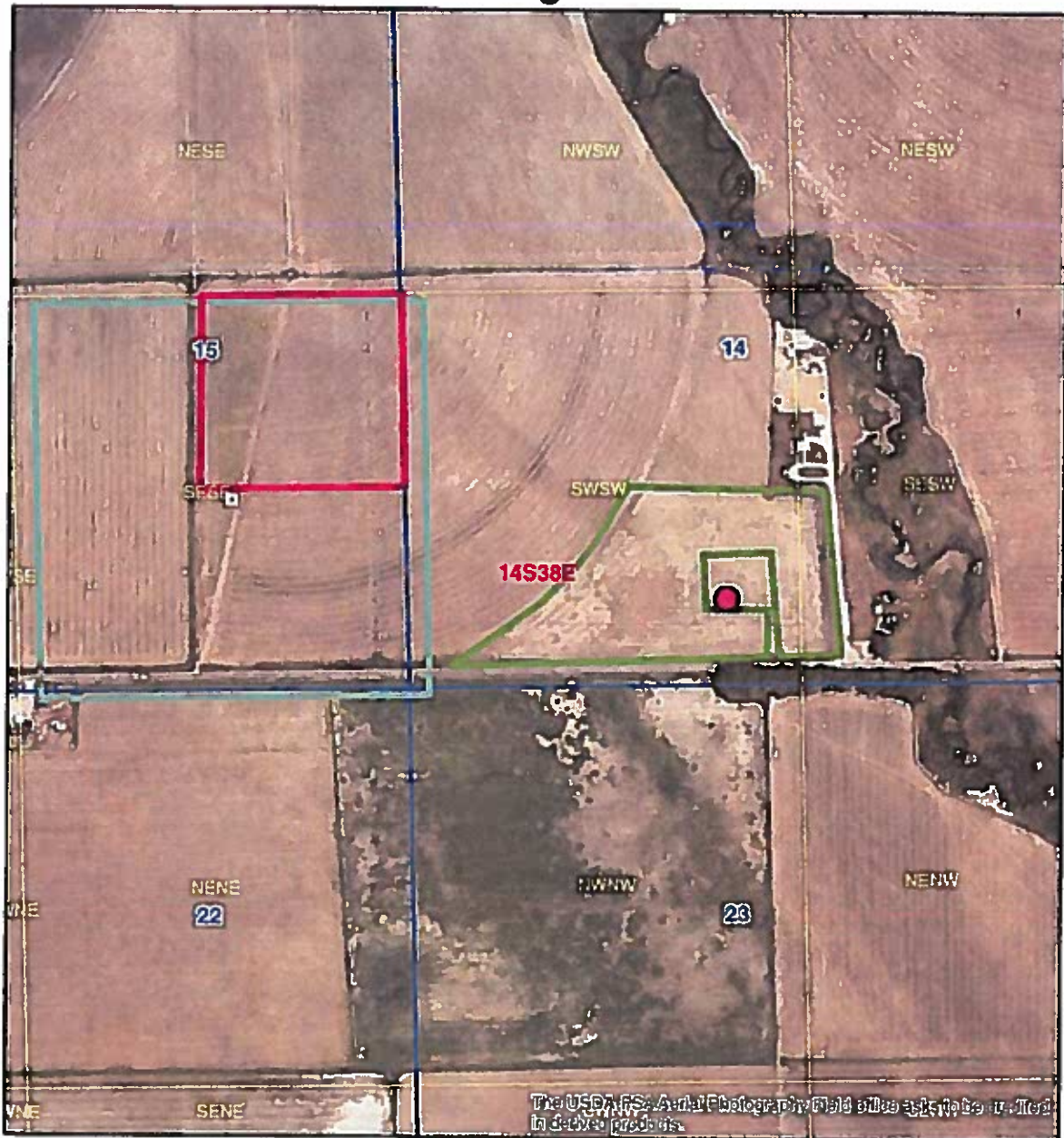
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

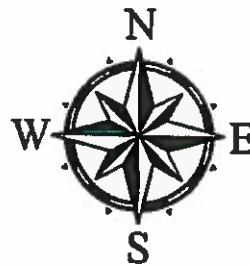
If yes, describe:

Ben Young Transfer



Legend

- Pre-Transfer POD
- Post-Transfer POD
- 18-137 Decreed Place of Use
- 10 acres for Split
- Post-Transfer Place of Use
- Township/Range
- Sections
- QQ



0 0.075 0.15 0.3 Miles

①

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF FRANKLIN.

S. S. HOOKER,

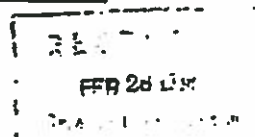
Plaintiff,

vs.

A. P. HENDERSON, and wife, EDITH
HENDERSON,

Defendants

DECREE



This cause came regularly on for trial on the _____ day of September, 1937, before the Hon. Jay L. Downing, Judge of the above entitled Court, sitting without a jury. P. M. Condie, Attorney at Law, and Merrill & Merrill, Attorneys at Law, appeared for and on behalf of the plaintiff, and P. J. Evans, Attorney at Law, appeared for and on behalf of the defendants. Evidence was introduced upon the issues framed by the Amended Complaint of the plaintiff and the Answer of the defendants thereto. After the submission of said evidence, argument of said cause and filing of briefs by the Attorneys for the respective parties, the Court took said matter under advisement. The Court, being now fully advised in the law and the premises and having made and entered its written Findings of Fact and Conclusions of Law:

NOW, THEREFORE, pursuant to said Findings and Conclusions of Law and by reason of the law and the premises, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the plaintiff is the owner, in possession and entitled to possession of 54 acres of land, situated in Section 15, Township 14, South of Range 38, East of the Boise Meridian, in Idaho, and particularly the Southeast quarter of the Southeast quarter of Section 15, Township 14, South of Range 38, East of the Boise Meridian, and is the owner of the right to use .80 cubic feet per second of time of subterranean waters for the irrigation of the tract of land last above described with a date of priority of May 14, 1934; that the diversion of said subterranean waters is by means of a well with a pump attached thereto, located in the Southwest corner of said Southeast quarter of the Southeast quarter of Section 15, Township 14 South, Range 38, East of the Boise Meridian, from which well said subterranean waters are pumped and used for the irrigation of

the lands above described.

2. That the right of the plaintiff to the use of said subterranean waters in the quantity heretofore mentioned is superior to any and all rights, claims or demands of the defendants or either of them and plaintiff's right thereto is hereby quieted against any claims of said defendants or either of them and that said defendants and each of them are hereby enjoined and restrained from any and all interference with the use by the plaintiff of .80 c.f.s. of said subterranean waters.

3. The Court being of the opinion that the evidence introduced in said cause with respect to interference by the defendants of the plaintiff's right to the use of the subterranean waters hereby quieted in him is insufficient to justify the court at this time in issuing an injunction restraining the defendants from operating their well, it is, therefore, ordered that such injunction, at this time, be denied.

4. That neither party shall recover costs against the other herein.

DATED, this 4th day of February, 1938.

Jay L. Downing
District Judge

Filed Feb. 7, 1938.
Recorded: 3 Judgments Page 605.
Docket 1 page 37

C. L. Swenson
Clerk of District Ct.

By D. Petterborg

STATE OF IDAHO SS
COUNTY OF FRANKLIN

I hereby certify that the foregoing is a true and correct copy of the Decree on file in my office.

In Witness Whereof, I have hereunto affixed my official seal and set my hand this 25 day of February, 1938.

C. L. Swenson, Clerk
District Court, 4 1936

By *[Signature]*
Deputy Clerk

MAY 14 1936

192561 1-4

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, is made by BETTY JO MUMFORD, as Personal Representative of the Estate of GIDEON EUGENE MUMFORD, aka G. EUGENE MUMFORD aka GIDEON E. MUMFORD, aka EUGENE MUMFORD, Deceased, and BETTY JO MUMFORD, aka BETTY JOE MUMFORD, AKA BETTY JOYCE MUMFORD, Grantors,

To BETTY JO MUMFORD, Trustee of the MARITAL TRUST as contained in the G. E. MUMFORD FAMILY TRUST, dated December 12, 1990 as amended by that Amendment dated November 24, 1992, Grantee, whose address is 89 West 6th North, Clifton, Idaho 83228.

WHEREAS, Grantor is the qualified Personal Representative of the Estate filed as Probate Case No. SP-94-134, Franklin County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells, transfers, and conveys to Grantee the following described real property:

LOCATED IN FRANKLIN COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED BELOW:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

AND TOGETHER WITH: Section 15, Township 14 South, Range 38 East of the Boise Meridian:

Commencing at a point 1170.5 feet West of the Southeast Corner of the Southwest Quarter of said Section 15, and running thence North 140 feet; thence East 120 feet; thence South 140 feet; thence West 120 feet to the point of beginning.

BUT FURTHER LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL PROPERTIES:

Commencing 21 feet West of the Southeast Corner of the Southwest 1/4 of Section 15 of Township 14 South, Range 38 East of the Boise Meridian and running thence West 1,450.5 feet; thence North 326.78 feet; thence East 1,450.5 ft; thence South 326.78 feet to the point of beginning.

Commencing at a point 326.78 feet North and 21 feet West of the Southeast Corner of the Southwest 1/4 of Section 15, Township 14 South, Range 38 East of the Boise Meridian and running thence West 1,450.5 feet; thence North 900.05 feet; thence East 1,450.5 feet; thence South 900.05 feet to the point of beginning. Consisting of approximately 29.97 acres.

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Commencing at a point 1,170.5 feet West of the Southeast Corner of the Southwest Quarter of said Section 15, and running thence North 180 feet; thence West 120 feet; thence South 180 feet; thence East 120 feet to the point of beginning.

Together with all water rights, appurtenances, and improvements located thereon or appurtenant thereto.

EXECUTED this 30th day of December, 1994.

Betty Jo Mumford
BETTY JO MUMFORD
Personal Representative of the
Estate of GIDEON EUGENE MUMFORD,
Deceased

Betty Jo Mumford
BETTY JO MUMFORD, an Individual
Recorded at the request of
Ronald E. Mumford

—2.m. DEC 30 1994: 3:50 p.m.

STATE OF IDAHO)
) ss.
COUNTY OF FRANKLIN)

LARAE E. JOHNSON, RECORDER.
By Ruth K. Rawlings Deputy
FRANKLIN COUNTY, IDAHO

On this 30th day of December, 1994, before me, a Notary Public in and for said State, personally appeared BETTY JO MUMFORD, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she is the duly authorized and appointed Personal Representative of the Estate, and that she executed this document in said capacity for and in behalf of said Estate.

Margaret M. Mough
NOTARY PUBLIC
Residing at: Franklin County
My Commission Expires: 2-1-99

STATE OF IDAHO)
) ss.
COUNTY OF FRANKLIN)

On this 30th day of December, 1994, before me, a Notary Public in and for said State, personally appeared BETTY JO MUMFORD, an individual, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Margaret M. Mough
NOTARY PUBLIC
Residing at: Franklin County

My Commission
Expires 2-1-99

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Township 14 South, Range 38 East of the Boise Meridian, Franklin County, Idaho

Section 10: $S\frac{1}{2}SE\frac{1}{2}$, $SE\frac{1}{2}SW\frac{1}{2}$

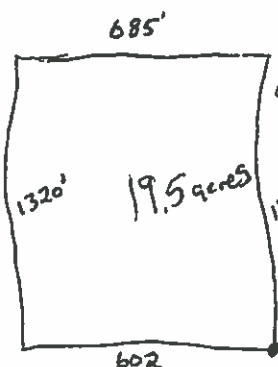
Section 11: $W\frac{1}{2}SW\frac{1}{2}$

Section 14: $SW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{2}$, $NW\frac{1}{4}SW\frac{1}{2}$, EXCEPTING THEREFROM: Beginning at the interesection of the West Boundary of the RR right-of-way and the South line of Section 14, and running West along said line 477.9 feet to a new point of beginning; thence West along the South line of Section 14, also the North boundary of a County road, 414.3 feet; thence 210.3 feet North; thence East 400.0 feet to a large post in a fence that defines the East boundary of this lot; thence South-easterly along said fence to the new point of beginning; TOGETHER WITH culinary well located to the East and Southeast of the house, and all improvements and outbuildings located thereon.

ALSO EXCEPTING; Beginning at the Southeast corner of the $NW\frac{1}{4}NW\frac{1}{4}$ of Section 14, and running thence Southwesterly across Deep Creek along a fence line South 16° West approximately 122 rods; thence South 36° East approximately 53 rods to a point 50 feet West of the Southwest corner of the $NE\frac{1}{4}SW\frac{1}{2}$ of Section 14; thence South 49° East across Deep Creek 60 rods; thence South 18° East 25 rods; thence South 16 rods, more or less, to the South boundary line of grantor's property, which is the South line of said Section 14; thence East along said line to the railroad right-of-way; thence North along the West boundary of said right-of-way 80 rods, more or less; thence West to the Southwest corner of the $NE\frac{1}{4}SW\frac{1}{2}$ of said Section 14; thence North 160 rods, more or less, to the point of beginning.

ALSO INCLUDING, $NW\frac{1}{4}NW\frac{1}{4}$, There is conveyed herein an access road EXTENDING from SE corner OF $NW\frac{1}{4}NW\frac{1}{4}$ of said Section 14, East along South line of $NE\frac{1}{4}NW\frac{1}{4}$ of said Section 14 to the County Road, as reserved in Book 47 of Deeds, page 484, records of Franklin County, Idaho

Section 15: $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{2}$.



ALSO, Commencing at the Southeast corner of Section 15, running thence North along the Section line 1502 feet from the Southeast corner of said Section to the point of beginning; thence South $78^{\circ}6'$ West 2179 feet; thence North $7^{\circ}25'$ West 700 feet; thence North $78^{\circ}30.5'$ East 2269 feet; thence South along section line 696 feet to the point of beginning.

ALSO, Commencing at the Southeast corner of Section 15, running thence North 80 rods; thence West 20 rods; thence South $78^{\circ}20'$ West 355 feet; thence South $4^{\circ}37'$ East 1320 feet, more or less, to section line; thence East 602 feet to the point of beginning.

192561 4-4

ALSO, Commencing at a point which is 20 rods West and South $78^{\circ}20'$ West 355 feet from the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 15, thence North $78^{\circ}20'$ East 355 feet; thence East 20 rods; thence North along East section line 182 feet; thence South $78^{\circ}6'$ West to a point due North of the point of beginning; thence South to the point of beginning.

EXCEPTING THEREFROM; the following described property in Section 15, Township 14 South, Range 38 East of the Boise Meridian, All property and premises lying to the South of the North line of the South half of the Southeast Quarter of said Section 15, within the present East-West boundary of the grantee.

ALSO, Commencing at the Northeast corner of the Southeast Quarter of Section 15, and running thence South 450 feet; thence South $78^{\circ}30'$ West 2980 feet, more or less; thence North $4^{\circ}02'$ West 670 feet; thence South $78^{\circ}40'$ West 1400 feet, more or less; thence North $3^{\circ}56'$ West 650 feet, more or less, to the Quarter Section line; thence East 4373.25 feet, more or less, to the place of beginning.

ALSO, Commencing 1 rod 4.5 feet West from the Southeast corner of the Southwest Quarter of Section 15, and running thence West 44 rods; thence North 134 rods; thence North 85° East 29 rods 9 feet; thence South 40 rods 6.5 feet; thence North 85° East 16 rods 3.5 feet; thence South 97 rods to the place of beginning.

ALSO, Commencing 45 rods 4.5 feet West of the Southeast corner of the Southwest Quarter of Section 15, and running thence West 43 rods 14 feet; thence North 120 rods 12 feet; thence Northeasterly 43 rods 1 foot; thence South 134 rods to the place of beginning.

EXCEPTING THEREFROM, Commencing at a point 1170.5 feet West of the Southeast corner of the Southwest Quarter of said Section 15, and running thence North 180 feet; thence West 120 feet; thence South 180 feet; thence East 120 feet to the point of beginning.

ALSO INCLUDING; Commencing at a point South $89^{\circ}52'$ East 21 rods from the Southwest corner of the SW $\frac{1}{4}$ of said Section 15, running thence North $1^{\circ}30'$ West 1830 feet, more or less, to access road; thence North $76^{\circ}30'$ East 880 feet following the South line of said road; thence South $3^{\circ}30'$ East 2017.5 feet; thence North $89^{\circ}52'$ West 812 feet to the place of beginning.

EXCEPTING THEREFROM; Commencing at a point South $89^{\circ}52'$ East 21 rods from the Southwest corner of the Southwest Quarter of said Section 15, and running thence North $1^{\circ}30'$ West 396 feet; thence South $89^{\circ}52'$ East 110 feet; thence South $1^{\circ}30'$ East 396 feet; thence North $89^{\circ}52'$ West 110 feet to the place of beginning.

SUBJECT to existing easements for roads, highways, ditches, canals, laterals, and power and transmission lines.

Recorded at the request of

Aminda J. [illegible]

JUN 8 1979 12:00 p.m.

Reception ☐
Indexed ☐

MICHAEL D. KUNZ, RECORDER

By *[Signature]*
FRANKLIN COUNTY, IDAHO

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

For Value Received Joshua H. Taylor and Leah C. Taylor, his wife

the grantor s does hereby grant, bargain, sell and convey unto

Gideon Eugene and Betty Joe Mumford, his wife, as joint
tenants with right of survivorship.
Clifton, Idaho 83228the grantee, the following described premises, in Franklin County, Idaho, to wit:

Township 14 South, Range 38 East of the Boise Meridian

Section 14: S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING Railroad right-of-way.Section 15: Beginning at a point North 0°35' West 1502 feet from
the Southeast corner of said Section; and running
thence South 78°16' West 2169 feet; thence North 7°25'
West 700 feet; thence North 78°30' East 2254.9 feet;
thence South 0°35' East 696 feet to the place of
beginning.ALSO, Commencing at the Southeast corner of said
Section and running thence North 1500 feet; thence
South 78°06' West 680 feet; thence South 4°37' West
1360 feet, more or less to Section line; thence East
602 feet to the place of beginning.Subject to existing easements for roads, highways, ditches, canals,
laterals, and power and transmission lines.Together with 5 shares of water stock in the Clifton Irrigation
Company.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
heirs and assigns forever. And the said Grantor do hereby covenant to and with the said
Grantee, that he the owner in fee simple of said premises; that they are free from all in-
cumbrances

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

Dated:

June 4 - 1979Joshua H. Taylor
Leah C. Taylor

(NOTARY SEAL)

UTAH
State of IdahoCounty of SALT LAKEss On the 4th day of JUNE A.D. 1979

personally appeared before me JOSHUA H. TAYLOR and LEAH C. TAYLOR

the signer(s) of the within instrument, who duly acknowledged to me that they
executed the same.Residing at S.L.C., UtahMy Comm. Expires 7-15-81

Mail deed to:

Mail notice to:

This Indenture, Made the Fourth day of June
in the year of our Lord One Thousand Nine Hundred and Seventy Nine
R. L. Yergensen and Elna Yergensen, his wife between

of Salt Lake City, County of Salt Lake, State of Utah
parties of the first part, and Joshua H. Taylor and Leah C. Taylor, his wife

of Clifton, County of Franklin, 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 Hundred Eleven Thousand Eight Hundred Twenty Five DOLLARS (\$ 111,825.00)
do by these presents Grant, Bargain, Sell and Convey unto the said parties of the second part, and to heirs and assigns forever, all that certain real property situate in the County of Franklin and State of Idaho, and bounded and particular described as follows, to-wit:

Township 14 South, Range 38 East of the Boise Meridian
Section 14: S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING Railroad right-of-way.

Section 15: Beginning at a point North 0°35' West 1502 feet from the Southeast corner of said Section; and running thence South 78°16' West 2169 feet; thence North 7°25' West 700 feet; thence North 78°30' East 2254.9 feet; thence South 0°35' East 696 feet to the place of beginning.

ALSO, Commencing at the Southeast corner of said Section and running thence North 1500 feet; thence South 78°06' West 680 feet; thence South 4°37' West 1360 feet, more or less to Section line; thence East 602 feet to the place of beginning.

Subject to existing easements for roads, highways, ditches, canals, laterals, and power and transmission lines.

Together with 5 shares of water stock in the Clifton Irrigation Company.

together with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

And said parties of the first part hereby agree to keep the buildings on said premises fully insured against loss by fire in some reliable fire insurance company, with loss, if any, payable to the parties of the second part as mortgages, as their interest may appear.

THIS GRANT is intended as a mortgage to secure the payment of that certain promissory note of even date herewith, executed and delivered by the said First Parties to the said parties of the second part of which the following is a true copy:

(See Attached Copy)

This mortgage shall also secure the whole or any portion of said indebtedness which may hereafter be evidenced by any renewal note or notes.

And these presents shall be void if such payment be made. But in case default shall be made in the payment of said principal sum of money or any part thereof as provided in the said note, or if the interest be not paid as therein specified, then it shall be optional with the said parties of the second part, their executors, administrators or assigns to consider the whole of said principal sum expressed in said note as immediately due and payable; and immediately to enter into and upon all and singular the above described premises, and to sell and dispose of the same according to law, and out of the money arising from such sale, to retain the principal and interest which will then be due on the said promissory note, together with the costs of foreclosure, including reasonable counsel fees and also the amounts of all such payments of taxes, assessments, incumbrances or insurance, or payments for necessary title abstracts as may have been made by said second part, their heirs, executors, administrators or assigns, rendering the balance of the purchase money (if any there shall be) unto the said parties of the first part above named.

their heirs, executors, administrators, assigns

parties of the first part

IN WITNESS WHEREOF, the said part
the day and year first above written.
Signed, Sealed and Delivered in the
Presence of

of the first part ha hereunto set hand and

R. L. Yergensen (Seal)
Elna Yergensen (Seal)

_____ (Seal)

STATE OF UTAH

County of Salt Lake

SS.

On this Fourth day of June in the year 19 79, before me
R. L. Yergensen & Elna Yergensen, a
in and for said County and State, personally appeared before me and they are
known to me to be the person s 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.

[Signature]

Residence Kaysville, Utah



No. 149894
MORTGAGE Short Cosignant

R. L. Yergensen, et al
TO
Joshua H. Taylor, et al

Dated June 8, 1979
STATE OF UTAH, ss.
County of Franklin

I hereby certify that this instrument was
filed for record at the request of
David J. Tito

at 5 minutes past 12 o'clock
P.M., this 8 day of
June 1979 in my office
and duly recorded in Book _____ of Mort-

gages at page _____

Michael R. Kump
Ex-Officio Recorder

Per: [Signature] Deanna B. Atkinson

PROMISSORY NOTE

\$ 111,825.00

June 4, 19 79

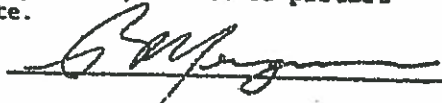
FOR VALUE RECEIVED, I, WE OR EITHER OF US PROMISE TO
PAY TO THE ORDER OF Joshua H. Taylor and Leah C. Taylor, his wife

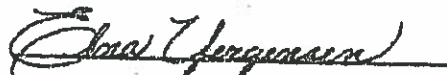
or at such other place as the holder may designate in writing
the principal sum of One Hundred Eleven Thousand Eight Hundred
Twenty Five DOLLARS (\$ 111,825.00), with
interest from June 4, 1979 at the rate of Nine
per centum (9 %) per annum, lawful money of the United States
of America in installments as follows:

Ten equal annual installments together with accrued interest thereon at
9% per annum with the first annual installment due one year from date.

This note is secured by a real estate mortgage of same date.

If default be made in the payment of any installment
under this note, the entire principal sum and accrued interest
shall at once become due and payable without notice at the
option of the holder of this note. The failure of the holder
of this note to enforce its rights upon default in any of the
terms of this note shall not constitute a waiver of any such
right in the event of a subsequent default. If suit is in-
stituted to collect this note or any portion thereof, I
agree to pay, in addition to the costs and disbursements
as are allowed by law, such additional sums as the court may
adjudge reasonable as attorney's fees in such suit. The
makers, sureties, guarantors and endorsers hereof severally
waive presentment for payment, protest, notice of protest
and of non-payment of this note.





THIS INDENTURE, made this 8th day of August in the year of our Lord one thousand nine hundred and Forty-seven between Irvin Davis and his wife, Viola Davis of Clifton County of Franklin State of Idaho the parties of the first part, and J. H. Taylor and Leah C. Taylor, his wife, Joint tenants by entirety with full rights vested in the survivor and not as tenants in common. of Clifton County of Franklin, 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 Eight Hundred 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, 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 the County of Franklin, State of Idaho, to-wit:

Commencing at the Southeast corner of Section 15, Township 14 South, Range 38 East of the Boise Meridian; thence North 80 rods; thence West 20 rods; thence South 78°20' West 355 feet; South 4°37' East 1320 feet more or less to Section line; thence East 602 feet to the place of beginning, containing 20.50 acres, more or less.

(\$1.10 U. S. I. R. Stamps Affixed and Duly Cancelled.)

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 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 ies 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

Irvin Davis (Seal)

Viola Davis (Seal)

STATE OF IDAHO,

County of Franklin.

ss.

On this 8th day of August in the year 1947, before me J. N. Larsen, a Notary Public in and for said State, personally appeared Irvin Davis and his wife, Viola Davis known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

(Seal)

J. N. Larsen
Notary Public, Residing at Creston,
Idaho

STATE OF IDAHO, SS.
COUNTY OF FRANKLIN.

I hereby certify that this instrument was filed for record at the request of
P. M. Condie at 9:05 A.M., December 29, 1947.

C. L. Swenson; Ex-Officio Recorder

Fee \$1.20

By *[Signature]* Deputy

--- Compared ---

Inst. No. 79679

WARRANTY DEED

THIS INDENTURE, made this 5th day of December in the year of our Lord one thousand
nine hundred and forty-seven between William L. Beckstead, and his wife, Cora M. Beckstead
County of Franklin State of Idaho the parties of the first part, and Roy H. Beckstead
of Preston County of Franklin State of Idaho, the party of the second part.

WITNESSETH, That the said part of the first part, for and in consideration of
the sum of One Dollar and other 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 the following described real estate, situated in the County of
Franklin, State of Idaho, to-wit:

A right of way commencing at a point 25 rods West of the Northeast corner of the
northwest quarter of Section 36, Township 15 South, Range 39 East of the Boise Meridian,
and running thence west 24 rods; thence Southwest to the North right of way gate of the
U. I. C. Railroad, said right of way to be used for general purpose of driving livestock
to and from the fields.

It is the intent of this deed to discontinue the right of way herein described.

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 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

William L. Beckstead (Seal)

Cora M. Beckstead (Seal)

STATE OF IDAHO, SS.
County of Franklin.

On this 5th day of December in the year 1947, before me C. L. Swenson a Notary
Public in and for said State, personally appeared William L. Beckstead and his wife Cora M.
Beckstead known to me to be the persons whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

246 feet; thence following the County Road along the following meanders; North 22°56' East 800 Feet; thence North 38°59' East 300 feet; thence East to the half quarter line; thence North along half quarter line 30 rods, more or less to Bear River; thence Southwesterly following the meanderings of Bear River to a point 40 rods West of the center section line; thence southwesterly to Riverdale Preston and Mink Creek Canal; thence following the meanderings of Riverdale Preston and Mink Creek Canal Southwesterly to a point 10 rods North and 141 feet East of the Southwest corner of the Southeast quarter of the Northwest quarter of said Section 29; thence East 519 feet; thence North 8 rods; thence East 80 rods to the place of beginning.

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 her 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 her 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 her hand and seal the day and year first above written.

Signed, sealed and delivered in presence of
Melba Wright

Elizabeth F. Smith (Seal)

STATE OF IDAHO

SS.

COUNTY OF FRANKLIN

On this 20th day of January in the year 1939, before me J. N. Larsen a Notary Public in and for said State, personally appeared Elizabeth F. Smith, single 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 the day and year in this certificate first above written.

(Seal)

J. N. Larsen
Notary Public; Residing at
Preston, Idaho

STATE OF IDAHO

SS.

COUNTY OF FRANKLIN

I hereby certify that this instrument was filed for record at the request of J. N. Larsen at 11:25 A. M. February 21, 1939.

C. L. Swenson
Ex-Officio Recorder

Fee: \$1.20

By Clarence N. Nish
Deputy

a.B.
Compared

Inst. No. 56192

WARRANTY DEED

The Amalgamated Sugar Company, a Corporation Grantor, of Ogden County of Weber State of Utah, hereby conveys and warrants to Irvin Davis Grantee of Clifton County of Franklin State of Idaho for the sum of Three Hundred and no/100 DOLLARS the following described tract of land in Franklin County, State of Idaho:

Commencing at the Southeast corner of Section fifteen (15), township fourteen (14) south, range thirty eight (38) east of the Boise Meridian, and running thence north eighty (80) rods; thence

West Twenty (20) rods; thence south 78°20' west three hundred fifty five (355) feet; thence South 4°37' east thirteen hundred eighty-eight (1388) feet; thence east six hundred two (602) feet, to the place of beginning, containing twenty and 50/100 (20.50) acres more or less.

\$.50 U.S.I.R. Stamp attached and duly cancelled.

WITNESS the hand of the Grantor this 21st day of February, 1939.

Signed in the presence of

J. J. Dunbar

J. J. Dunbar

THE AMALGAMATED SUGAR COMPANY

H. A. Benning

J. R. Backman

(INC SEAL)

STATE OF UTAH

SS.

COUNTY OF WEEER

On the 21st day of February A.D. 1939, personally appeared before me H. A. Benning and J. R. Backman, who being by me duly sworn, did say that they are the Vice President and Secretary respectively of The Amalgamated Sugar Company, a corporation, and that said instrument was signed in behalf of said Corporation by authority of a resolution of its Board of Directors and said H. A. Benning and J. R. Backman acknowledged to me that said corporation executed the same.

My Commission expires 10-15-40

(Seal)

A. N. Squires
Notary Public

Residing at Ogden, Utah

STATE OF IDAHO

SS.

COUNTY OF FRANKLIN

I hereby certify that this instrument was filed for record at the request of Irvin Davis at 4:05 P.M. February 21, 1939.

C. L. Swenson
Ex-Officio Recorder

By Charles M. Nelson
Deputy.

Fee: \$1.20

A.B.
Compared
ccccccc

Inst. No. 56204

DEED

THIS INDENTURE made this 18th day of February, A.D. 1939, between Chauncey P. Overfield and Iona M. Overfield, his wife, both of Salt Lake City, County of Salt Lake, State of Utah, parties of the first part, and E. A. Crockett of Preston, County of Franklin, State of Idaho party of the second part.

WITNESSETH: That the said parties of the first part for and in consideration of the sum of Five Hundred (\$500.00) Dollars, receipt whereof is hereby acknowledged have granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto the said party of the second part and to his heirs and assigns forever, the following described real estate situated in Franklin County, State of Idaho, to-wit:

"Commencing at a point 53 rods and 9 feet South of the Northwest corner of the Northwest quarter of Section 25, Township 15 South, Range 35 East of the Boise Meridian, Idaho, and running thence East 12½ rods; thence South 127 feet; thence West 12½ rods; thence North 127 feet to the place of beginning.

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

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

County of Franklin and state of Idaho, and bounded and described as follows, to-wit:

Commencing at the North-west corner of the South-west quarter of the North-east quarter of Section Twenty-two (22) Township Fourteen (14) South, Range Thirty-eight (38) East of the Boise Meridian, and running thence West 660 feet; thence South 1320 feet; thence East 175.5 feet; thence North 133 feet; thence East 159 feet; thence South 133 feet; thence East 171 feet; thence North 250 feet; thence East 1220 feet, more or less; thence North 19° 59' West 111.2 feet; thence East 148 feet; thence in a North 11° 02' West 987.3 feet, to a point 986.5 feet East of the place of beginning; thence West 986.5 feet to the place of beginning, containing 46 acres more or less.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the rents, issues and profits thereof, and together with all ditch and water rights of every nature, however evidenced, used with said land or belonging to same.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part, and to his heirs and assigns forever, and the said parties of the first part and their heirs, the said premises in a 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.

IT 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

E. Vernon Howell (SEAL)

Edith M. Howell (SEAL)

A. W. Hart

A. H. Jensen

STATE OF IDAHO

COUNTY OF FRANKLIN--SS

On this 30 day of September in the year 1924, before me Arthur W. Hart, a Notary Public in and for said County and State personally appeared E. Vernon Howell and Edith M. Howell, known to me to be the persons whose names are subscribed to the within and foregoing 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 first above written.

My commission expires Moh 1, 1928. (SEAL)

Arthur W. Hart
Notary Public

STATE OF IDAHO

COUNTY OF FRANKLIN--SS

I hereby certify that this instrument was filed for record at the request of E.R. Nielsen, at 4.25 P.M. February 16th, 1926.

Fees \$1.20

Compared

John A. [Signature]
Ex-Officio Recorder.

INST. NO. 25508

QUIT CLAIM DEED

THIS INDENTURE, made this Tenth day of January in the year A.D., one thousand nine hundred Twenty-five, between Twin Lakes Canal Company, a corporation of the County of Franklin, State of Idaho, party of the first part, and THE AMALGAMATED SUGAR COMPANY, a corporation of Ogden, of the County of Weber, State of Utah, party of the second part.

WITNESSETH: That the said party of the first part, for and in consider-

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Twin Lakes
to
Amalgamated Sugar

ation of the sum of One and no/100 Dollars, lawful money of the United States of America, to it in hand paid, by the said party of the second part the receipt whereof is hereby acknowledged, does by these presents demise, release and forever Quitclaim unto the said party of the second part, and to its successors and assigns forever, all those certain lots pices, or parcels of land situated, lying and being in Franklin County, State of Idaho, and bounded and particularly described as follows, to-wit:

Commencing at the Southeast corner of Section Fifteen (15), Township Fourteen (14) South, Range Thirty eight (38) East of the Boise Meridian, Idaho, and running thence North Eighty (80) rods; thence West Six Hundred Ninety-three (693) feet; thence South 4° 37' East Thirteen Hundred Twenty-eight (1328) feet, more or less, to the South line of said Section 15; thence East Six Hundred Two (602) feet, to the place of beginning, containing Twenty (20) acres, more or less.

Also, The East half of the Southwest quarter and the Northwest quarter of the Southwest quarter of Section Five (5), and the Northeast quarter of the Southeast quarter of Section Six (6), Township Sixteen (16) South, Range Thirty-nine (39) East of the Boise Meridian, Idaho, containing 160 acres.

This Deed is given subject in all respects to all incumbrances and Liens now on said lands.

This deed is given pursuant to a resolution duly passed by the Board of Directors of the Twin Lakes Canal Company on the 6th day of January, 1925.

(\$1.00 U.S.I.R. Stamps attached and duly cancelled.)

Together with all and singular, the tenements, water rights, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion, refections, remainder, and remainders, rents, the issues, and the profits thereof.

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

IN WITNESS WHEREOF, the said party of the first part has caused this instrument to be signed by its President and attested by its corporate seal the day and year first above written.

Signed in the presence of

N. W. Kimball Jr. (CORPORATE SEAL)

Twin Lakes Canal Company

By Thomas Preston, President

By E.R. Nielsen, Secretary

STATE OF IDAHO

COUNTY OF FRANKLIN--SS

On this Tenth day of January in the year 1925 before me, a Notary Public in and for said County, personally appeared Thomas Preston and E.R. Nielsen, known to me to be the President and Secretary, respectively, of the corporation that executed the above and 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.

My commission expires

Sept. 7, 1925.

STATE OF IDAHO

COUNTY OF FRANKLIN--SS

L. R. Morgan,

Notary Public

Address Preston, Idaho.

(SEAL)

I hereby certify that this instrument was filed for record at the request of The Amalgamated Sugar Co. at 9-30 A.M. February 17th, 1926.

Fees \$1.20

compared

John A. [Signature]
Ex-Officio Recorder.

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HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part, and to his heirs and assigns forever, and the said parties of the first part and their heirs, the said premises in a 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 the presence of,

Elmer S. Merrill, (SEAL)

E. R. Nielsen

Annie K. Merrill (SEAL)

STATE OF IDAHO, }
County of Franklin, } ss;

On this Twelfth day of June, in the year, 1917, before me/a Notary Public, in and for said County and State, personally appeared Elmer S. Merrill and his wife, Annie K. Merrill, known to me to be the persons whose names are subscribed to the within and foregoing 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 first above written.

(SEAL) My commission expires September 29th, 1919.

E. R. Nielsen,
Notary Public, Preston, Idaho.

STATE OF IDAHO, }
County of Franklin } ss;

I hereby certify that this instrument was filed for record at request of Brigham M. Burbank, at 4:45 P. M. this 10 day of March, A. D. 1920, in my office.

Fees, \$1.20

Compared 9c.

John A. [Signature]
Ex-Officio Recorder.

INST. NO. 12793

D B E D.

THIS INDENTURE, made the 8th day of March, 1920, between Oneida Irrigation District, a quasi-municipal corporation under the laws of the State of Idaho, party of the first part, and Twin Lakes Canal Company, a corporation organized under the general laws of the State of Idaho, of Dayton, County of Franklin, State of Idaho, party of the second part,

WITNESSETH: That for and in consideration of One Dollar (\$1.00) and other valuable considerations, consisting of the issue of stock by the grantee for the use of water to the owners of lands heretofore having use of said waters under the grantor, and pursuant to direction and requirements of the owners of lands through and under the grantor in accordance with law, the first party does by these presents grant, bargain, sell and convey unto the second party, its successors and assigns, all the right, title and interest of the first party, however acquired, held or claimed by the first party, of, in and to the following described real property, easements and other interests, as well as waters, water rights and appurtenances therewith and as now situated in the County of Franklin and State of Idaho, to-wit:

The S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13; the S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 14, Township 14 South, Range 38 E. B. M. containing 160 acres.

Also, commencing at the southeast corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 14; thence west 2757 feet, more or less, to the east line of the Oregon Short Line Railroad right of way; thence north 3° 18' West 508.4 feet; thence north 83° 40' east 1656.6 feet; thence south 73° 56' East 1185.5 feet to east line of said section 14; thence south

Oneida Irrigation District to:
Twin Lakes Canal Co.

feet to the place of beginning, containing 35.11 acres, more or less.

Also, commencing at the northeast corner of Section 23, Township 14 South, Range 38 E. B. M. thence west 1617 feet; thence southeast to a point 590 feet west and 80 rods south of the place of beginning; thence east 590 feet; thence north 80 rods, to the place of beginning, containing 33.44 acres.

Also, the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23; the W $\frac{1}{2}$ of the NE $\frac{1}{4}$; the E $\frac{1}{2}$ of the NW $\frac{1}{4}$; the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ all of Section 24; and the N $\frac{1}{2}$ of NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Section 25, all in Township 14 South, Range 38 E. B. M., containing 640 acres.

Also, commencing at the southeast corner of Section 15, Township 14 South, Range 38 E. B. M.; thence north 80 rods; thence west 693 feet; thence south 4° 37' east 1328 feet, more or less, to the south line of said section 15; thence east 602 feet, to the place of beginning, containing 20 acres.

Also all of lot 5 and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 6, Township 15 South, Range 39 E. B. M., containing 56.17 acres.

Also the E $\frac{1}{2}$ of SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, Township 16 South, Range 39 E. B. M. containing 160 acres..

Also, beginning at the northeast corner of the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section Seventeen (17), Township Fourteen (14) South, Range Thirty nine (39) East, Boise Base and Meridian, and running thence south two hundred forty-one (241) feet; thence south 48° 47' West twenty four hundred eighty nine (2489) feet; thence south 51° 05' east sixty three (63) feet; thence south 31° 45' west two hundred ninety (290) feet; thence south 10° 45' west five hundred one (501) feet; to the south boundary of the northeast quarter (NE $\frac{1}{4}$) of Section Eighteen (18), Township Fourteen (14) South, Range Thirty nine (39) East of the Boise Meridian; thence west two hundred three and five-tenths (203.5) feet; thence north 10° 45' east five hundred seventy five (575) feet; thence north 31° 45' east three hundred fifty and seven tenths (350.7) feet; thence south 51° 05' east seventy five and seven tenths (75.7) feet; thence north 46° 05' east twenty six hundred sixty three and four tenths (2663.4) feet, more or less, to the place of beginning.

The last above description subject to the conditions and reservations in that certain deed of Robert C. Ceddes and wife, to the grantor herein, of date the 6th day of February, 1920, and found of record in Book 19 of RECORDS, page 194, records of Franklin County, Idaho.

Also, commencing at a point four hundred eighty three (483) feet south and twenty-eight (28) feet west of the northeast corner of the southeast quarter of section Twenty-five (25), Township Fourteen (14) South, Range Thirty nine (39) East of the Boise Meridian, Idaho, and running thence south 80° 00' west three hundred fifty (350) feet; thence south 10° 00' east two hundred fifty (250) feet; thence north 80° 00' east three hundred fifty (350) feet; thence north 10° 00' west two hundred fifty (250) feet, to the place of beginning, containing two (2) acres.

Also, commencing at a point two (2) rods and three and one half (3 $\frac{1}{2}$) feet west and twenty two (22) feet south of the northeast corner of Section Twenty seven (27), Township Fourteen (14) south, Range Thirty eight (38) East of the Boise Meridian, and running thence south twenty (20) feet; thence south 89° west twelve hundred ninety six (1296) feet; thence north twenty (20) feet; thence north 89° east twelve hundred ninety six (1296) feet to the place of beginning.

Also, a strip of land sixty five (65) feet in width and extending in a general south-westerly direction across the southwest quarter of the southeast quarter and the southeast quarter of the southwest quarter of Section Eight (8), Township Fourteen (14) South, Range

twenty five (25) feet on the right and forty (40) feet on the left of the center line of Siphon No. 2-A on the Oneida Canal, said center line being more particularly described as follows, to-wit: Beginning at a point twenty-five hundred sixty two (2562) feet west and thirteen hundred twenty six and seven-tenths (1326.7) feet north of the southeast corner of Section Eight (8), Township Fourteen (14) South, Range Thirty nine (39) East, Boise Base and Meridian, and running thence south 46° 05' West eighteen hundred ninety-two (1892) feet, more or less, to the south boundary of the south east quarter of the southwest quarter of the aforesaid section and containing an area of two and 82/100 (2.82) acres, more or less.

Also, a strip of land sixty five (65) feet in width, extending in a general south-westerly direction across the northwest quarter of the southeast quarter of Section Eight (8), Township Fourteen (14) South, Range thirty nine (39) East, Boise Base and Meridian, Idaho. Said strip of land extends to a width of twenty five (25) feet on the right and forty (40) feet on the left of the center line of Siphon No. 2-A on the Oneida Canal said center line being more particularly described as follows, to-wit: Beginning at a point nine (9) feet west of the northeast corner of the northwest quarter of the southeast quarter of Section Eight (8), aforesaid, and running thence south 37° 55' West five hundred twenty three and 49/100 (523.49) feet; thence on a curved line to the right having a radius of twenty eight hundred sixty four and 78/100 (2864.78) feet, a distance of four hundred eight and 33/100 (408.33) feet; thence south 46° 05' West eight hundred seventy three and 12/100 (873.12) feet, more or less, to the south boundary of the aforesaid 40-acre tract, and containing an area of two and 67/100 (2.67) acres, more or less.

Also, a tract of land described as follows, to-wit: Beginning at the northwest corner of the northeast quarter of the northwest quarter of Section Seventeen (17), Township Fourteen (14) South, Range Thirty nine (39) East, Boise Base and Meridian, and running thence east eighty nine (89) feet; thence south 46° 05' west one hundred twenty three and six-tenths (123.6) feet; thence north eighty five and seven tenths (85.7) feet, to the place of beginning, containing nine one hundredths (.09) of an acre, more or less.

Also, beginning at the northwest corner of the northeast quarter of the southeast quarter of Section Eight (8), Township Fourteen (14) South, Range Thirty nine (39) East, Boise Base and Meridian, Idaho, and running thence east forty two (42) feet; thence south 46° 05' West seventy (70) feet; thence north fifty six (56) feet, more or less, to the place of beginning, containing 0.027 acres, more or less.

Also, beginning at a point twelve hundred seventy nine and fourtenths (1279.4) feet west of a point twenty six hundred forty two (2642) feet north of the southeast corner of Section Eight (8), Township Fourteen (14) South, Range Thirty nine (39) East, Boise Base and Meridian, and running thence west eighty eight (88) feet; thence north 37° 55' East three hundred twenty two (322) feet; thence north 52° 05' west seventy (70) feet; thence north 37° 55' East two hundred twenty nine (229) feet; thence north 60° 45' east one hundred thirty (130) feet; thence south 29° 15' east two hundred (200) feet; thence south 60° 45' west eighty six (86) feet; thence south 37° 55' west one hundred eighty six (186) feet; thence north 52° 05' west sixty (60) feet; thence south 37° 55' west two hundred seventy (270) feet, more or less, to the place of beginning, containing one and 92/100 (1.92) acres, more or less.

Also, commencing at a point South 26° 06' East ten hundred and twenty seven (1027) feet from the northwest corner of the NE $\frac{1}{4}$ of Section Twenty seven (27), Township Fourteen (14) South, Range Thirty eight (38) East, Boise Base and Meridian, and running thence south 14° 33' west four hundred and forty seven (447) feet; thence east thirty five (35)

five (35) feet; to the place of beginning, containing 0.36 acres, more or less.

Also, an easement upon and across the following described lands for the maintenance of irrigation ditches thereon, to-wit:

Commencing at the northeast corner of the southwest quarter of the northeast quarter of Section Eleven (11), Township Fifteen (15) South, Range Thirty eight (38) East of the Boise Meridian, Idaho, and running thence west eighty (80) feet; more or less, to the east line of the O. S. L. Railroad right of way; thence southeasterly along said right of way to the south line of the northeast quarter of said section Eleven (11); thence east ten (10) feet, more or less, to the southeast corner of the southwest quarter of the northeast quarter of said Section Eleven (11); thence north eighty (80) rods, more or less, to the place of beginning, containing one and 36/100 (1.36) acres, more or less.

Also, a strip of land eighty (80) feet in width extending in a general southwesterly direction across the southeast quarter of the northeast quarter of Section Ten (10), Township Fifteen (15) South, Range Thirty eight (38) East of the Boise Meridian, Idaho.

The center line of the above described strip of land is more particularly described as follows, to-wit: Beginning at a point on the north boundary of the above described tract, six hundred forty eight (648) feet west of the northeast corner of the southeast quarter of the northeast quarter of Section Ten (10), Township Fifteen (15) South, Range Thirty eight (38) East of the Boise Meridian, Idaho, and running thence South $2^{\circ} 13'$ west two hundred seventy seven and nine tenths (277.9) feet; thence south eight degrees fifty minutes west ($8^{\circ} 50' W.$) two hundred nineteen and seven tenths (219.7) feet; thence south two degrees thirty three minutes west ($2^{\circ} 33' W.$) three hundred twenty two (322) feet; thence south eleven degrees forty three minutes west ($11^{\circ} 43' W.$) five hundred twenty and two tenths (520.2) feet, more or less, to the south boundary of the above described forty-acre tract, containing an area of two and forty six one-hundredths (2.46) acres, more or less.

Also an easement upon and over the following described lands for gravel and road purposes, to-wit:

Beginning at a point 752.0 feet east of a point 1085.0 feet south of the northwest corner of Section 22, Township 14 South, Range 40 East, Boise Base and Meridian, and running thence north $71^{\circ} 00'$ east 173.0 feet; thence south $19^{\circ} 00'$ east 150.0 feet; thence south $71^{\circ} 00'$ west 173.0 feet; thence north $19^{\circ} 00'$ west 150 feet, more or less, to the point of beginning, situated in the northwest quarter of the northwest quarter of said section 22, and containing 59/100 of an acre.

Also, a right of way for a wagon road 15 feet in width, 7.5 feet on either side of the center line, which center line is described as follows: Commencing at a point 1137.4 feet south of a point 953 feet east from the northwest corner of Section 22, Township 14 South, Range 40 East, Boise Base and Meridian, and running thence north $61^{\circ} 00'$ east 60 feet; thence north $37^{\circ} 00'$ east 100.00 feet; thence north $60^{\circ} 00'$ east 386.00 feet; thence north ~~$60^{\circ} 00'$ east 386.00 feet~~; thence north $26^{\circ} 00'$ east 100.00 feet; thence north $47^{\circ} 00'$ east 150.0 feet; thence north $3^{\circ} 00'$ west 300 feet; thence north $8^{\circ} 00'$ east 325 feet; thence north $27^{\circ} 00'$ west 25.0 feet; to the section line common to Sections 22 and 15, above mentioned township and range, containing 5/10 of an acre.

The last two above described parcels being subject to the conditions of that certain deed from John C. Hansen and wife to the first party, of date January 21, 1920, and as found of record in Book 2 of Miscellaneous Records, page 475, records of Franklin County, Idaho.

Also all easements, rights or privileges owned by the first party in said County however acquired and held, in connection with the construction, operation and maintenance of its canal system as now and heretofore operated in said Franklin County, Idaho; and

any recorded deeds to the said first party in relation thereto, whether found of record in the office of the Recorder of Franklin, or as formerly Oneida County, Idaho, are hereby referred to and specially made a part hereof as to any description thereof and any such conveyances so found of record and descriptions therein, respectively, are hereby made a part hereof and intended to be conveyed by this instrument.

Also hereby transfers and conveys all canals, flumes, siphons, aqueducts, tunnels, reservoirs and reservoir sites and any and all other ditches or other appurtenances belonging to, used with and a part of what has heretofore been known as the Oneida Irrigation System in said County and State, wherever and however situated or however used and a part thereof.

Also hereby conveys all water and water rights heretofore or now owned by said Oneida Irrigation District in connection with its irrigation system as heretofore and now diverted from what is known as Mink Creek, in said County, as well as all other sources of water owned and to which said first party is entitled, whether from said source or others, and as heretofore located and acquired or as may have been heretofore or as may hereafter be decreed by court decree in its name, and as used and to be used in its said canal system and for storage, in its reservoir or reservoirs.

It being intended hereby to so convey to the said second party all and every of the lands, hereditaments and appurtenances thereunto belonging or belonging to said first party as such District, as well as all ditches, water rights and appurtenances thereunto belonging, and any and all interest of the first party of, in or to any lands or waters now held by it.

IN WITNESS WHEREOF, the first party has caused these presents to be executed by its undersigned officers by virtue of a resolution of its Board of Directors duly authorizing the same, and further, in pursuance of proceedings at law for such sale or transfer hereof, and has caused its seal to be hereunto affixed.

ATTEST:

E. R. Nielsen,
Secretary.

(SEAL)

Oneida Irrigation District.

By, James Johnson, President.

STATE OF IDAHO, }
County of Franklin } ss;

On this 8th day of March, 1920, before me, George E. Crockett, a Notary Public, in and for said County and State, personally appeared James Johnson and E. R. Nielsen, President and Secretary, respectively, of Oneida Irrigation District, a quasi-municipal corporation under the laws of the State of Idaho, and known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same for and on behalf of said corporation and in pursuance of an by authority of a resolution of the Board of Directors of said Oneida Irrigation District duly authorizing the directing the same.

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

(SEAL) My commission expires June 2, 1921.

Geo. E. Crockett,
Notary Public, residing at Preston,
Franklin County, Idaho.

STATE OF IDAHO, }
County of Franklin } ss;

I hereby certify that this instrument was filed for record at request of, E. R. Nielsen, at 10:45 A. M. this 11 day of March, A. D. 1920, in my office.

Fees, \$6.60

John A. T. [Signature]
Ex-Officio Recorder.

COMPARED. 92

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TO HAVE AND TO HOLD all and singular, the above mentioned and described property, together with the appurtenances, unto the said Oneida Irrigation District and to its successors and assigns, forever.

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

STATE OF IDAHO)

COUNTY OF FRANKLIN) SS

Samuel M. Lee, Treasurer Oneida Irrigation District,

On this 24th day of December ~~1918~~ 1918, before me E.E. Nielsen a Notary Public in and for said County, personally appeared Samuel M. Lee the Treasurer of the Oneida Irrigation District, and known to me to be the Treasurer of Oneida Irrigation District and the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he, as such Treasurer, executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal the day and years in this certificate first above written.

My Commission expires Sept. 29th, 1918. (SEAL) E.E. Nielsen, Notary Public, Address:

Preston, Idaho

Recorded at request of Samuel M. Lee Dec 28th, 1918 at 10:45 A.M.

John A. Laiden
John A. Laiden, Official Recorder

Fees, \$1.40
Compared *W.L.B.*

IRRIGATION DISTRICT TAX DEED

NO 10268

THIS INDENTURE, made this 24th day of December A.D. 1918, between Samuel M. Lee as Treasurer, of the Oneida Irrigation District, a public corporation, created organized and existing under and by virtue of the Irrigation District Laws of the State of Idaho, of Franklin County, Idaho, party hereto of the first part, and Oneida Irrigation District, County of Franklin, State of Idaho, party of the second part, hereto, "WITNESSETH: That

WHEREAS, the then Treasurer of the Oneida Irrigation District, by virtue of the authority given him by the laws of the State of Idaho in such case made and provided, did on the 7th day of September A.D. 1915 make this certificate in duplicate, stating that the lands herein conveyed were sold to Oneida Irrigation District for taxes and assessments levied and assessed to Riley Davis for the year 1915 by the Board of Directors of the Oneida Irrigation District; that the amount of such assessments, costs and penalties, for which said lands were sold were as follow, to-wit: Assessments \$51.14 Costs \$0.25 Penalties \$5.77 that the lands conveyed by said Certificate are described as follows, to-wit: Commencing at the Southeast corner of Section 13, Township 14 South, Range 38 East of Boise Meridian, and running thence North 1320 feet; thence West 693 feet; thence Southeastly 1329 feet to a point, 602 feet West of the place of beginning, thence East 602 feet to the place of beginning Section Township. South Range 38 East, Boise Meridian, containing 19.60 acres, and that if, for an irregularity of the taxing officers said certificate be void, then in such case said Oneida Irrigation District guarantees to repay to the holder thereof the sum paid therefor with interest at six per cent (6%) per annum from the date of its issuance;

AND WHEREAS, no persons has redeemed the said premises during the time allowed by law for their redemption and it appearing that the said Oneida Irrigation District was on the 7th of September, 1918 entitled to a deed therefor;

NOW, THEREFORE, WITNESSETH: That in pursuance of the laws and statutes of the State of Idaho in such cases made and provided Samuel M. Lee as Treasurer of the Oneida Irrigation District for in and consideration of the foregoing premises and in further consideration of Fifty-six and 60/100 Dollars, in hand, paid to said Oneida Irrigation District the receipt of which is hereby acknowledged, has Granted, Bargained, Sold, Conveyed, and Confirmed, and by these presents does grant, bargain, sell, and confirm, unto the aforesaid Oneida Irrigation District and to its successors and assigns forever, the said above described premises and property, as fully and absolutely as I, the said Samuel M. Lee as Treasurer of the Oneida Irrigation District

Riley Davis
tax Deed to:
Oneida Irrigation
Company.

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may or lawfully sell and convey the same that is to say, all and singular the property above described in this deed, together with all and singular, the tenements, hereditaments, and appurtenances therunto belonging or in any wise appertaining, and the reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right title, possession and claim, as well in law as in equity, of the said Riley Davis and all owners and claimants thereof, known or unknown, and all owners and claimants of any interest, present or future therein, or any lien upon in, or to the above described property and every part and parcel thereof, with the appurtenances, which said owner or claimant has or possessed on the day of the said levy or assessments.

TO HAVE AND TO HOLD all and singular the above mentioned and described property, together with the appurtenances, unto the said Oneida Irrigation District and to its successors and assigns, forever.

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

Samuel M. Lee, Treasurer Oneida Irrigation District.

STATE OF IDAHO

COUNTY OF FRANKLIN } SS

On this 24th day of December 1918, before me E.H. Nielson, a Notary Public in and for said County, personally appeared Samuel M. Lee the Treasurer of the Oneida Irrigation District, and known to me to be the Treasurer of Oneida Irrigation District and the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he, as such Treasurer, executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal the day and years in this certificate first above written.

My Commission expires September 20th, 1919 (SEAL) E.H. Nielson, Notary Public, Address: Preston Idaho

Recorded at request of Samuel M. Lee Dec 28th, 1918 at 10:50 A.M.

John A. Hays, Ex-Officio Recorder Fee, \$1.40

Compared N.B.

IRRIGATION DISTRICT TAX DEED

NO 10269

THIS INSTRUMENT, made this 24th day of December A.D. 1918, between Samuel M. Lee as Treasurer of the Oneida Irrigation District, a public corporation created, organized and existing under and by virtue of the Irrigation District Laws of the State of Idaho, of Franklin County, Idaho, part hereto of the first part, and Oneida Irrigation District, County of Franklin, State of Idaho, party of the second part, hereto, WITNESSETH: That

WHEREAS, the then Treasurer of the Oneida Irrigation District, by virtue of the authority given him by the laws of the State of Idaho in such case made and provided, did on the 7th day of September A.D. 1918, make this certificate in duplicate, stating that the lands herein conveyed were sold to Oneida Irrigation District for taxes and assessments levied and assessed to Olive Maddox for the year 1914, by the Board of Directors of the Oneida Irrigation District that the amount of such assessments, costs and penalties, for which said lands were sold were as follows, to-wit: Assessments \$127.71 Costs \$0.25 Penalties \$12.77 that the lands conveyed by said certificate are described as follows, to-wit:

The North One-fourth of the Northwest Quarter of the Southeast Quarter, and the East Half of the Southeast Quarter of Section One Township 15 South, Range 28 East, Boise Meridian, containing 90 acres and that if, for any irregularity of the taxing officers said certificate be void, then in such case said Oneida Irrigation District, guarantees to repay to the holder thereof the sum paid therefor with interest at six per cent (6%) per annum from the date of its issuance;

AND WHEREAS; no person has redeemed the said premises during the time allowed by law for their redemption and it appeared in that the said Oneida Irrigation District was on the

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Together with \$569.50 stock in Preston-Riverdale and Mink Creek Canal Company and \$170.00 in Preston-Whitney Irrigation Company; and that on the death of the said Mary L. Reid, the said Edward S. Reid became and was the survivor of the community and the owner in its entirety of the premises above described, and that the said Edward S. Reid thereafter conveyed the said premises and stock to petitioner herein, and that David E. Davis, the petitioner, is now the owner of the said property free from the claims of any other person; and the foregoing facts are hereby established of record.

Dated December 20th, 1947.

(Seal)

W. Paul Merrill
Probate Judge.

State of Idaho, SS.
County of Franklin.

I, W. Paul Merrill, Probate Judge and Ex-Officio Clerk of the Probate Court of Franklin County, Idaho, hereby certify that the within and foregoing is a true and correct copy of a Decree Establishing Record Title to Community Property entered in the master of the estate of Mary L. Reid, deceased, as appears from a comparison with the original instrument now on file in my office.

Witness my hand, and the seal of said Probate Court this 20th day of December, 1947.

(Seal)

W. Paul Merrill
Probate Judge and Ex-Officio Clerk.

STATE OF IDAHO, SS.
COUNTY OF FRANKLIN.

I hereby certify that this instrument was filed for record at the request of P. M. Condie at 11:10 A.M., December 20, 1947.

C. L. Swenson; Ex-Officio Recorder

Fee \$1.00

By James L. Swenson Deputy

--- Compared ---

Inst. No. 79668

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR FRANKLIN COUNTY.

J. H. Taylor and Leah C. Taylor,
husband and wife,

Plaintiffs,

vs.

Decree

Simon S. Hooker, alias S. S. Hooker, and the unknown heirs and/or the unknown devisees of Edwin H. Hooker, also known as E. Henry Hooker, deceased, and the unknown heirs and/or the unknown devisees of his wife Jane Doe Hooker, whose true name is unknown, deceased; the unknown heirs and/or the unknown devisees of John Sant, Junr., deceased, and the unknown heirs and/or the unknown devisees of his wife, Martha Ellen Sant, deceased; Benjamin Boyce, alias Ben Boyce, and wife, Maud E. Boyce; Elias Bybee, known also as B. E. Bybee, and wife, Lydia Bybee; Carey VanLeuven, and the unknown heirs and/or

→ Cleared title of S.S. Hooker & heirs' name

the unknown devisees of Ransom C. Vanleuven, alias Ransom Vanluvin, deceased, and the unknown heirs and/or the unknown devisees of his wife, Sarah L. Vanleuven, deceased; Ivo J. Sperry, Vera C. Hendricks, Velma J. Green, Ina J. Thomas and Zora S. Gudmundson, heirs of John V. Sperry and wife, Ellen J. Sperry, both deceased, and the unknown heirs and/or the unknown devisees of John V. Sperry, deceased, and the unknown heirs and/or the unknown devisees of Ellen J. Sperry, deceased; the unknown heirs and/or the unknown devisees of Julia S. Hanson, deceased, formerly wife of Heber Hanson, alias Heber Hansen; Lillie Rice, Administratrix of the estate of Charles P. Rice, deceased; Dora M. Larsen, Oneida Anderson, Hilda Steele, Warda Schmershall, Cornell Davis, Clifford Davis, heirs at law of Riley Davis and Julia Hooker Davis, husband and wife and both deceased; the unknown heirs and/or the unknown devisees of Riley Davis, deceased, and the unknown heirs and/or the unknown devisees of Julia Hooker Davis, deceased; Martha A. Tremayne; Consolidated Wagon & Machine Company, a corporation; Oneida Irrigation District, a defunct corporation; and the unknown heirs and/or the unknown devisees of any of the above named defendants who may be deceased; and all unknown owners and all unknown claimants of, in or to the following described real estate situated in Franklin County, Idaho: Commencing at the SE corner of Section 15, Tp. 14 S., R. 38 E.B.M., thence N. along Section line 1502 feet from the SE corner of said Section to the place of beginning, and running thence S. 78°6' W. 2179 feet; thence N. 7°25' W. 700 feet; thence N. 78°30.5' E. 2289 feet; thence S. along Section line 696 feet to place of beginning, containing 35.55 acres, more or less, all in the SE $\frac{1}{4}$ of Sec. 15, Tp. and R. aforesaid; also: Commencing at SE corner of Section 15, above Tp. and R., and running thence N. 80 rods; thence W. 20 rods; thence S. 78°20' W. 355 feet; thence S. 4°37' E. 1320 feet, more or less, to Section line; thence E. 602 feet to the place of beginning, containing 20.5 acres more or less.

Defendants.

The above entitled cause came on for hearing this 19 day of December, 1947, at Chambers at Pocatello, Idaho, before Honorable L. E. Glannon, Judge of the above entitled Court. P. M. Condie, Esquire, appeared as attorney for the plaintiffs, and the defendants did not appear in person or by attorney. And it appearing from the instruments on file herein that defendants S. S. Hooker, Carey VanLeuven, Ivo J. Sperry, Vera C. Hendricks, Velma S. Gree, Dora M. Larsen, Oneida Anderson, Hilda Steele, Warda Schmershall, Cornell Davis, Consolidated Wagon & Machine Company, a corporation, have all waived the service of summons and complaint and dis claimed any interest in the file herein, and that all of the other defendants have been served with summons by publication, affidavit of publication

being on file herein, and that copies of the summons and complaint were mailed to defendants Ina J. Thomas, Zora S. Gundmundson, Clifford Davis, and Lillia Rice, Administratrix of the Estate of Charles F. Rice, deceased, addressed to said person to their last known address outside the State of Idaho, all as provided in the order thereof on file herein; and it further appearing that none of the defendants has appeared to plead to plaintiff's complaint and all of the defendants now being in default for failure to plead to plaintiff's complaint, and the default of all of the defendants for failure to plead to said complaint having been entered by the Clerk; and the said matter now being ready for hearing, on motion of counsel for the plaintiffs, the Court proceeded to hear said matter.

Evidence was offered and received on the part of the plaintiffs and the plaintiffs rested. And the Court being fully satisfied from the evidence that the plaintiffs are entitled to a decree as prayed for in the complaint, and the County being fully advised in the premises.

Now, therefore, it is Ordered, Adjudged and Decree, that the plaintiffs have judgment as follows:

That all of the defendants have been regularly served with summons, or have waived service thereof as above set out, and that all of said defendants are now in the default for failure to plead to plaintiffs' complaint.

That all of the allegations of plaintiffs' complaint are true; that the plaintiffs are the owners, in the possession and entitled to the possession of the following described real estate situated in Franklin County, Idaho, to-wit:

Commencing at the Southeast corner of Section 15, Township 14 South, Range 38 East of the Boise Meridian; thence running North along Section line 1502 feet from the Southeast Corner of said section to the place of beginning, and running thence South 78°6' West 2179^{feet}/_{feet}, thence North 7°25' West 700 feet; thence North 78°30.5' East 2269 feet; thence South along Section line 6285 feet to the place of beginning, containing 35.55 acres, more or less, all in the Southeast quarter of Section 15, Township and Range aforesaid.

Also: Commencing at the Southeast corner of Section 15, Township 14 South, Range 38 East of the Boise Meridian; thence North 80 rods; thence West 20 rods; thence South 78°20' West 355 feet; thence South 4°37' East 1320 feet, more or less to section line; thence East 602 feet to the place of beginning, containing 20.6 acres, more or less.

That the plaintiffs and their predecessors in interest have been in possession of the said property and have paid the taxes levied and assessed against the said property for a period of more than five years last past, and during all of said period they have held the possession of said property adversely to the defendants and to all the world; that the defendants' claim or claims in and to said property are without any right whatever, and that the defendants, and each of them, have not any right, title, interest or estate in and to the property above described or in and to any part thereof, and that the title of the plaintiffs in and to the said property and the whole thereof is good and valid; that the defendants, and each of them, be and they are hereby enjoined and debarred from asserting any claim or interest in and to the said property or any portion thereof adversely to the plaintiffs; and that the title of the plaintiffs in and to the said property is forever quieted against the defendants herein.

That Velma S. Green and Dora M. Larsen, signers of waivers of service are the same persons as defendants Velma J. Green and Dora H. Larsen.

Dated December 19th, 1947, at Pocatello, Idaho

L. E. Glennon
District Judge.

STATE OF IDAHO, SS.
COUNTY OF FRANKLIN.

I, C. L. Swenson, Clerk of the District Court of the Fifth Judicial District of the State of Idaho, in and for Franklin County, hereby certify that the above and foregoing is a true and correct copy of a Decree entered in the case of J. H. Taylor and Leah C. Taylor husband and wife, plaintiffs, vs. Simon S. Hooker, alias S. S. Hooker, et al, defendants, as appears from a comparison with the original instrument now on file in my office.

Witness my hand and the seal of said District Court this 20th day of December, 1947.

(Seal)

C. L. Swenson
Clerk of District Court.

By Bonnie Fellows

STATE OF IDAHO, SS.
COUNTY OF FRANKLIN.

I hereby certify that this instrument was filed for record at the request of P.M. Condie at 2:45 P.M., December 27, 1947.

C. L. Swenson; Ex-Officio Recorder

Fee \$1.80

By _____ Deputy

---- Compared ---

Inst. No. 79694

AFFIDAVIT

STATE OF IDAHO ss
COUNTY OF FRANKLIN

The undersigned, being duly sworn deposes and says that he was and is well and personally acquainted with Jimmie H. Campbell, name as Grantee in one certain Warranty Deed, dated December 23, 1925 and recorded in Book 30 of deeds at page 77, Records of Franklin County, Idaho, and Jimmie Campbell, named as Grantor in one certain Warranty Deed, dated April 17, 1936 and recorded in Book 30 of Deeds at page 517, Records of Franklin County, Idaho, and that Jimmie H. Campbell and Jimmie Campbell are one and the same person.

And, Wanda P. McKenzie, named as one of the Grantors in one certain Warranty Deed, dated January 21, 1946, and recorded in Book 38 of Deeds at page 495, Records of Franklin County, Idaho and Wanda McKenzie, named as one of the Grantors in one certain Warranty Deed, dated January 31, 1947, and recorded in Book 39 of Deeds at page 627, Records of Franklin County, Idaho, and that Wanda P. McKenzie and Wanda McKenzie are one and the same person.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of December, 1947.

J. N. Larsen
J. N. Larsen

Subscribed and sworn to before me this 19th day of December, 1947.

(SEAL)

Clifford Warr
Notary Public, Preston, Idaho

STATE OF IDAHO,
County of Franklin--ss.

I hereby certify that this instrument was filed for record at the request of J. N. Larsen at 2:00 December 31, 1947.

C. L. Swenson; Ex-Officio Recorder

Fee \$.40

By Bonnie Fellows Deputy
---- Compared ---

Inst. No. 79744

AFFIDAVIT

STATE OF IDAHO ss.
COUNTY OF FRANKLIN

The undersigned, being duly sworn, deposes and says: That he was well and personally acquainted with Niels T. Lundquist on July 9, 1920, and that on that day, Niels T. Lundquist was a bachelor, and remained a bachelor up to and including October 8, 1942.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of November, 1947.

John P. Lundquist

81722

256830 1-2

NTF-63267

When recorded mail to:
Ronald E. Mumford
125 North 1st West
Clifton, Idaho 83228

Recorded at the request of
Northern Title Co.
Time 10:07 A

DEC 10 2012

SHAUNA T. GEDDES, RECORDER
BY [Signature] Deputy
FRANKLIN COUNTY, IDAHO

AFFIDAVIT AND ACCEPTANCE OF TRUSTEESHIP

Comes now the undersigned Ronald E. Mumford, Substitute Trustee of the Marital Trust, as contained in the G. E. Mumford Family Trust, dated December 12, 1990 as amended by that amendment dated November 24, 1992 and being on oath first duly deposes and says:

1. That I am a citizen of the United States of legal age and capacity, and competent to make this affidavit.
2. That I was personally acquainted with the deceased, Betty Jo Mumford
3. That said deceased is one in the same person as Betty Jo Mumford, listed in that certain document as recorded on December 30, 1994 at Entry No. 192561 in the office of the Franklin County recorder, State of ID.
4. That the purpose of this affidavit is for Ronald E. Mumford, and to accept the Trusteeship of the of the Marital Trust, as contained in the G. E. Mumford Family Trust, dated December 12, 1990 as amended by that amendment dated November 24, 1992 and hereby agree to act as Trustee of said Trust on all the terms, provisions and conditions specified in said Trust.
5. That a certified death certificate of the deceased is hereby attached.

Ronald E. Mumford, Substitute Trustee of the Marital Trust, as contained in the G. E. Mumford Family Trust, dated December 12, 1990 as amended by that amendment dated November 24, 1992

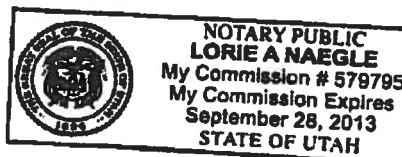
UT
State of ~~ID~~ Cache
County of ~~Franklin~~ } ss:

[Signature]
By: Ronald E. Mumford

On Dec 4, 2012 personally appeared before me Ronald E. Mumford, the signer(s) of the within instrument, who duly acknowledged to me that ~~They~~ executed the same.

Residing: Lewiston, UT
Expires: 9-28-13

Lorie A Naegle
Notary Public



STATE OF IDAHO
CERTIFICATION OF VITAL RECORD

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS
CERTIFICATE OF DEATH

Date Filed **JULY 13, 2006**

State File No. **2006-05206**

DECEDENT - LEGAL NAME BETTY JOYCE PIERSON HUMFORD			
SEX FEMALE	SOCIAL SECURITY NUMBER [REDACTED]	AGE 79 YEARS	DATE OF BIRTH APRIL 27, 1927
BIRTHPLACE SANDY, UTAH		PLACE OF RESIDENCE CLIFTON, IDAHO	
MARITAL STATUS AT TIME OF DEATH WIDOWED		NAME OF SURVIVING SPOUSE (if wife, maiden name)	WAS DECEDENT EVER IN U.S. ARMED FORCES? NO
FATHER - NAME PETER WILFORD PIERSON		BIRTHPLACE UTAH	
MOTHER - MAIDEN NAME HAZEL MARIE REYNOLDS		BIRTHPLACE UTAH	
METHOD OF DISPOSITION BURIAL	FUNERAL SERVICE LICENSEE DOUGLAS S. WEBB		
NAME AND ADDRESS OF FUNERAL FACILITY WEBB FUNERAL HOME, PRESTON, IDAHO			
DATE OF DEATH JULY 06, 2006	TIME OF DEATH 8:45 A.M.	CITY, TOWN OR LOCATION OF DEATH CLIFTON, IDAHO	COUNTY OF DEATH FRANKLIN
CAUSE OF DEATH (underlying cause last) BREAST CANCER			Approximate Interval Between Onset and Death YEARS
DUE TO (or as a consequence of): a.			
DUE TO (or as a consequence of): b.			
DUE TO (or as a consequence of): c.			
DUE TO (or as a consequence of): d.			
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above NONE STATED			WAS AN AUTOPSY PERFORMED? NO
MANNER OF DEATH NATURAL	NAME OF CERTIFIER DAVID B. BECKSTEAD, M.D.	TITLE PHYSICIAN	
CORONER SUBSEQUENT CERTIFICATION IF NECESSARY			
DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK
LOCATION WHERE INJURY OCCURRED			
DESCRIPTION OF HOW INJURY OCCURRED			

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DECEMBER 05, 2012

DATE ISSUED:

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James B. Galt
JAMES B. AYDELOTTE
STATE REGISTRAR

