



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 26, 2015

Rodney Boehme
Robert Boehme
1250 Raymond Rd
Geneva ID 83238

RE: Notice of Change in Water Right Ownership
Water Rights: 11-99, 11-101, 11-102, 11-103, 11-104, 11-108, 11-123, 11-131, 11-132, 11-7538 & 11-7540

Dear Sir/Madam:

On March 2, 2012, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, specifically a full chain of title. On April 9, 2015 we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$425.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

SUPPORT DATA
IN FILE # 11-99

Barg, Jonie

From: Barg, Jonie
Sent: Friday, June 26, 2015 3:35 PM
To: Carlos, Rhea
Subject: Refund Request
Attachments: E037354.pdf

Rhea,

Good afternoon!!

I have a refund request as follows:

Receipt number: E037354
Amount: \$425.00
Payable to: Diamond 1 Ranches
1250 Raymond Rd
Geneva ID 83238

Reason: Total filing fee received \$425.00 for ownership change for 11 water right. The department cannot complete the ownership change therefore a full refund is required.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

RECEIVED

MAY 02 2012

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
11-99	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Martha Hart
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rodney Bachme
Name of each new owner as listed on the conveyance document
- Robert Boehme
New owner continued ☐ Name connector ☐ and ☐ or ☒ and/or
- 1250 Raymond Rd.
Mailing address
- Geneva ID 83238
City State ZIP
- 208-847-1158 _____
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: 16 October 1968
6. 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.

7. Signature: Rodney Bachme _____ Date: 4/23/12
Signature of new owner/claimant Title, if applicable
- Signature: Robert Boehme _____ Date: 4/23/12
Signature of new owner/claimant Title, if applicable

For IDWR Office Use Only:

Received by: [Signature] Date: 5/3/2012 Receipt No. E037563 Receipt Amt. \$425 -
Approved by: _____ Processed by: _____ Date: _____ \$25 - for this app

MAY 02 2012

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
11-101	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Henry D. Evans
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rodney Boehme
Name of each new owner as listed on the conveyance document
Robert Boehme
New owner continued ☐ Name connector ☐ and ☐ or ☒ and/or
1250 Raymond Rd.
Mailing address
Geneva 10 83238
City State ZIP
208-847-1158
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: 16 October 1968
6. 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.

7. Signature: Rodney H. Boehme 4/23/12
Signature of new owner/claimant Title, if applicable Date
- Signature: Robert Boehme 4/23/12
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JPS Date 5/3/2012 Receipt No. E037563 Receipt Amt. \$425.-
Approved by _____ Processed by _____ Date _____ \$100.- for this app.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 22 2012

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
11-102	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Bar M Land & Livestock of IDAHO, LLC.
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):
Name of each new owner as listed on the conveyance document
Rodney H. Boehme Robert D. Boehme
New owner continued Name connector ☒ and ☐ or ☐ and/or
1250 Raymond Road
Mailing address
Geneva ID 83238
City State ZIP
209-847-1158
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: 24 May 2006

6. 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.

7. Signature: Rodney H. Boehme 2/16/12
Signature of new owner/claimant Title, if applicable Date
Signature: Robert D. Boehme 2/16/12
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 2/23/2012 Receipt No. E037354 Receipt Amt. \$350. -
Approved by _____ Processed by _____ Date _____ \$100. - for this app.

MAY 02 2012

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
11-103	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Samuel W. Hart

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Rodney Boehme

Name of each new owner as listed on the conveyance document

Robert Boehme

New owner continued

Name connector

☐ and☐ or☒ and/or

1250 Raymond Rd.

Mailing address

Geneva

City

10

State

83238

ZIP

208-847-1158

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: 10 August 1993

6. 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.

7. Signature:

Rodney H. Boehme

Signature of new owner/claimant

Title, if applicable

4/23/12

Date

- Signature:

Robert Boehme

Signature of new owner/claimant

Title, if applicable

4/23/12

Date

For IDWR Office Use Only:

Received by

JLB

Date

5/3/2012

Receipt No.

E037563

Receipt Amt.

\$425

Approved by

Processed by

Date

\$25. - for this app

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 02 2012

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
11-104	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Dewitt H. Feller
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rodney Boehme
Name of each new owner as listed on the conveyance document
Robert Boehme
New owner continued ☐ Name connector ☐ and ☐ or ☒ and/or
1250 Raymond Rd.
Mailing address
Geneva ID 83238
City State ZIP
208-877-1158
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: 10 August 1993
6. 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.

7. Signature: Rodney 76 Boehme 4/23/12
Signature of new owner/claimant Title, if applicable Date
Signature: Robert Boehme 4/23/12
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by: [Signature] Date 5/3/2012 Receipt No. E0375163 Receipt Amt. \$425.-
Approved by: _____ Processed by: _____ Date: _____ BIO. - on this app.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 02 2012
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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
11-108	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: S. B. Young
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rodney Boehme
Name of each new owner as listed on the conveyance document
Robert Boehme
New owner continued ☐ Name connector ☐ and ☐ or ☒ and/or
1250 Raymond Rd.
Mailing address
Geneva 10 83238
City State ZIP
208-847-1158
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: 16 October 1968.
6. 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.

7. Signature: Rodney H. Boehme 4/23/12
Signature of new owner/claimant Title, if applicable Date
- Signature: Robert Boehme 4/23/12
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by: JB Date: 5/3/2012 Receipt No. E037363 Receipt Amt. \$425. -
Approved by: _____ Processed by: _____ Date: _____ \$25. - for this app

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 02 2012

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
11-123	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: John Linford
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rodney Boehme
Name of each new owner as listed on the conveyance document
Robert Boehme
New owner continued ☐ Name connector ☐ and ☐ or ☒ and/or
1250 Raymond Rd
Mailing address
Geneva 10 83238
City State ZIP
208-847-1158
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: 20 April 1988

6. 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.

7. Signature: Rodney H. Boehme 4/23/12
Signature of new owner/claimant Title, if applicable Date
- Signature: Robert Boehme 4/23/12
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 5/3/2012 Receipt No. E037563 Receipt Amt. \$425. -
Approved by _____ Processed by _____ Date _____ \$25. - for this app

RECEIVED

MAY 02 2012

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
11-131	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

WA. HART

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

RODNEY BOEHME

Name of each new owner as listed on the conveyance document

ROBERT BOEHME

New owner continued

Name connector

☐ and☐ or☒ and/or

1250 Raymond Rd.

Mailing address

Genera

City

10

State

83238

ZIP

208-847-1158

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: 10 August 1993

6. 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.

7. Signature:

Rodney H Boehme

Signature of new owner/claimant

Title, if applicable

4/23/12

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

JBS

Date

5/3/2012

Receipt No.

E0375113

Receipt Amt.

\$425.-

Approved by

Processed by

Date

\$25.- for this copy

RECEIVED

MAY 02 2012

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
11-132	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

A.E. Herrick

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Rodney Boehme

Name of each new owner as listed on the conveyance document

Robert Boehme

New owner continued

Name connector

☐ and☐ or☒ and/or

1250 Raymond Rd

Mailing address

Genera

City

State

ZIP

208-847-1158

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: 1 April 1991

6. 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.

7. Signature: Rodney M. Boehme

Signature of new owner/claimant

Title, if applicable

4/23/12

Date

Signature: Robert Boehme

Signature of new owner/claimant

Title, if applicable

4/23/12

Date

For IDWR Office Use Only:

Received by: [Signature]

Date: 5/3/2012

Receipt No. E037563

Receipt Amt.

\$425.-

Approved by: _____

Processed by: _____

Date: _____

\$25.- for this app.

MAY 02 2012

Department of Water Resource
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
11-7538	Yes ☐		Yes ☐		Yes ☐
11-7540	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Mumford Brothers

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Rodney H. Boehme

Name of each new owner as listed on the conveyance document

Robert Boehme

New owner continued

Name connector

☐ and☐ or☐ and/or

1250 Raymond Rd.

Mailing address

Genera

City

State

ZIP

208-847-1158

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: 24 May 2006

6. 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.

7. Signature:

Rodney H. Boehme

Signature of new owner/claimant

Title, if applicable

4/23/12

Date

- Signature:

Robert Boehme

Signature of new owner/claimant

Title, if applicable

4/23/12

Date

For IDWR Office Use Only:

Received by

JLB

Date

5/3/2012

Receipt No.

F037503

Receipt Amt.

\$425.-

Approved by

Processed by

Date

\$50.- for this app

1035

1. Certificate Made the 11th day of November 1911
between Wills E. Winters and Esther Winters, his wife, of the 1st
and Francis M. Winters, (widower).
County of Bear Lake, State of Idaho, part 1 and the first part, and
J. E. Winters and J. E. Winters, partners as Winters Bros. - - - - -
County of Bear Lake, State of Idaho, part 1 and

Fifteen, That the said parties of the first part, for and in consideration of the sum of
 one hundred ninety five and no/100
 Dollars money of the United States of America to them in hand paid by the said part two of the second part the receipt
 whereof is hereby acknowledged, ha. yv. granted, bargained, sold, aliened, promised, released, conveyed and confirmed, and in these
 presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the said parties of the first part and to their heirs and assigns forever, all that certain piece or parcel of land situated in the County of Bear Lake, State of
 Idaho, and known and described as follows, to-wit:
 The East half of the Southwest quarter; the Northwest quarter of the Southwest quarter of Section 29, Township
 36 North, Range 46 East of Boise Meridian, Idaho, containing 160 Acres of land, situate in
 Bear Lake County, Idaho.

Section 34, Township 13 North, Range 10 East, 1st Meridian, containing 240 acres, in Thomas Park, Bear Lake County, Idaho, together with all water and water rights belonging to or used upon said

Saving and excepting therefrom the following piece of land, to-wit:

The Northwest corner of the Northeast quarter of the Northeast quarter of the Northeast quarter of Section 36, Township 38 North, Range 10 East, Tenth Principal Meridian, State of Texas; thence East 10 rods; thence South about 35 rods, more or less, to said Creek; thence up said Creek to a point directly South of the point of beginning; thence North to the place of beginning, about 25 rods, more or less.

1. The first group of people who are interested in the results of the study are the researchers themselves. They want to know how well the study was conducted and whether the results are reliable and valid. They also want to know how the study was funded and whether there were any conflicts of interest.

Together With all and singular the tenements, hereditaments and appurtenances therunto belonging, or in any way appertaining, and the rents issues and profits thereof, and also, all the estate, right, title, interest, property possessions, claims and whatever shall in law be in equity of the said parties at the first part of June next.

to have and to hold, All and singular the said premises, together with the appurtenances, unto the said part 100. of the second part, and to the heirs and assigns forever, and the said part 100. of the first part, and their heirs, the said part 100. of the first and second part, to the heirs and assigns forever, and the said part 100. of the first part, and their heirs, against the said part 100. of the first part, and their heirs, and against any and all persons whatsoever, lawfully claiming or to claim the same, the said part 100. will warrant, and by these presents forever defend.

In witness whereof The said part 1st of the first part has hereunto set thine hand and seal at the day and
 place above written.
 Signed Sealed and Delivered in the Presence of
 L. McClary
 Francis W. Winters
 Esther Winters

STATE OF IDAHO, }
 County of Bear Lake, } ss.
 On this 22nd day of November in the year of our Lord one thousand nine hundred and fifteen before

I, _____, Notary Public _____, within and for said County and State, personally appeared _____, Francis J. Winters, one of the above subscribers, personally known to me to be the person whose name _____ subscribed to the within instrument, and duly acknowledged to me that he executed the same.

In Testimony Whereof, I have hereunto set my hand and seal at _____, California, this _____ day of _____, 19____.

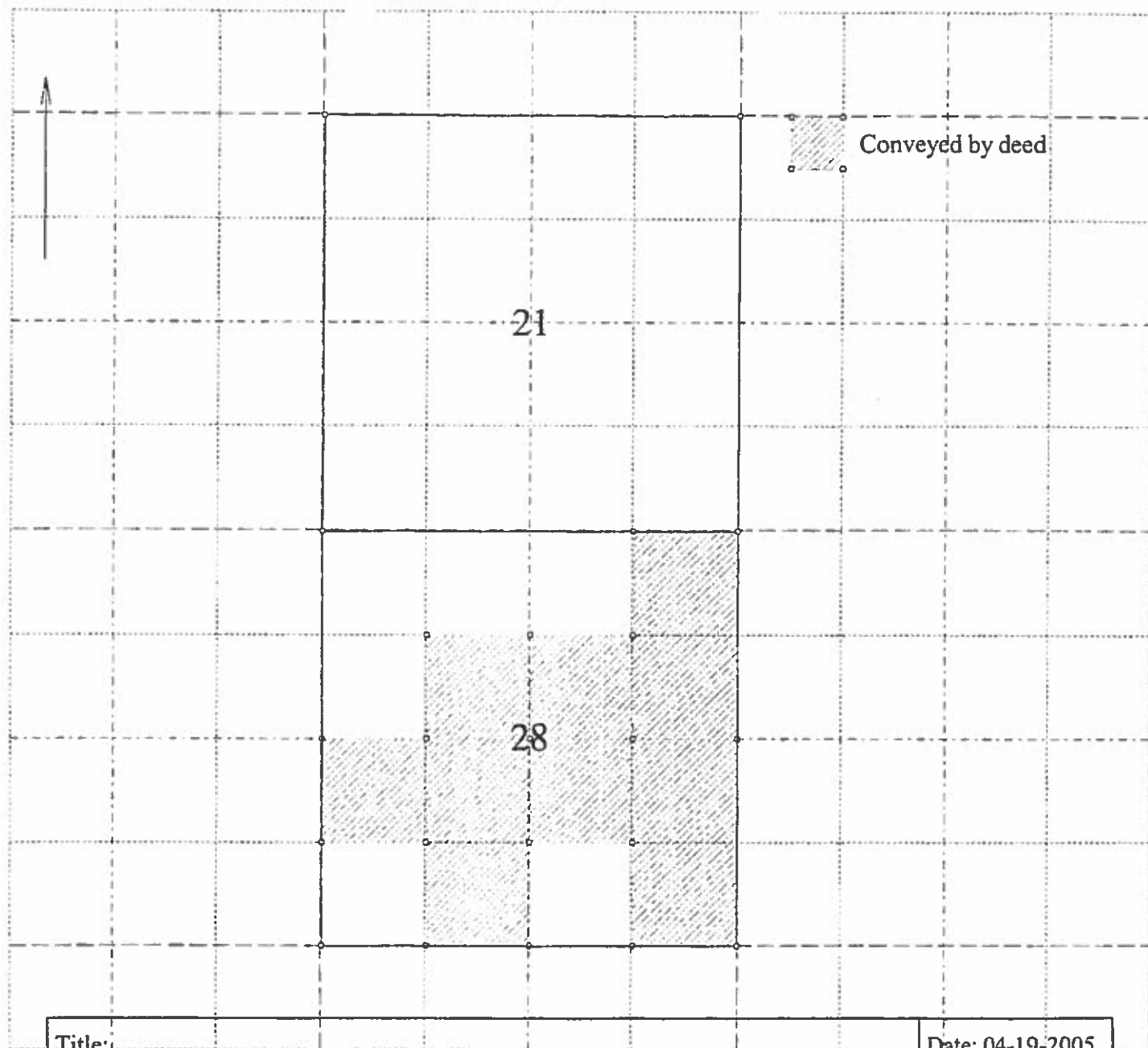
Witness my hand and seal the day and year in this certificate above written.

(Notary Seal) Edwin J. McLaughlin, Notary Public.

Recorded at request of E. J. McLaughlin at 9:15 o'clock A.M. this 13th day of March, 1916.

By _____

Deputy. Fees \$ 1.30. Approved. County Recorder.



Title:

Date: 04-19-2005

Scale: 1 inch = 1833 feet

File: 1915 Winters to Mumford Bros. Warranty Deed.des

No. 14070.

QUIT

CLAIM

DEED.

BK 18 Pg 528

THIS INDENTURE, Made on the 2nd day of February in the year of our Lord one thousand nine hundred and seventeen between F. M. Winters, a widower, of Montpelier, County of Bear Lake, State of Idaho, the party of the first part and T. M. Mumford and J. W. Mumford, partners as Mumford Brothers, of Montpelier, County of Bear Lake, 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 and no/100 Dollars and other valuable considerations to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged do Remise, Release and forever Quitclaim unto the said parties of the second part and to their heirs and assigns, the following described real estate, situated in the County of Bear Lake and State of Idaho, to-wit:

The East half of the North East quarter of Section twenty eight (28) in Township thirteen (13) south of Range forty six (46) east of the Boise Meridian, containing 80 acres, more or less.

(This deed is given for the reason that a portion of the above described land was omitted from that certain deed bearing date Nov. 11, 1915, and recorded in Book 22 of Deeds at page 403 of the records of Bear Lake County, Idaho, which said deed was from the Grantor herein (with others) to the Grantees herein.)

Together with all tenements, hereditaments and appurtenances thereunto belonging, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, property, possession, claim and demand whatsoever as well in law as in equity, of the said party of the first part, of in or to the said premises and every part or parcel thereof.

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

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

F. M. Winters. (seal)

STATE OF IDAHO)
County of Bear Lake) ss

On this fifth day of February in the year of our Lord one thousand nine hundred and seventeen before me, Edwin L. McClave, a Notary Public within and for said County and State personally appeared F. M. Winters, personally known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that he executed the same.

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

(seal)

Edwin L. McClave.

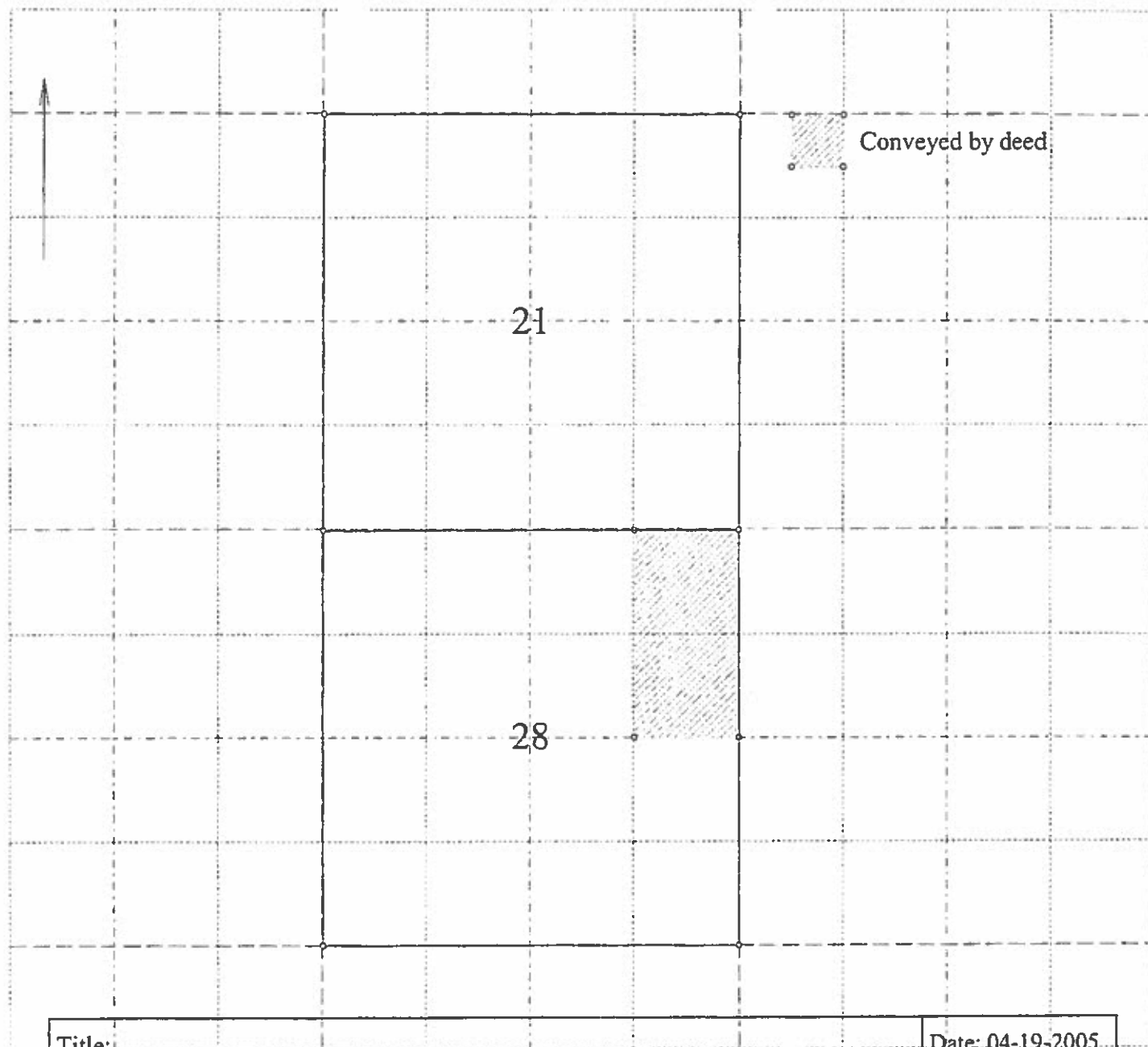
Notary Public.

Residing at Montpelier.

Recorded at request of E. L. McClave, February 6th, 1917, at 35 min. past 11 o'clock A.M.

H. H. Broomhead.

County Recorder.



Title:

Date: 04-19-2005

Scale: 1 inch = 1833 feet

File: 1917 F.M. Winters to Mumford Bros. Quitclaim Deed.des

Tract 1: 640.000 Acres: 27878400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 21120 Feet
 Tract 2: 640.000 Acres: 27878400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 21120 Feet
 Tract 3: 10.000 Acres: 435600 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 2640 Feet
 Tract 4: 80.000 Acres: 3484800 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 7920 Feet

001=/SE,SE,SE,21,13S,46E
 002=/N00E 5280.00
 003=/N90W 0.00
 004=S00W 5280.00
 005=N90W 5280.00
 006=N00E 5280.00
 007=N90E 5280.00
 008=@0 all,28,13s,46e
 009=/SE,SE,SE,28,13S,46E
 010=/N00E 5280.00
 011=/N90W 0.00

012=S00W 5280.00
 013=N90W 5280.00
 014=N00E 5280.00
 015=N90E 5280.00
 016=@0 nc,nw,nw,22,13s,46e
 017=/SE,SE,SE,22,13S,46E
 018=/N00E 5280.00
 019=/N90W 3960.00
 020=S00W 660.00
 021=N90W 660.00
 022=N00E 660.00

023=N90E 660.00
 024=@0 e,ne,28,13s,46e
 025=/SE,SE,SE,28,13S,46E
 026=/N00E 5280.00
 027=/N90W 0.00
 028=S00W 2640.00
 029=N90W 1320.00
 030=N00E 2640.00
 031=N90E 1320.00

DEED RECORD

Instrument No. 18248

Warranty Deed

BK 23 Pg 172

THIS INDENTURE, Made the 10th day of January in the year of our Lord one thousand eight hundred and eighteen between Thomas M. Mumford and his wife, Mary E. Mumford,

of Montpelier County of Bear Lake, State of Idaho, part 188 of the first part, to John W. Mumford of Raymond County of Bear Lake State of Idaho, part 1 of the second part:

WITNESSETH, That the said part 188 of the first part, for and in consideration of the sum of One and no/100 lawful money of the United States of America to them in hand paid by the said part 1 of the second part, the receipt whereof is hereby acknowledged, have GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM the said part 1 of the second part, and in his heirs and assigns forever, all that certain piece or parcel of situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit:

Their undivided one-half interest (being their entire interest) in and to the following described real estate, to-wit:

South west quarter of the southwest quarter of Section ten (10); the west half of the northeast quarter; the northeast quarter of the northeast quarter and the West half of Section fifteen (15); the northeast quarter of the northeast quarter of Section twenty (20); the north half of the northwest quarter; the north half of the northeast quarter; the southeast quarter of the northeast quarter; the southeast quarter of the southeast quarter and the south half of the southeast quarter of Section twenty one (21); the northwest quarter of the northwest quarter of Section twenty two (22); the north half of the northwest quarter; the southeast quarter of the southwest quarter; the west half of the southwest quarter; the southeast quarter of the southwest quarter and the southwest quarter of the southwest quarter of Section twenty seven (27); the East half of the northwest quarter; the East half of the southwest quarter; the northwest quarter of the southwest quarter; the East southeast quarter of Section twenty eight (28); the north half of the northwest quarter; the southeast quarter of the northwest quarter and the northeast quarter of the southwest quarter of Section thirty three (33) and the northwest quarter of the northeast quarter of Section thirty four (34) all in Township thirteen (13) south of range forty six (46) east of the Boise Meridian, containing Nineteen hundred and twenty (1920) acres, more or less; together with all water rights thereunto belonging or in anywise appertaining.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the rents, issues and profits thereof, and also, all the estate, right, title, interest, property, possessions, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to said premises, and ever

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the said part 1 of the second part, and to his heirs and assigns forever, and the said part 188 of the first part, and their heirs, to said premises, in the quiet and peaceable possession of the said part 1 of the second part, his heirs and assigns against the said part 188 of the first part, and their heirs, and against any and all persons whatsoever, 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 hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

E. L. McClave.

Thomas M. Mumford.

Mary E. Mumford.

United States of America

STATE OF IDAHO, } ss.
County of Bear Lake, }

On this tenth day of January

before Edwin L. McClave, a Notary Public within and to said county and State aforesaid, who

personally known to me to be the person whose name is are Thomas M. Mumford and his wife, Mary E. Mumford

known to me that they executed the same and subscribed to the within instrument, and that

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

My Commission expires March 8th, 1920.

Edwin L. McClave.

Notary Public.

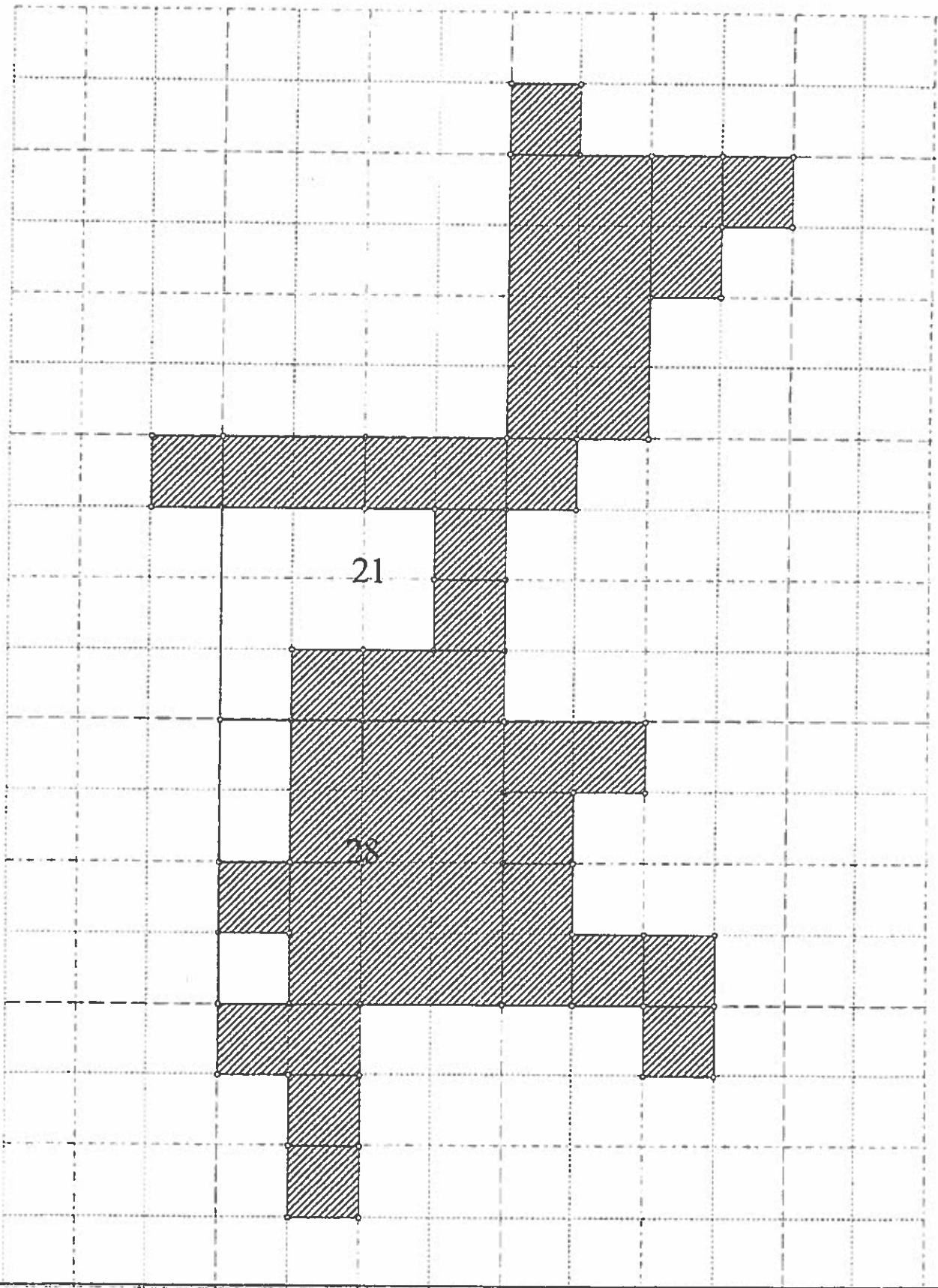
Residence, Montpelier, Idaho.

STATE OF IDAHO, } ss.
County of Bear Lake, }

I hereby certify that the instrument was duly executed at the request of E. L. McClave the day and year above written.

Notary Public.

1918



Title:		Date: 04-19-2005
Scale: 1 inch = 2500 feet	File: 1918 Thomas Mumford to John Mumford warranty deed.des	

The said party of the first part as aforesaid, has heretofore
and year first above written.
in the presence of
Oscar Booth (Seal)
Administrator of the Estate of
Ambrosine Booth, deceased.

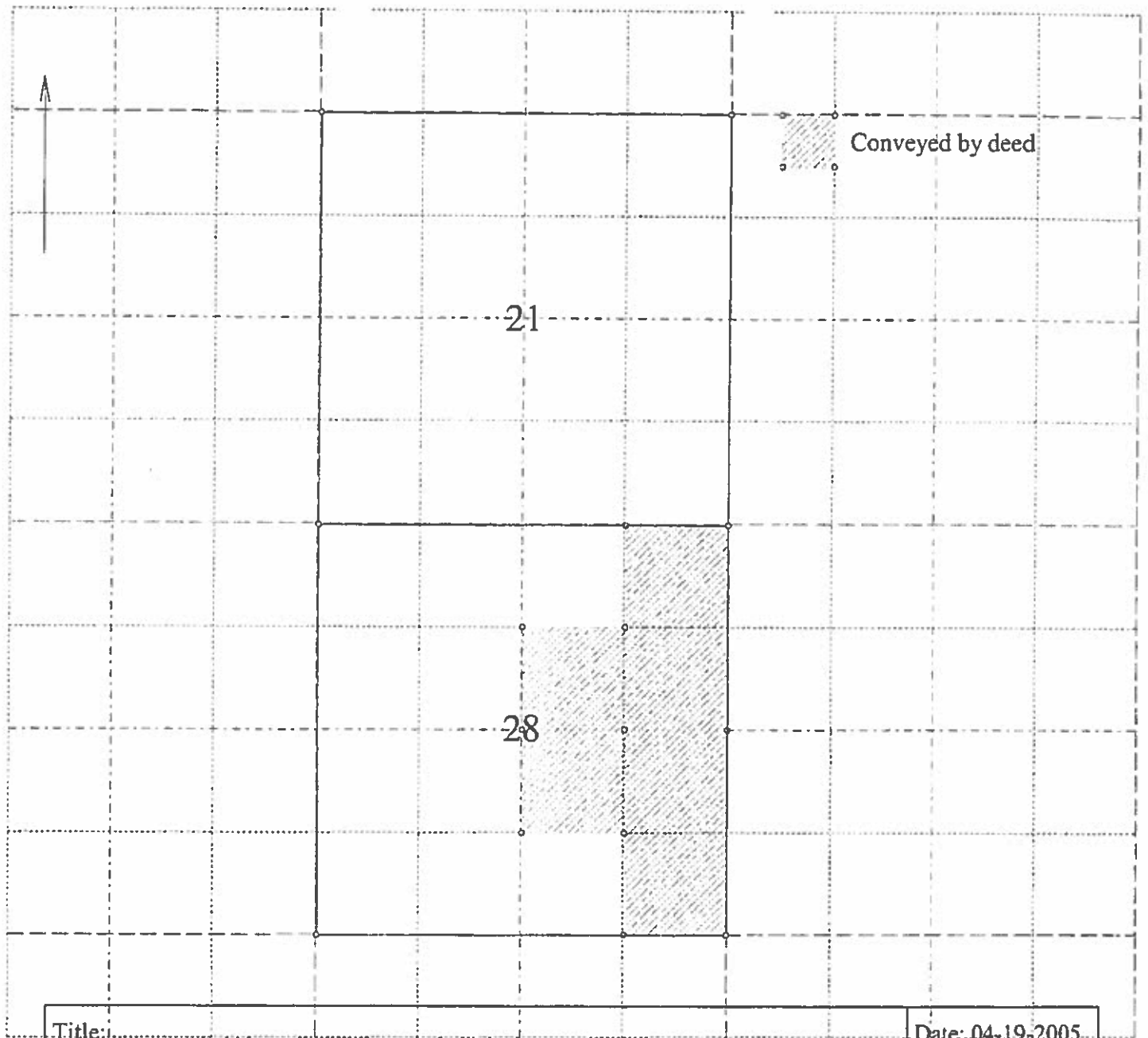
January in the year 1922 before me W. Smith Hoge a Notary Public
to be the person whose name is subscribed to the within
I have heretofore set my hand and affixed my official seal, the
W. Smith Hoge, Notary Public.
Oscar Booth at 2 o'clock P.M. this 3rd day of February A.D. 1923
J. S. Peterson, Recorder.

QUIT CLAIM DEED. **Bk 27 Pg 154**
23959

On the 22nd day of January in the year of our Lord, one thousand
between Francis H. Winters, a widower, of Montpelier, County of
Idaho, the party of the first part, and John W. Humford of Raymond
the said party of the first part, for and in consideration of the
to him in hand paid by the said party of the second part,
the said party of the second part, and to his heirs and assigns, the following
in the County of Bear Lake, and State of Idaho, to-wit:
of the NE¹/₄; the E¹/₄ of the SE¹/₄ and the NW¹/₄ of the SE¹/₄ of
Range 46 East of the Boise Meridian.
hereditaments and appurtenances thereunto belonging,
and also all the estate, right title, interest property, possession, claim and demand
as well in law as in equity, of the said party of the first part, of in or to the
TO HAVE AND TO HOLD, All and singular the said premises, with the appurtenances, to
the said party of the second part his heirs and assigns forever.
In witness whereof The said party of the first part has heretofore set his hand and
seal the day and year first above written.

Signed, Sealed and Delivered in the presence of
W. H. Smith Francis H. Winters (Seal)
STATE OF IDAHO,) ss.
County of Bear Lake,)

On this 22nd day of January in the year of our Lord one thousand nine hundred and
Twenty Three, before me W. H. Smith a Notary Public within and for said County and State,
personally appeared Francis H. Winters personally known to me as the person whose name
is subscribed to the within instrument, and he acknowledged to me that he executed the
same.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first
above written.
(SEAL)
W. H. Smith,



Title: _____ Date: 04-19-2005

Scale: 1 inch = 1833 feet File: 1926 Mabel Follick Wells to John Mumford warranty deed.des

WARRANTY DEED

BL 29- PG-562

THIS INSTRUMENT Made the 15th day of November in the year of our Lord one thousand nine hundred and twenty six between Mabel Follick Wells and her husband Alfred Wells of the County of Bear Lake, State of Idaho, part 125 of the first part of the second part.

WITNESSETH That the parties of the first part, for and in consideration of the sum of Eleven hundred and no/100 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, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM, unto the said party of the second part, and to his heirs and assigns forever, all that certain piece or parcel of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit:

The South West quarter of the North west quarter, the South west quarter of the South west quarter of Section twenty eight (28); the South east quarter of the North east quarter, the East half of the South east quarter, the South west quarter of the South east quarter of Section twenty nine (29) and the East half of the North east quarter of Section thirty two (32) in Township thirteen (13) South of Range forty six (46) East of the Boise Meridian, containing 320 acres, more or less.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possessions, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

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 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 any and all persons who have 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

E. L. McClave

Mabel Follick Wells

Alfred V. Wells

STATE OF IDAHO,
County of Bear Lake,

UNITED STATES OF AMERICA

On this 15th day of November in the year of our Lord one thousand nine hundred and twenty six before Edwin L. McClave, a Notary Public within and for said County and State, personally appeared Mabel Follick Wells and her husband, Alfred V. Wells, personally known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

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

(SEAL)

Edwin L. McClave, Notary Public
Residence Montpelier, Idaho

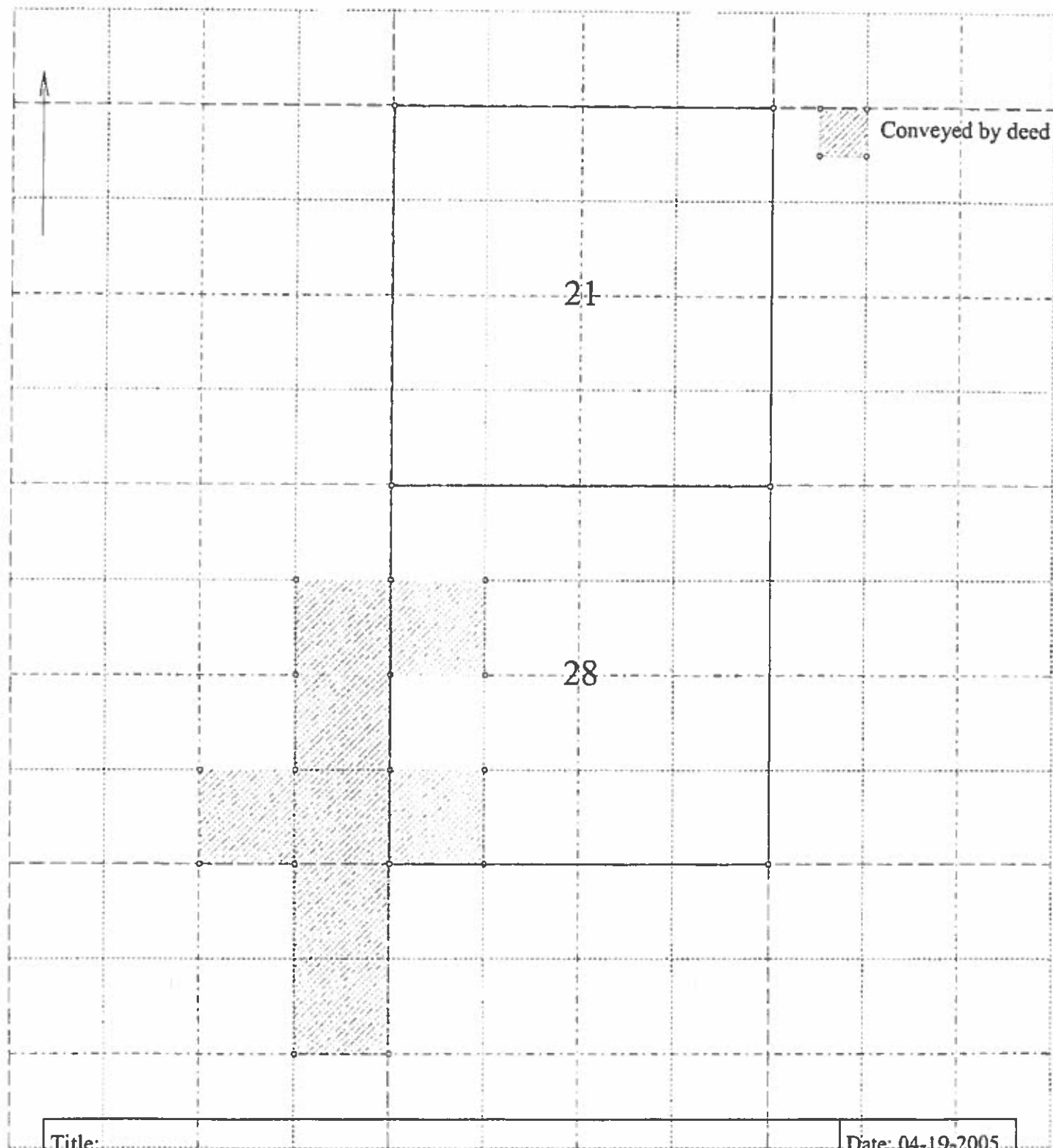
Edwin L. McClave, Notary Public

Recorded at request of E. L. McClave
at 5:12 o'clock A. M. this 15th day of November 1926

Fee \$2.00

ANY FULLY

County of Bear Lake



Title:

Date: 04-19-2005

Scale: 1 inch = 1833 feet

File: 1926 Mabel Follick Wells to John Mumford warranty deed.des

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

LeGrand P. Bachman
Notary Public,
Salt Lake City, Utah.

My Comm. expires: May 17, 1947.

STATE OF WASHINGTON;

: ss.

County of King

On this 3rd day of September, 1943, before J. H. Firminhac, Notary Public within and for said County and State personally appeared Mary W. Beetham and Harry S. Beetham, her husband, personally known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they freely executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal the day and year in this certificate above written.

(SEAL)

J. H. Firminhac
Notary Public, Seattle, Washing

Recorded at the request of Chas. N. Parker; 2:05 P.M.; December 8, 1943; Book 39 of Deeds at page 29.

By Ruby E. Patton Deputy

Sam V. Tunks, Recorder.

Fee: \$1.20

No. 53851. IN THE PROBATE COURT OF BEAR LAKE COUNTY, STATE OF IDAHO.

In the matter of the estate of

MAUD S. MUMFORD,

Deceased.)

DECREE OF DISTRIBUTION OF COMMUNITY
INTEREST OF DECEDENT.

The Petition of J. W. Mumford, (whose is the same person as John W. Mumford) surviving husband of said Decedent, coming on this day to be heard by the Court, the said hearing having heretofore been continued to this date by order of the Court, from October 25th, 1943 and from the evidence submitted by Petitioner the Court finds:

1. That said J. W. Mumford and said Maud S. Mumford, the Decedent, were husband and wife at the time of said Decedent's death and had been such husband and wife for nearly 50 years prior to such death.

2. That said Maud S. Mumford died on or about the 26th day of November, 1937, intestate

3. That at the time of said Maud S. Mumford's death she had a community in the herein after described property with her said husband, J. W. Mumford, (who is the same person as John W. Mumford);

4. That said hereinafter described property was acquired by said J. W. Mumford and the said Maud S. Mumford during their marriage, with their community funds.

5. That notice of this hearing and its purpose has been given as provided by law, and as will appear from the filed in said matter, and no objections have been filed or made in this Court, as to why the prayer of Petitioner should not be granted and a decree made as in said Petition prayed.

6. That there is no inheritance tax due and unpaid to the state of Idaho, on said Decedent's community interest in said property, or her said estate.

7. The Court finds from the records in the County recorder's office, that at the time of said Decedent's death there were liens against the said property of said estate, in the form of mortgages to the Federal Land Bank, of Spokane, Wash, and to the Utah National Bank of Salt Lake, Utah;

WHEREFORE, under the Provisions of Sec. 14-114, I. C. A., with reference to deceased wife's community interest, on her death, and as to said Maud S. Mumford's community property,

IT IS ORDERED AND DECLARED that the community interest in the hereinafter described property, be and the same is distributed to the said J. W. Mumford, (who is the same person as John W. Mumford) as the survivor of the community of said J. W. Mumford and the said Maud S. Mumford, deceased, husband and wife.

The following is a description of the property and community interest, and which is distributed by this decree to-wit:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 20; and NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 21; and E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 27; and NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 22; and NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 28; and SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 28; and SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 29; and SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 30; and E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 31; and E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, sec. 32;

All of said lands are in Tp. 13 S.R. 46 E.B.M.

Also, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10; and W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, and Ten acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 15, in Tp. 13 S.R. 46 E. B. M.

Also, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 8, and S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, sec. 9, Tp. 14 S. R. 46 E. B. M.

Together with the appurtenances, including water stock in irrigation companies, used upon or in connection with said lands.

Said lands are subject to any and all subsisting mortgages of record and which have not been released at the date of this decree.

Dated, December 13, 1943.

Don C. Haddock
Probate Judge.

County of Bear Lake }
State of Idaho } ss.

I, Don C. Haddock, Probate Judge and Ex-Officio Clerk of the Probate Court, of Bear Lake County, State of Idaho, hereby certify that the within and foregoing is a full, true and correct copy of the original Decree of Distribution of Community interest filed in the matter of the estate of Maud S. Mumford, deceased, on the 13th day of December, 1943.

IN WITNESS WHEREOF, I have hereunto set my hand the seal of said court this 13th day of December, 1943.

(SEAL)

Don C. Haddock
Probate Judge and Ex-officio
Clerk of the Probate Court of
Bear Lake County, Idaho.

Recorded at the request of Chas. E. Harris; 10:00 A.M.; December 13, 1943; Book 39 of Deeds at page 30.

Sam V. Tunks, Recorder.

By Ruby Boston Deputy
Fee: \$1.80

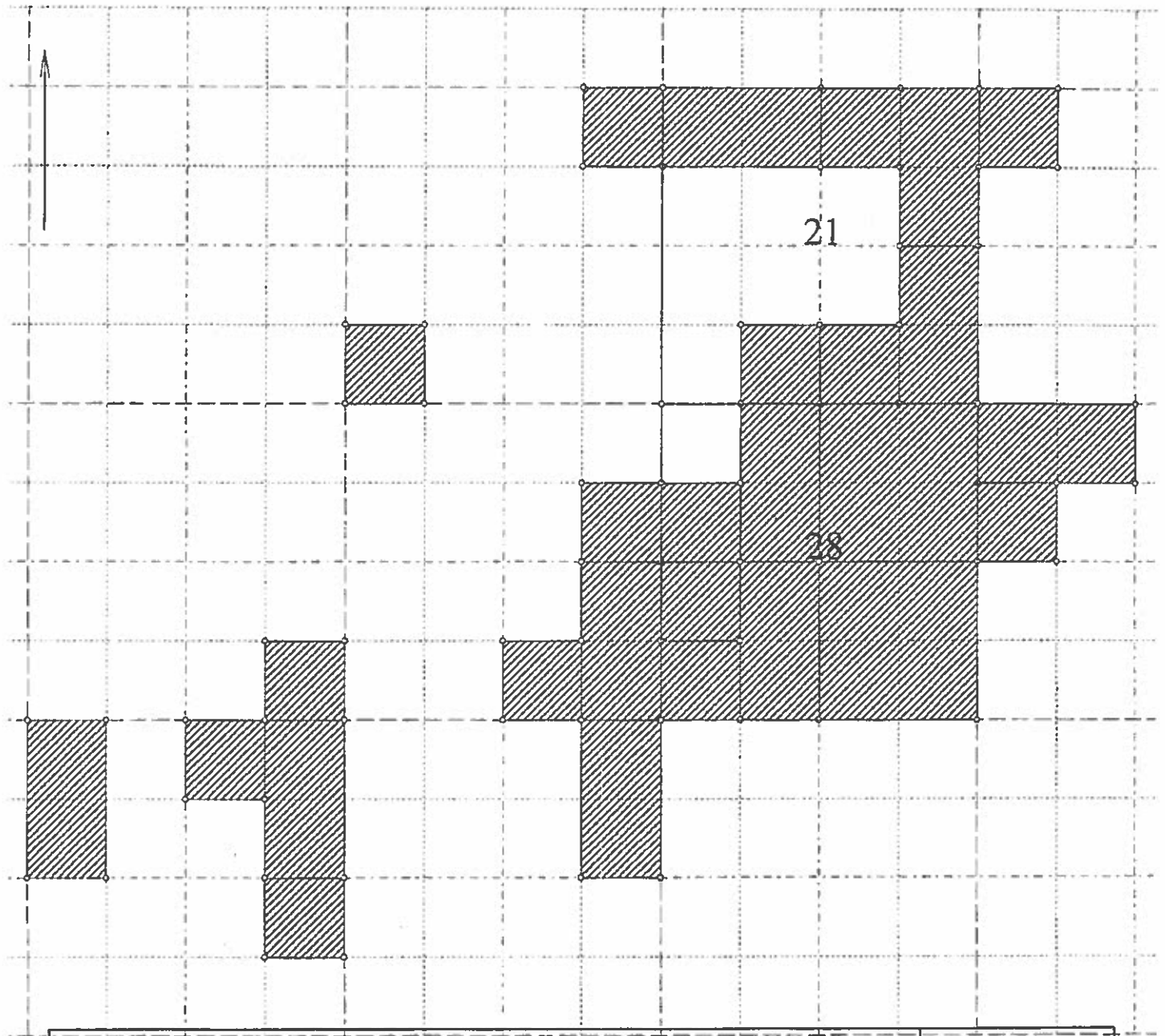
No. 53852. DEED BY COUNTY OF PROPERTY ACQUIRED FOR TAXES.

THIS INDENTURE, Made this 13th day of December, A.D. 1943, between the County of Bear Lake, State of Idaho, party of the first part, and Gertrude Berrey, single, of Montpelier, Idaho, party of the second part, WITNESSETH:

WHEREAS By and order duly made by the Board of County Commissioners of said County, in meeting assembled on the 22nd day of May, 1937 and entered in Book 4 of Commissioners' Minutes at page 492, it was found and determined that the certain tract or parcel of land belonging to said County and hereinafter particularly described, was not necessary for the use of said County, and that the same should therefor, pursuant to the provisions of Section 30-708 I.C.A. (1932) of Idaho, as amended, 1941 Session Laws, Chapter 174, be sold at public auction;

WHEREAS Pursuant to said order and the statute in such case made and provided, due notice of said sale was published for a period of thirty (30) days previous to the date of said sale by publication in the News-Examiner, a weekly newspaper published in said County, the first publication having been made on the 27th day of May, 1937, and the last publication on the 24th day of June, 1937, affidavit of the giving of which notice has been duly filed with the Clerk of the Board of County Commissioners of said County;

WHEREAS, Said notice set forth the 2nd day of July, 1937, at 2:00 o'clock P.M., at the Courthouse door of Fear Lake County, at the time and place of sale, and further set forth the terms of said sale:



Title:		Date: 04-19-2005
Scale: 1 inch = 2400 feet	File: 1943 Decree of Distribution.des	

... and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all the phosphate in the lands so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat., 509).

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

GIVEN under my hand, at the City of Washington, the FIFTEENTH day of MAY in the year of our Lord one thousand nine hundred and TWENTY-THREE and of the Independence of the United States the one hundred and FORTY-SEVENTH.

By the President: Warren G. Harding

(SEAL)

By Viola E. Pugh Secretary.

RECORDED: Patent Number 906431

M. P. LeRoy

Recorder of the General Land Office

Recorded at the request of Leonard Smith; 2:45 P.M.; February 21, 1945; Book 39 of Deeds at page 301.

By Ruby Bortone Deputy

Sam V. Tunks, Recorder

Fee: 80¢

No. 55645. ✓ WARRANTY DEED

BK 39 PG 301

THIS INDENTURE, made this 21st day of February, in the year of our Lord One Thousand Nine Hundred and Forty-Five, between JOHN W. MUMFORD, an unmarried man, of Raymond, Bear Lake County, State of Idaho, the party of the first part, and GLADYS MUMFORD, of Raymond, Bear Lake County, State of Idaho, the party of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the love and affection which he bears to party of the second part, and the sum of Ten and No/100 (\$10.00) Dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does 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 Bear Lake, State of Idaho, bounded and more particularly described as follows, to-wit:

✓ The North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$; the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; and the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 13 South, Range 46 E.B.M.

✓ The Northeast $\frac{1}{4}$; the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$; the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$; the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; and the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 28, Township 13 South, Range 46 E.B.M.

Fraction Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; fraction Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; and fraction Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 13 South, Range 46 E.B.M.

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 party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, her heirs and assigns against the said party 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 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.

John W. Mumford

Signed, sealed and delivered in the presence of:

before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared JOHN W. MUMFORD, an unmarried man, who being duly sworn, depose and say that he is the person who has subscribed to the within instrument, and that he executed the same.

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

Edwin B. Cannon
NOTARY PUBLIC

My Commission Expires Feb. 23, 1945.

Residing at Salt Lake City, Utah.
February 23, 1945; Book 39 of Deeds

Recorded at the request of J. W. Mumford; 10:30 A.M.;

Sam V. Tunks, Recorder.

at page 301.
By Ruby Britton Deputy
Fee: \$1.00

No. 55650.

WARRANTY DEED.

THIS INDENTURE, made this 24th day of January, 1945, between THE FEDERAL LAND BANK OF SPOKANE, a corporation organized and existing under the Act of Congress known as the Federal Farm Loan Act, as amended, with its principal place of business in the City of Spokane, County of Spokane, State of Washington, the party of the first part, and R. K. Nelson party of the second part,

WITNESSETH: That the party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell, Convey and Warranty to the party of the second part, and to his heirs and assigns forever, the following described real estate, situate in the County of Bear Lake, State of Idaho, to wit:

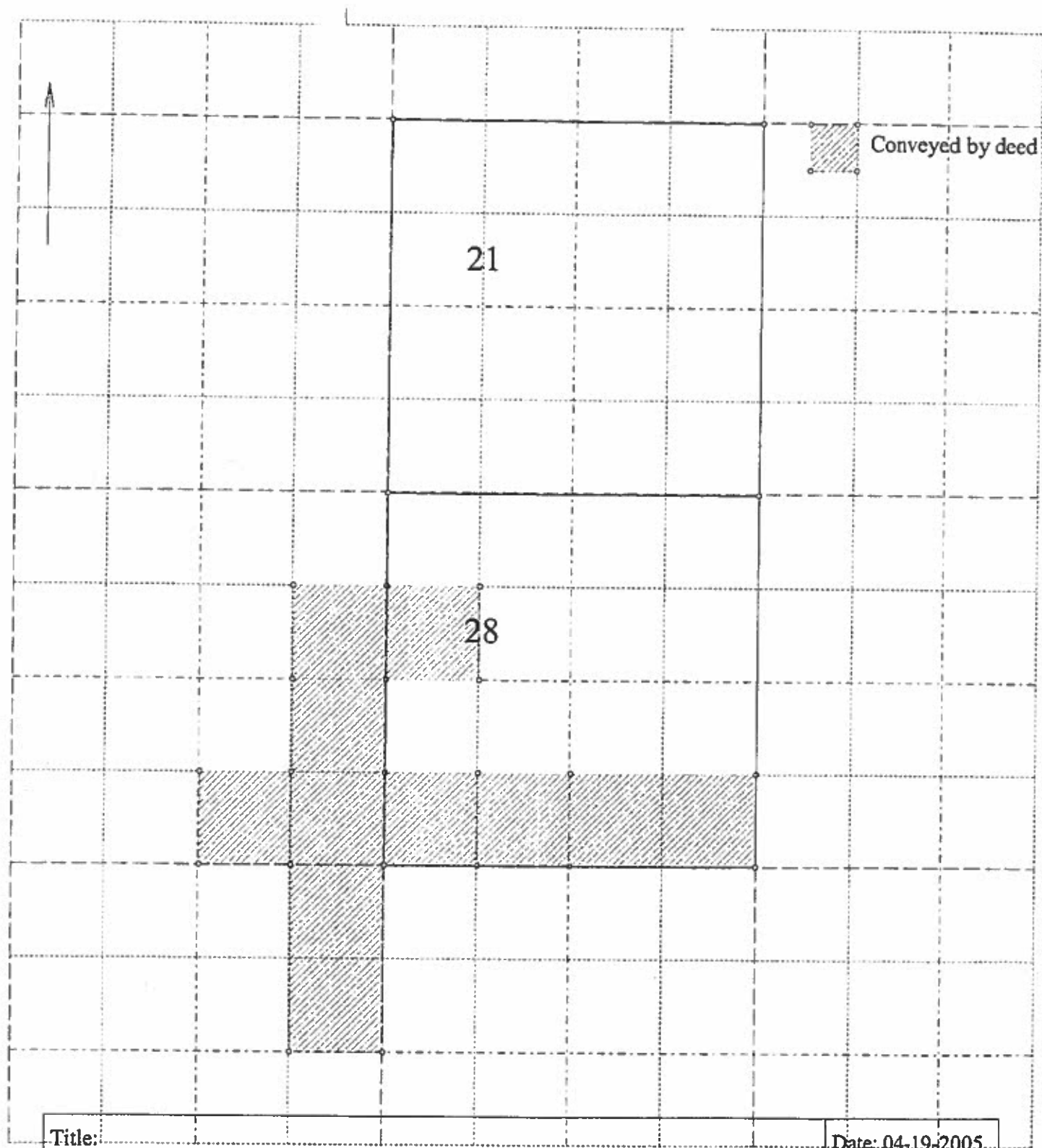
The South Half of the Southeast Quarter and the South Half of the Southwest Quarter of Section 13; the Southeast Quarter of the Southeast Quarter of Section 14; and the East Half of the Northwest Quarter and the Northeast Quarter of Section 24; all in Township 13 South, Range 44 East of the Boise Meridian.

\$2.75 Cancelled Documentary Stamps affixed.

Together with all the tenements, hereditaments, rights, privileges and appurtenances thereunto belonging, and all waters and water rights, and all watering and irrigating apparatus and fixtures which are appurtenant to or incident to the ownership of said premises; but nothing herein contained shall be construed as a warranty of any water right.

To Have and To Hold said premises unto the party of the second part, his heirs and assigns forever, subject to the followings:

1. Unpaid taxes, assessments and water charges, including but not limited to those levied or imposed by the United States Reclamation or Indian Service or by any water or irrigation or drainage district or company, and all other unpaid charges, liens or assessments imposed by or pursuant to law on the above described property, including any and all deferred charges, becoming due subsequent to the year 1936.
2. Any lien imposed by law by reason of the outstanding indebtedness of any drainage area, irrigation or other special improvement district; and any lien or encumbrance revived or placed on said property by, through or under the party of the second part.
3. The exceptions, provisions and reservations contained in patents or deeds from the United States of America, or the state in which said land is situate, or in deeds from railway companies; and any and all easements, rights of way for railroads, roads, or highways or other servitudes.



Title:

Date: 04.19.2005

Scale: 1 inch = 1833 feet

File: 1944 John Mumford to Gladys Mumford.des

THOMAS FORK RANCH

in
Lincoln County, Wyoming
and
Bear Lake County, Idaho

- Boundary of Headquarters Unit Total
Approximately 1,762 Deeded Acres
Approximately 1,162 Irrigated Acres
- Boundary of West Unit
Approximately 2,802 Total Acres
Approximately 311 Irrigated Acres
Approximately 148 Sub-Irrigated Acres
- Boundary of Thomas Fork BLM Allotment
Approximately 900 Acres

Alton — 33 Miles
Jackson — 72 Miles

NORTH

ONE MILE

Montpelier — 16 Miles

NOTE: THIS MAP IS FOR ORIENTATION PURPOSES ONLY.
IT IS INTENDED TO ACQUAINT INTERESTED
PARTIES WITH THE LOCATION OF THE THOMAS
FORK RANCH. BOUNDARY LINES ARE DRAWN AS
ACCURATELY AS POSSIBLE, BUT ARE NOT EXACT.
THIS MAP IS NOT TO BE CONSTRUED AS EITHER A
SURVEY OR A LEGAL DESCRIPTION.

Cokeville — 9 Miles
Evanston — 76 Miles
Salt Lake City — 155 Miles

CONSERVATION PLAN MAP

Owner	ECKERREY TRAIL		Operator	PAUL ECKERREY	
County	LINCOLN	State	NEBRASKA	Date	7-12-93
Approximate acres	4815	Approximate scale	4" = 1 MILE		
Compassing with	LINCOLN		Conservation District		
Plan Identification	TRAIL FIRE		Photo number	A1 18037 178-24 18038	
Assisted by	B. GRANTY, DC, CHESTERFIELD FIELD OFFICE		USDA Soil Conservation Service		

10th - 14th Stratification Zone

Acres outlined in red marked III, have the potential to be "Highly Erodible Land" if not farmed in a conservation type manner. Planned conservation practices must be applied on these fields in order to remain eligible for government benefits.

Area outlined in yellow marked B14 at Bureau of Land Management Lands.

Point of Diversion
for
Webster, Churs & Dalton (WCD) Ditch

8-24

WARRANTY DEED

For Value Received,

PAUL J. ETCHEVERRY and LYNNE S. ETCHEVERRY, husband and wife,
of 295 SOUTH 5TH STREET, MONTPELIER, County of Bear Lake, State of ID. 83254,

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

THE GRANTOR(S).

BAR-M LAND & LIVESTOCK OF IDAHO, L.L.C.,

of 910 WEST 21ST STREET, OGDEN, County of WEBER, State of UT. 84401,

THE GRANTEE(S).

For the sum of ten dollars and other good and valuable consideration, the following described tract of land
in the County of Bear Lake, State of Idaho:

See Attached Exhibit "A"

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), its heirs and
assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are
the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that they will
warrant and defend the same from all lawful claims whatsoever.

DATED THIS April 22, 2002.

Paul J. Etcheverry
PAUL J. ETCHEVERRY

Lynne S. Etcheverry
LYNNE S. ETCHEVERRY

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 22 day of April, 2002, before me a Notary
Public in and for the State, personally appeared

PAUL J. ETCHEVERRY and LYNNE S.
ETCHEVERRY, husband and wife

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

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

Kay Beck
Notary Public,
Residing at: OVID, ID.
My Commission Expires: 12-01-06



Collected by *[Signature]*
DEPUTY
FEE
APR 23 2002 10 10 39

181444

MAIL TAX NOTICE TO: BAR-M LAND & LIVESTOCK OF IDAHO, L.L.C.
910 WEST 21ST STREET, OGDEN, UT. 84401

EXHIBIT A

PARCEL NO. 1:
TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 21: SE $\frac{1}{4}$ SW $\frac{1}{4}$.

EXCEPT THEREFROM: Beginning at the Northwest Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 21, and running thence South 1388 feet; thence North 77°00' East 1800 feet to the West side of Thomas Fork Creek; thence along said Creek North 34°00' West 166 feet; thence North 43°00' East 337 feet; thence South 81°00' East 200 feet; thence North 2°00' West 268 feet; thence North 25°00' West 193 feet; thence South 39°00' West 200 feet; thence South 88°00' West 310 feet; thence South 87°00' West 356 feet; thence North 31°00' West 142 feet; thence North 20°00' East 232 feet to the North side of homestead (which is the North line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21); thence West 1149 feet to the Point of Beginning.

Section 27: NW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Westerly of the Raymond Canal, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Westerly of that certain County Road known as Evans Lane.

Section 28: SE $\frac{1}{4}$; SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$.

EXCEPT: All that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying Easterly of the Raymond Canal.

Section 29: E $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 32: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 33: NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$.

PARCEL NO. 2
TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 29: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 30: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 31: N $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 32: W $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 33: S $\frac{1}{2}$ SW $\frac{1}{4}$.

TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 4: Lots 3 & 4; S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 5: Lots 3 & 4; S $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$.

Section 6: Lot 1.

Section 8: NE $\frac{1}{4}$; SE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 9: SW $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$.

PARCEL NO. 3
TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 5: An undivided 27/28th Interest in and to the following described land, to wit:
Lots 1 and 2; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

TOGETHER WITH all appurtenant water rights, including but not limited to, water diverted and beneficially used under the following described water rights in Bear Lake County, State of Idaho:

Water Right Nos. 11-00107; 11-00110A; 11-00110B; 11-00111; 11-00112; 11-00102; 11-00121, and 11-01042.

EXCLUDING as non-appurtenant any and all water diverting from Raymond Creek.

BE
BE

QUITCLAIM DEED

160530

FOR VALUE RECEIVED JOHN ETCHEVERRY (aka John E Etcheverry) and RUBY ETCHEVERRY (aka Ruby Jean Etcheverry, husband and wife, of Cokeville, Lincoln County, Wyoming, and ETCHEVERRY BROS., a partnership composed of said John Etcheverry and Paul Etcheverry and having its principal office at Cokeville, Lincoln County, Wyoming, the grantors for \$10.00 in hand paid and other valuable consideration, receipt of which is hereby acknowledged, hereby remise, release and forever quitclaim unto said PAUL ETCHEVERRY, whose current address is HC-36, Box 137, Cokeville, Lincoln County, Wyoming, 83114, the grantee, the following described premises, together with their appurtenances, situate in the County of Bear Lake, State of Idaho, to-wit:

PARCEL #1:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 26: 1/2
Section 27: SE 1/4
Section 34: E 1/2 NE 1/4, NE 1/4 SE 1/4, SW 1/4 SE 1/4
Section 35: Lots 1, 2, 3, & 4

TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 2: Lots 1 & 2
Section 3: Lot 1

PARCEL #2:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 29: SW 1/4 SW 1/4
Section 30: SE 1/4 SE 1/4
Section 31: NE 1/4 NE 1/4, SE 1/4 NE 1/4, E 1/4 SE 1/4
Section 32: W 1/2 NW 1/4, E 1/2 SW 1/4, SE 1/4 SE 1/4
Section 33: SW 1/4 SW 1/4

TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 4: Lots 3 and 4; SW 1/4 NW 1/4, NE 1/4 SW 1/4
Section 5: Lots 3 and 4; SW 1/4 NW 1/4, SE 1/4 NE 1/4, SE 1/4
ALSO: An undivided 27/28th interest in and to the following described land, to-wit:
Lots 1 and 2, SW 1/4 NE 1/4, SE 1/4 SW 1/4
Section 6: Lot 1. Also: Commencing at the Southeast Corner of Lot 2 in Section 6, and running thence North 40 rods, thence West 40 rods, thence South 40 rods, and thence East 40 rods to the Place of Beginning.

Section 8: NE 1/4, SE 1/4, SE 1/4 NW 1/4, E 1/2 SW 1/4
Section 9: SW 1/4 NW 1/4, W 1/2 SW 1/4

DATED this 28th day of March, 1994.

John Etcheverry
John Etcheverry

Ruby Etcheverry
Ruby Etcheverry

ETCHEVERRY BROS. a
partnership

By John Etcheverry partner

By Paul Etcheverry partner

STATE OF IDAHO

COUNTY OF BEAR LAKE

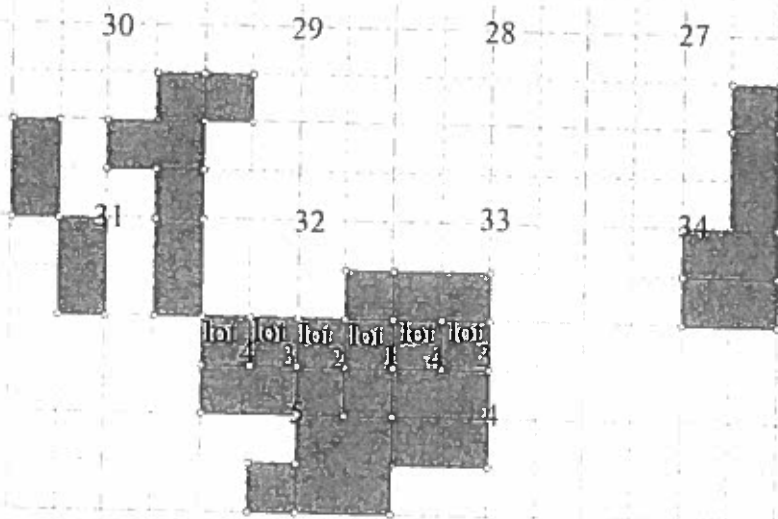
On this 28th day of March, 1994, before me, personally appeared John Etcheverry and Ruby Etcheverry, husband and wife known to me to be the persons whose names are subscribed as individuals to the within instrument, and that they executed the same, and the same John Etcheverry and Paul Etcheverry, known to me to be partners in the partnership of Etcheverry Bros., who subscribed said partnership name to the within instrument, and acknowledged to me that they executed the same in said partnership name.



Frances Roberts
Notary Public
Residing at Montpelier, Idaho

My Commission Expires: 1-10-99

91 DEC 15 AM 11:10
Columbiana
FEE



Title:		Date: 04-05-2002
Scale: 1 inch = 5000 feet	File: Etcheverry Bros to P Etcheverry.des	

Warranty Deed

THIS INDENTURE made the 7th day of November, 1958, between J. E. Mendenhall and wife, Lord, one thousand nine hundred and Sixty-two, of the first part, husband and wife, of Border, County of Lincoln, State of Wyoming, the first part, and STACHEVSKY BROTHERS, a partnership composed of Peter Stachevsky and John Stachevsky, of the second part, of Border, County of Lincoln, State of Wyoming, the second part.

WITNESSETH, That the said part 1st. of the first part, for and in consideration of the sum of Seventy five Thousand Six hundred Seventy five DOLLARS lawful money of the United States of America to them, in hand paid by the said part 2nd. of the second part, the receipt whereof is hereby acknowledged, do hereby granted, bought, gained, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM unto the said part 2nd. of the second part, and to its successors heirs and assigns forever, all that certain piece or parcel of land situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit:

(This deed is given subject to a certain Real estate Mortgage covering a portion of the land above described, said mortgage having been executed by the grantors hereto in favor of the Federal Land Bank of Omaha, said mortgage being dated the 1st day of October, 1958, and recorded in Book 26 of Mortgages at page 105 of the Records of Bear Lake County, Idaho.)

This deed is also given subject to a certain Oil and Gas lease executed by the grantors hereto in favor of the Superior Oil Company, a California Corporation, as Lessee, said Lease being Recorded in Book 10 of Miscellaneous Records, at page 132 of the Records of Bear Lake County, Idaho.)

This deed is also given subject to a certain Oil and Gas Lease executed by the grantors hereto in favor of one H. E. Barton, as Lessee, which lease is recorded in Book 10 of miscellaneous Records at page 475 of the records of Bear Lake County, Idaho, and which lease was assigned by said H. E. Barton to Pan American Petroleum corporation as shown by instrument recorded in Book 2 of Assignments at page 107 of the records of Bear Lake County, Idaho.)

Together with all and singular the tenements, hereditaments and appurtenances thereof, belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity of the said part 1st. of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 9, in Township 14 South, Range 46 East of the Boise Meridian, containing 120 acres.

Also: The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, The W $\frac{1}{2}$ of the SE $\frac{1}{4}$, The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 8, in Township 14 South, Range 46 East of the Boise Meridian, and containing 440 acres of land, more or less.

Also: Lots 3 and 4, The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 5, in Township 14 South of Range 46 East of the Boise Meridian, containing 318.60 acres, more or less.

Also: All the right, title, estate and interest which the parties of the first part have, the same being an undivided 27/28 interest in and to the following described land, to-wit:

Lots 1 and 2, The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, in Township 14 South, Range 46 East of the Boise Meridian, and containing 158.12 acres, more or less.

Also: Lots 3 and 4, The S $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 4, in Township 14 South, Range 46 East of the Boise Meridian, and containing 238.08 acres of land, more or less.

Also: Lot 1 of Section 6 in Township 14 South of Range 46 East of the Boise Meridian, Also Commencing at the SE corner of Lot 2 of Section 6, in Township 14 South of Range 46 East of the Boise Meridian, and running thence North 40 rods; Thence West 40 rods; Thence South 40 rods; Thence East 40 rods to the place of beginning. The above described land containing in all 49.49 acres, more or less.

Also: The S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 33, in Township 13 South, Range 46 East of the Boise Meridian, containing 80 acres of land.

Also: The W $\frac{1}{2}$ of the NW $\frac{1}{4}$, The E $\frac{1}{2}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, in Township 13 South of Range 46 East of the Boise Meridian, containing 200 acres, more or less.

Also: The N $\frac{1}{2}$ of the NE $\frac{1}{4}$, the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 31, in Township 13 South, Range 46 East of the Boise Meridian, containing 200 acres, more or less.

Also: The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30, in Township 13 South, Range 46 East of the Boise Meridian, containing 40 acres.

Also: The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, in Township 13 South, Range 46 East of the Boise Meridian, containing 40 acres.

Also: The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, in Township 14 South, Range 46 East of Boise Meridian, containing 40 acres of land.

Together with all water and water rights belonging to or in anywise appurtenant to all of the land above described.

... and singular the said premises, together with the appurtenances
... of the second part, and to his successors heirs and assigns forever, and
... the first part, and these heirs, the said premises, in the quiet and
... of the said part of the second part, his heirs, and assigns against
... of the first part, and their heirs and against any and all persons whatsoever,
... claiming or to claim the same, shall and will warrant and by these presents forever defend.
IN WITNESS WHEREOF, The said part has of the first part have hereunto set their
hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

J. L. Bagley (SEAL)
Melba Bagley (SEAL)

United States of America

STATE OF IDAHO
County of Bear Lake

ss.

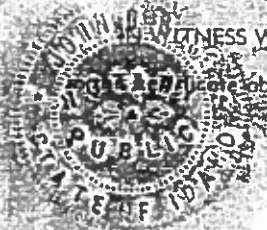
On this 27th day of November in the year of our Lord
one thousand nine hundred and Sixty two, before me, John B. Hoge
a Notary public,

within and for said County and State personally appeared

J. L. BAGLEY and MELBA BAGLEY, husband and wife,

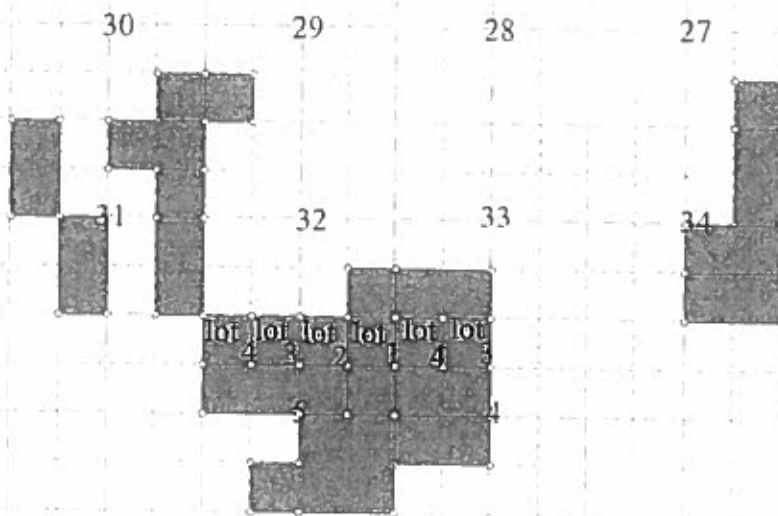
personally known to me to be the person whose name are subscribed to the within
instrument, and duly acknowledged to me that they executed the same.

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



John B. Hoge
Notary Public for Idaho
Residing at Idaho
My Commission Expires
25 June 1966

No. _____	
Warranty Deed	
TO _____	
Dated _____, 19 _____	
OFFICE OF COUNTY RECORDER	
STATE OF IDAHO } ss. County of Bear Lake }	
I hereby certify that this instrument was filed for record at the request of	
at _____ minutes past _____ o'clock — m.	this _____ day of _____
A. D. 19 _____, in my office and duly recorded in Book _____ Deeds at page _____	County Recorder _____
Fee - \$ _____	Deputy _____
Presented to and platted by me this _____ day of _____, 19 _____	
Assessor _____	



Title:

Date: 04-05-2002

Scale: 1 inch = 5000 feet

File: Bagley to Etcheverry Bros.des

BK26 628

400, 2. BARNARD STATIONERY CO., ST. LOUIS

GRANTY DEED

15th day of August in the year of our Lord one thousand

1900, I, Joseph Bagley and his wife, Eva S. Bagley

County of Bear Lake, State of Idaho, parties of the first part, and

Bear Lake

County of of the second part:

part Y of the first part, for and in consideration of the sum of

DOLLARS.

of the second part, the receipt whereof is hereby

of the second part, and to his

of the second part, and to his

of the second part, and to his

of the second part, and to his

of the second part, and to his

The south half of the southwest quarter of Section thirty three (33) in Township thirty three (33) south and Lots three (3) and four (4) the south half of the northeast quarter of the north half of the southwest quarter of Section four (4) in Township fourteen (14) south, all in Range forty six (46) east of the Boise Meridian, containing 517.90 acres more or less to Government Survey.

Together with all water rights thereunto belonging or in anywise appurtenant.

Witness my hand and seal of office this 15th day of August 1900.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possessions, claim and demand whatsoever, as well in law as in equity, of the said part of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

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 his heirs and assigns, forever, and the said part 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 part of the first part, and their heirs, and against any and all persons whatsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said part 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

E. L. McClave

Emory Eagley

(SEAL)

Emory S. Eagley

(SEAL)

STATE OF IDAHO } ss.
County of Bear Lake }

UNITED STATES OF AMERICA.

On this 15th day of August, in the year of our Lord one thousand nine hundred and 24

before Edwin L. McClave, a Notary Public within and for said County and State, personally appeared Emory Eagley and his wife, Eve S. Eagley

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certified

above written.

(SEAL)

My commission expires March 28th. 1928

Edwin L. McClave, Notary Public

Residence, Bonanza, Idaho.

Recorded at request of E. L. McClave at 9:45 o'clock A. M., this 15th day of August

A. D. 1924

Fee \$

County Recorder.

Deputy

33



Title:

Date: 04-15-2002

Scale: 1 inch = 5000 feet

File: Bagley to Bagley.des

Tract 1: 80.000 Acres: 3484800 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 7920 Feet

Tract 2: 160.000 Acres: 6969600 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 10560 Feet

Tract 3: 80.000 Acres: 3484800 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 7920 Feet

001=/SE,SE,SE,33,13S,46E

009=/SE,SE,SE,4,14S,46E

017=/SE,SE,SE,4,14S,46E

002=/N00E 1320.00

010=/N00E 5280.00

018=/N00E 2640.00

003=/N90W 2640.00

011=/N90W 2640.00

019=/N90W 2640.00

004=S00W 1320.00

012=S00W 2640.00

020=S00W 1320.00

005=N90W 2640.00

013=N90W 2640.00

021=N90W 2640.00

006=N00E 1320.00

014=N00E 2640.00

022=N00E 1320.00

007=N90E 2640.00

015=N90E 2640.00

023=N90E 2640.00

008=@0 nw,4,14s,46c

016=@0 n,sw,4,14s,46c

CONSERVATION PLAN MAP

Owner: ETCHEVERRY BROTHERS Operator: PAUL ETCHVERRY
County: LINCOLN State: WYOMING Date: 7-17-50
Approximate acres: 4835 Approximate scale: 4" = 1 MILE
Cooperating with: LINCOLN Conservation District: THOMAS FORK
Plan Identification: THOMAS FORK Photo number: 50 16007 178-24 Idaho SCS
Assisted by: D. GRADY, DC, COKVILLE FIELD OFFICE USDA Soil Conservation Service

10" - 4" Precipitation Zone

Areas outlined in red marked REL have the potential to be "Highly Erodible Land" if not farmed in a conservation type manner. Planned conservation practices must be applied on these fields in order to remain eligible for government benefits.

Areas outlined in yellow marked BLM are Bureau of Land Management Lands.

178-24

Point of Diversion
for
Webster, Ours & Dalton (WOD) Ditch

N



*Exhibit to the Thomas & Kimmer
No. 14124*

WARRANTY DEED

For Value Received,

BAR-M LAND & LIVESTOCK OF IDAHO, L.L.C.,
of 910 WEST 21ST STREET, OGDEN, County of WEBER, State of UT. 84401,

THE GRANTOR(S)

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

RODNEY H. BOEHME and ROBERT D. BOEHME,
of 1250 RAYMOND ROAD, GENEVA, County of Bear Lake, State of ID. 83238,

THE GRANTEE(S)

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in
the County of Bear Lake, State of Idaho

See Attached Exhibit "A"

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and
assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that he is the
owner(s) in fee simple of said premises; that they are free from all encumbrances, and that he will warrant
and defend the same from all lawful claims whatsoever.

DATED THIS 24 MAY 2006

BAR-M LAND & LIVESTOCK OF IDAHO, L.L.C.

Randy Moulding, Manager
BY: RANDY MOULDING, Manager

Randy Moulding, Trustee
BY: RANDY MOULDING, Trustee

STATE OF UTAH, COUNTY OF WEBER

On this 24th day of May, 2006, before me a Notary
Public in and for the State, personally appeared

RANDY MOULDING

known or identified to me to be the manager and trustee of
the limited liability company of BAR-M LAND &
LIVESTOCK OF IDAHO, L.L.C., and the manager/trustee
who subscribed said limited liability company name to the
foregoing instrument, and acknowledged to me that he
executed the same in said limited liability company name.

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

Holly R. Walker
Notary Public
Residing at:
My Commission Expires:



Instrument # 194692

BEAR LAKE COUNTY

2006-05-28

12:29:59 No. of Pages: 2

Recorded for: FIRST IDAHO TITLE CO.

KERRY HADDOCK

Ex-Officio Recorder Deputy Fee: 8.00

Index to WARRANTY DEED

MAIL TAX NOTICE TO: RODNEY H. BOEHME and ROBERT D. BOEHME
1250 RAYMOND ROAD, GENEVA, ID. 83238

EXHIBIT A

PARCEL NO. 1:
TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 21: SE $\frac{1}{4}$ SW $\frac{1}{4}$.

EXCEPT THEREFROM: Beginning at the Northwest Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 21, and running thence South 1388 feet; thence North 77°00' East 1800 feet to the West side of Thomas Fork Creek; thence along said Creek North 34°00' West 166 feet; thence North 43°00' East 337 feet; thence South 81°00' East 200 feet; thence North 2°00' West 268 feet; thence North 25°00' West 193 feet; thence South 39°00' West 200 feet; thence South 88°00' West 310 feet; thence South 87°00' West 356 feet; thence North 31°00' West 142 feet; thence North 20°00' East 232 feet to the North side of homestead (which is the North line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21); thence West 1149 feet to the Point of Beginning.

Section 27: NW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Westerly of the Raymond Canal, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Westerly of that certain County Road known as Evans Lane.

Section 28: SE $\frac{1}{4}$; SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$.

EXCEPT: All that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying Easterly of the Raymond Canal.

Section 29: E $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 32: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 33: NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$.

PARCEL NO. 2
TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 29: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 30: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 31: N $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 32: W $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 33: S $\frac{1}{2}$ SW $\frac{1}{4}$.

TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 4: Lots 3 & 4; S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 5: Lots 3 & 4; S $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$.

Section 6: Lot 1.

Section 8: NE $\frac{1}{4}$; SE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 9: SW $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$.

PARCEL NO. 3:
TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 5: An undivided 27/28th interest in and to the following described land, to wit: Lots 1 and 2; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$.

TOGETHER WITH all appurtenant water rights, including but not limited to, water diverted and beneficially used under the following described water rights in Bear Lake County, State of Idaho:

Water Right Nos 11-01042; 11-00112; 11-00107; 11-00121; 11-00110B; 11-00111; 11-00110A.

EXCLUDING as non-appurtenant any and all water diverting from Raymond Creek.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 North Skyline Drive, Suite A Idaho Falls Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

January 23, 2012

Rodney and Robert Boehme
1250 Raymond Road
Geneva, ID 83238

*We have included this letter
to help you in making this
change in water rights*

*Thanks
Rodney & Boehme*

C.L. "BUTCH"
OTTER
Governor

Gary Spackman
Interim Director

RE: Change of Ownership for Water Right No(s). 11-7545, 11-7539, 11-7535, 11-121, 11-7543, 11-7537, and 11-7541

Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

While reviewing the requested ownership change, it was found that there are several other No(s) which overlap your property. In order to update the ownership on the following no(s): 11-7498 (stockwater), 11-7496 (stockwater), 11-7494 (stockwater), 11-7502 (stockwater), 11-7500 (stockwater), 11-7501 (stockwater), 11-7499 (stockwater), 11-7497 (stockwater), 11-7503 (stockwater), and 11-7495 (stockwater & irrigation), please provide the necessary form, and a \$250 fee. Water right no. 11-102 (irrigation), will require a split, the Department will require the necessary form, chain of title and a \$100.00 fee.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Kerrie Mathews

Kerrie Mathews
Water Resources Agent

*Exhibit K to Thomas & Suzanne Rous Permit
No. 14124*

WARRANTY DEED

For Value Received,

BAR-M LAND & LIVESTOCK OF IDAHO, L.L.C.,
of 910 WEST 21ST STREET, OGDEN, County of WEBER, State of UT. 84401,

THE GRANTOR(S),

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

RODNEY H. BOEHME and ROBERT D. BOEHME,
of 1250 RAYMOND ROAD, GENEVA, County of Bear Lake, State of ID. 83238.

THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in
the County of Bear Lake, State of Idaho:

See Attached Exhibit "A"

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that he is the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that he will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 24 MAY 2006

BAR-M LAND & LIVESTOCK OF IDAHO, L.L.C.

Randy Moulding, **MANAGER**
BY: RANDY MOULDING, Manager
Randy Moulding, **Trustee**
BY: RANDY MOULDING, Trustee

STATE OF UTAH, COUNTY OF WEBER

On this 24th day of May, 2006, before me a Notary
Public in and for the State, personally appeared

RANDY MOULDING

known or identified to me to be the manager and trustee of
the limited liability company of BAR-M LAND &
LIVESTOCK OF IDAHO, L.L.C., and the manager/trustee
who subscribed said limited liability company name to the
foregoing instrument, and acknowledged to me that he
executed the same in said limited liability company name.

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

Holly R Walker
Notary Public

Residing at:

My Commission Expires:



Instrument # 194692

BEAR LAKE COUNTY

2006-05-28

12:29:59 No. of Pages: 2

Recorded for: FIRST IDAHO TITLE CO.

KERRY HADDOCK

Ex-Officio Recorder Deputy *Cindy Sijan* Fee: \$6.00

Index to: WARRANTY DEED

MAIL TAX NOTICE TO:

RODNEY H. BOEHME and ROBERT D. BOEHME
1250 RAYMOND ROAD, GENEVA, ID. 83238

EXHIBIT A

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TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 21: SE $\frac{1}{4}$ SW $\frac{1}{4}$.

EXCEPT THEREFROM: Beginning at the Northwest Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 21, and running thence South 1388 feet; thence North 77°00' East 1800 feet to the West side of Thomas Fork Creek; thence along said Creek North 34°00' West 166 feet; thence North 43°00' East 337 feet; thence South 81°00' East 200 feet; thence North 2°00' West 268 feet; thence North 25°00' West 193 feet; thence South 39°00' West 200 feet; thence South 88°00' West 310 feet; thence South 87°00' West 356 feet; thence North 31°00' West 142 feet; thence North 20°00' East 232 feet to the North side of homestead (which is the North line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21); thence West 1149 feet to the Point of Beginning.

Section 27: NW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Westerly of the Raymond Canal, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Westerly of that certain County Road known as Evans Lane.

Section 28: SE $\frac{1}{4}$; SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$.

EXCEPT: All that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying Easterly of the Raymond Canal.

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Section 32: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 33: NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$.

PARCEL NO. 2
TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 29: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 30: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 31: N $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 32: W $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 33: S $\frac{1}{2}$ SW $\frac{1}{4}$.

TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 4: Lots 3 & 4; S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 5: Lots 3 & 4; S $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$.

Section 6: Lot 1.

Section 8: NE $\frac{1}{4}$; SE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 9: SW $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$.

PARCEL NO. 3:
TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 5: An undivided 27/28th interest in and to the following described land, to wit: Lots 1 and 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

TOGETHER WITH all appurtenant water rights, including but not limited to, water diverted and beneficially used under the following described water rights in Bear Lake County, State of Idaho:

Water Right Nos. 11-01042; 11-00112; 11-00107; 11-00121; 11-00110B; 11-00111; 11-00110A.

EXCLUDING as non-appurtenant any and all water diverting from Raymond Creek.

THE UNITED STATES OF AMERICA

Desert Lands

Certificate No. 450.

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS Levi R. Hart of Bear Lake County, Idaho, has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Blackfoot Idaho whereby it appears that full payment has been made by the said Levi R. Hart according to the provisions of the Act of Congress of the 24th of April, 1860, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the Lot numbered two; the South West quarter of the North East quarter and the West half of the South East quarter of Section four, in Township fourteen South of Range forty six East of Boise Meridian in Idaho, containing one hundred and fifty nine acres, and twenty hundredths of an acre according to the Official Plat of the Survey of the said Lands, returned to the GENERAL LAND OFFICE by the Surveyor General, which said Tract has been purchased by the said Levi R. Hart.

NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant, unto the said Levi R. Hart and to his heirs, the said tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Levi R. Hart and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

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

GIVEN UNDER my hand at the City of Washington, the twenty fourth day of October, in the year of our Lord one thousand eight hundred and ninety four, and of the Independence of the United States the one hundred and nineteenth.

By the President: Grover Cleveland.

(SEAL)

By M. McKean, Secretary.

W. L. Kee, Recorder of the General Land Office
ad interim

Recorded, Vol. 9A, Page 114

Recorded at the request of John B. Hoge at 3:45 o'clock P.M., Aug. 7, 1940.
Recorded in Book 37 of Deeds at page 143.

By

Sam V. Tunks,

Deputy.

Ex-officio Recorder.

Fees \$.80

No. 49086

THE UNITED STATES OF AMERICA

Homestead Certificate No. 1674

Application 1608

37-143

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Blackfoot, Idaho, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Levi R. Hart has been established and duly consummated, in conformity to law, for the

Lots numbered two, three and four of Section three and the Lot numbered one of Section four in Township fourteen South of Range forty-six East of Boise Meridian in Idaho containing one hundred and fifty-seven acres and sixty-five hundredths of an acre,

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That there is, therefore, granted by the United States unto the said Levi R. Hart the tract of land above described: To have and to hold the said tract of land, with the appurtenances thereof, unto the said Levi R. Hart and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

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

GIVEN under my hand, at the City of Washington, the eighth day of June, in the year of our Lord one thousand eight hundred and ninety five, and of the Independence of the United States the one hundred and nineteenth.

By the President: Grover Cleveland.

(SEAL)

By M. McKean, Secretary.

L. Q. C. Lamar, Recorder of the General Land
Office.

RECORDED, Vol. 3, Page 456.

Recorded at the request of John B. Hoge at 3:50 o'clock P.M., Aug. 7, 1940.

Recorded in Book 37 of Deeds at page 143.

Sam V. Tunks, Ex-Officio Recorder.

By _____, Deputy. Fees \$.80

Vyvlan Michaelson, and which said order and decree, authorizing the said Executor to execute the said deed, as aforesaid, by a certified copy thereof, was duly recorded in the office of the County Recorder of said Bear Lake county, Idaho, the 15th day of September, 1934, being the county in which said land hereinafter described is situated, and which said order so referred to is made a part of this indenture.

NOW THEREFORE The said Albert E. Thiel, Executor of the estate of William MacLennan (sometimes known as William McLennan), deceased, as aforesaid, the party of the first part, pursuant to the order and decree of said Probate Court, as hereinbefore mentioned, for and in consideration of the sum of Thirteen Hundred Dollars, lawful money of the United States, paid to said William MacLennan, and said executor by the said party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns forever, all the right, title, interest and estate of the said William MacLennan, (sometimes known as William McLennan,) deceased, in and to all that certain lot, piece, or parcel of land, situate, lying and being in Montpelier, Idaho, in said county of Bear Lake, and bounded and described as follows, to-wit:

Lot 11 in Block 5, Ed. Burgoyne addition to the town of Montpelier, Bear Lake County, Idaho, together with the appurtenances, hereditaments, and tenements thereunto belonging or in any wise appertaining.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part, the said Albert E. Thiel, executor of the estate of William MacLennan, deceased, has aforesaid, has hereunto set his hand and seal the day and year first above written.

(\$1.50 cancelled I.R. Stamps attached)

Albert E. Thiel (SEAL)
Executor of the estate of
William MacLennan, deceased.

STATE OF IDAHO

County of Bear Lake

} ss

On this 15th day of September, in the year 1934, before me, Chas. E. Harris, notary Public in aforesaid County, personally appeared Albert E. Thiel, executor of the Estate of William MacLennan, deceased, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as such executor.

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)

Chas. E. Harris
Notary Public

Recorded at the request of W. Smith Hoge at 10:50 o'clock A. M. Sept. 20th, 1934.

By August P. Shogard Deputy

Sam V. Tunks, Recorder

Fee \$1.00

No. 39564

IN THE PROBATE COURT OF BEAR LAKE COUNTY
STATE OF IDAHO

IN THE MATTER OF THE
ESTATE OF LEVI R. HART,
Deceased.

DEGREE ESTABLISHING THE TIME OF DEATH OF LEVI R.
HART AND DETERMINING THE HEIRS OF SAID DECEASED,
THEIR DEGREE OF KINSHIP AND THE RIGHT OF DESCENT
OF REAL PROPERTY BELONGING TO SAID DECEASED.

The hearing on the petition of Harriet M. Hart, praying for a determination of the time of death of Levi R. Hart, and a determination of the heirs of said deceased, their degree of kinship, and the right of descent of real property of which said Levi R. Hart died seized, came on regularly to be heard on this 20th day of September, 1934, Harriet M. Hart appearing by and through her attorney, D. E. Haddock, of Paris, Idaho, and no one appearing in person or for any other party, and it appearing to the court that on the 15th day of August 1934, said Harriet M. Hart filed said petition in the above entitled court, and on the same day the judge of this court fixed the 20th day of September 1934, at 10 o'clock A. M. of said day at the court room of said court in Paris, Bear Lake County, Idaho, as the time and place of hearing said petition; That thereafter due and proper notice of hearing said petition was given to all persons interested in said estate, both creditors and heirs, in the form and manner prescribed by law, and it further appearing from the evidence adduced at said hearing that the allegations of said petition are true and correct and that no creditors or creditor having a valid or subsisting claim against said estate of Levi R. Hart, deceased, has appeared to object to said proceedings; And it further appearing that all of the real property left by said deceased, and hereinafter described, was the community property of said Levi R. Hart, deceased, and Harriet M. Hart, his surviving wife, the petitioner herein;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED That Levi R. Hart died intestate in the county of Bear Lake, State of Idaho, on the 13th day of February 1926, and that at the time of his death he was a resident of Bear Lake County, State of Idaho, and left estate in Bear Lake County, Idaho, consisting of real property, described as follows, to-wit:

Commencing at the S. W. Corner of the N. W. $\frac{1}{4}$ of the S. W. $\frac{1}{4}$ of Section Twenty two (22) Township Thirteen (13) South of Range 46 East of the Boise Meridian, and running from thence North Forty (40) rods; Thence East

32450

Eighty (80) rods; Thence South Forty (40) rods; Thence West Eighty (80) rods to the place of beginning and containing Twenty (20) acres of land, together with ten (10) miners inches of water diverted from the Taylor canal.

Also, Lots numbered Two, Three and Four of Section Three and the Lot numbered One of Section Four in Township Fourteen South of Range Forty six East of Boise Meridian, in Idaho, containing one hundred and fifty seven acres and sixty five hundredths of an acre.

Also the Lot numbered Two; the South West quarter of the North East quarter and the West half of the South East quarter of section Four, in Township Fourteen South of Range Forty six East of Boise Meridian, in Idaho, containing one hundred and Fifty nine acres, and twenty hundredths of an acre.

That more than two years have elapsed since the death of said Levi R. Hart, deceased, and no application has been made in the State of Idaho for the appointment of an administrator of the estate of Levi R. Hart, deceased, by his heirs or by persons claiming to be creditors of said deceased, or by any other person or persons.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That said deceased left surviving him a widow, Harriet M. Hart, who is the petitioner herein. That all of the property hereinabove described was acquired by said deceased after his marriage to said Harriet M. Hart, and all of said property was at the time of the death of deceased the community property of said deceased and said Harriet M. Hart; That said Harriet M. Hart, as the surviving widow of said deceased, became the owner in fee of all the hereinabove described real estate, upon the death of said deceased, by right of descent and as his sole heir at law, said deceased having died intestate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That no inheritance tax is owing by said estate or the said heir thereof to the state of Idaho; That all state, county and other taxes owing by said estate have been paid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That all claims and demands of all persons, including creditors and heirs of the decedent, against the estate of said deceased, or against the above described property, except the claim of said Harriet M. Hart, as the owner in fee thereof as the sole heir of said deceased, be and they are forever barred.

Dated this 20th day of September, 1934.

(SEAL)

Don C. Haddock
Probate Judge of Bear Lake County,
Idaho.

STATE OF IDAHO

COUNTY OF BEAR LAKE

I, Don C. Haddock Probate Judge and Ex-Officio Clerk of the Probate Court of the State of Idaho, in and for Bear Lake County, do hereby certify that the within and foregoing is a full and true copy of the original Decree establishing the time of death of Levi R. Hart and determining the heirs of said deceased, their degree of kinship and the right of descent of real property belonging to said deceased, duly filed in my office the 20th day of September, 1934.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Court at Paris, Idaho, this 20th day of September, 1934.

(SEAL)

Don C. Haddock
Probate Judge & Ex-Officio Clerk of
the Probate Court of Bear Lake County
Idaho.

Recorded at the request of D. E. Haddock at 11 o'clock A. M. Sept. 20th, 1934.

By Sam V. Tunks Deputy
Fee \$1.80

Sam V. Tunks, Recorder

No. 39583

AFFIDAVIT AS TO INTENTION.

STATE OF IDAHO,)
County of Bear Lake,) ss.

Henry Grandy and Beryl Grandy, his wife, of Paris, Idaho, who each being duly sworn, depose and say: That that certain instrument dated February 23, 1929, and designated as a mortgage, which said purported mortgage was made to one Heber Price, as mortgagee, for the sum of \$125.00, but which said purported instrument was defectively executed, was intended by affiants as a mortgage on Lot 2 in Block 11, of Paris, Idaho, original townsite survey, in favor of said Heber Price for the said sum of \$125.00, and said purported mortgage was intended by affiants to be and become a lien on said mentioned property to secure the said debt of \$125.00. That since the execution of said instrument said affiants have been under the impression, and it was so intended, that said instrument was a mortgage on their said property, described herein, to secure said mentioned debt of \$125.00, as aforesaid.

That said affiants, being unfamiliar with how a mortgage should be executed, were not aware that said mentioned instrument was not a properly executed mortgage, or that the same was not properly acknowledged by the then probate judge of Bear Lake County, Idaho.

That it was affiants intention to secure said debt of \$125.00 with a properly executed mortgage, and that said debt is a valid obligation of said affiants, and has been since

WARRANTY DEED RECORD No. 33

33/618

INSTRUMENT No. 41532

STANDARD CO. PRINTERS & BINDERS, 301-311 11TH ST.

THIS INDENTURE, Made the 22nd day of January, in the year of our Lord one thousand nine hundred and thirty-six, between Harriett M. Hart, a widow of Raymond, County of Bear Lake, State of Idaho, part of the first part, and Albert L. Hart, Williard E. Hart and William A. Hart, in equal shares, of County of Bear Lake, State of Idaho, parties of the second part:

WITNESSETH, That the part of the first part, for and in consideration of the sum of One Dollar and valuable considerations, lawful money of the United States of America, to her in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM, unto the said parties of the second part, and to their heirs and assigns forever, all that certain piece or parcel of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit:

Commencing at the SW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 22 Tp. 13 S. R. 46 E. B. M., and running thence N. 40 rods; thence E. 80 rods; thence S. 40 rods; thence W. 80 rods to the place of beginning and containing 20 acres of land, together with ten (10) miners inches of water diverted from the Taylor canal.

Also, lots numbered, 2, 3, and 4 of Section 3 and the lot numbered 1 of Section 4 in Tp. 14 S. R. 46 E. B. M., in Idaho, containing 157 acres and 65/100 of an acre.

Also, the Lot numbered 2; the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, in Tp. 14 S. R. 46 E. B. M., in Idaho, containing 159 acres, and 20/100 of an acre.

Together with all water, water rights and water stock, used upon or in connection with said lands.

(The above property is the separate property of the grantor having been acquired from the estate of her deceased husband, Levi R. Hart, deceased.)

(TWO DOLLARS CANCELLED DOCUMENTARY STAMPS ATTACHED TO ORIGINAL DEED)

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possessions, claim and demand whatsoever, as well in law as in equity, of the said part of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

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, and the said part of the first part, and her 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 part of the first part, and her heirs, and against any and all persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

Signed, Sealed and Delivered in the Presence of

Harriet M. Hart (SEAL)

(SEAL)

STATE OF IDAHO, }
COUNTY OF BEAR LAKE, } ss.

UNITED STATES OF AMERICA

On this 22nd day of January, in the year of our Lord one thousand nine hundred and thirty-six, before me, Chas. E. Harris, notary public within and for said County and State, personally appeared Harriett M. Hart, a widow, personally known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that she executed the same.

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

(SEAL)

Chas. E. Harris
Notary Public for Idaho
Res: at Montpelier, Idaho

Recorded at request of W. A. Hart at 9 o'clock A. M., this 24th day of January, A. D. 1936

Sam V. Tunks

County Recorder.

Fee, \$ 1.90

INSTRUMENT No. 50019 ✓

THIS INDENTURE, Made the 9th day of August, in the year of our Lord, one thousand nine hundred and forty between Albert L. Hart and Etta Hart, his wife; and William A. Hart and Susan Hart, his wife of Raymond County of Bear Lake, State of Idaho, parties of the first part, and Merlyn Bartholomew of Corcoran County of Kings, State of California, party of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Two Thousand Six Hundred Sixty-six and 60/100 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, have granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY, and CONFIRM unto the said party of the second part, and to their heirs and assigns forever, all that certain place or parcel of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit:

Commencing at the SW Corner of the NW of the SW of Section 28, Township 13 South of Range 46 East of the Boise Meridian, in the State of Idaho and running thence North 40 rods; thence East 80 rods; thence South 40 rods; thence West 80 rods to the place of beginning and containing 20 acres of land, together with 10 Miners inches of water diverted from the Paylor Canal.

Also lots numbered 2, 3, and 4 of Section 3 and the lot numbered 1 of Section 4 in Township 14 South of Range 46 East of Boise Meridian in Idaho, containing 157 acres and 65/100 of an acre.

Also the lot numbered 2; the SE of the NE and the W of the SE of Section 4 in Township 14 South of Range 46 East of Boise Meridian in Idaho, containing 157 acres and 20/100 of an acre.

together with all water, water rights and water stock, used upon or in connection with said lands.

43.50 cancelled Documentary Stamps affixed.

Together with all and singular the tenements, hereditaments and appurtenances thereto, belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate right, title, interest, property possession, claim and demand whatsoever, as well in laws as in equity of the said party of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

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 her heirs and assigns forever, and said party 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 party of the first part, and their heirs and against any and all persons whosoever, 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 hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

W. Smith Hoge

ALBERT L. HART
ETTA HART (SEAL)
WILLIAM A. HART
SUSAN HART (SEAL)

STATE OF IDAHO, } ss.
COUNTY OF BEAR LAKE

UNITED STATES OF AMERICA

On this 9th day of August, in the year of our Lord one thousand nine hundred and forty before me, W. Smith Hoge, a Notary Public within and for said County and State personally appeared Albert L. Hart & Etta Hart, his wife; William A. Hart & Susan Hart, his wife personally known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

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

(Seal)
Comm. expires: Nov. 22, 1943.

W. SMITH HOGE
Notary Public

Recorded at request of Merlyn Bartholomew
at 2:30 o'clock P.M., this 10th day of March, A.D. 1941

Fee, \$1.00

Sam V. Tunka
County Recorder.

State of California) ss
County of Los Angeles)

On this 25th day of February, A. D. 1936, before me, the undersigned, a Notary Public in and for said County and State, personally appeared E. J. Davis known to me, (or proved to me on the oath of), to be the person whose name is subscribed to the within Instrument, and acknowledged to me that he executed the same.

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

H. M. DAVIDSON
Notary Public in and for said County
and State.

(Seal)
My commission expires October 14, 1940.

Recorded at the request of Eugene Brown at 2:30 P.M. March 7, 1941.
Recorded in Book 37 of Deeds at page 223.

By Minnie C. Crawford Deputy
Fee \$1.00

Sam V. Tunks, Recorder

No. 50017 IN THE PROBATE COURT OF BEAR LAKE COUNTY
STATE OF IDAHO

37/224

IN THE MATTER OF THE ESTATE)
of) DECREE OF SETTLEMENT OF FIRST
WILLARD E. HART, deceased.) AND FINAL ACCOUNT AND OF DIST-
) RIBUTION OF ESTATE.

J. A. Evans, the administrator of the Estate of Willard E. Hart, deceased, having on the 25th day of February 1941, rendered and filed herein a full account and report of his administration of said estate, which account was for a final settlement, and having with said account filed a petition for the final distribution of the residue of said estate among those entitled thereto, and said account and petition coming on regularly this day for hearing, proof having been made to the satisfaction of the court that notice has been given of the settlement of said account and the hearing of said petition, in the manner and for the time in such cases provided by law, and the order of this court, and no objections or exceptions to said account or to said petition having been made or filed herein by any person or persons interested in said estate, or otherwise, and it appearing to the court to its satisfaction, from the evidence adduced at such hearing that the said account is in all respects just and true and correct and should be settled as rendered, and that all and singular the allegations and statements contained in said petition for distribution is and are true, and the court hereby finds them to be true; that all state, county and other taxes levied against the property of said estate have been paid in full and that all claims and debts against said deceased, and all costs, charges and expenses of administration have been fully paid and discharged;

And it further appearing that the said Willard E. Hart died intestate in the County of Bear Lake, State of Idaho on the 2nd day of December 1936; that at the time of his death he was a resident of Bear Lake County, State of Idaho and left estate therein and that he left surviving him as his next of kin and sole heirs at law, and none others, the following named persons, to-wit:

Merlyn Bartholomew, surviving widow of deceased
Kathleen Hart Barrier, daughter of deceased
Nancy Lee Hart, daughter of deceased

And it further appearing to the court that all of the estate left by said deceased was real property described as follows to-wit:

Tract No. 1. Lots 2, 3, and 4 and the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, and the Lot 1 and the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 30, in Township 13 South of Range 46 East of the Boise Meridian, Idaho, containing 321.56 acres.

Tract No. 2. An undivided one-third interest in and to Lots numbered 2, 3, and 4 of Section 3, and the Lot numbered 1 of Section 4 in Township 14 South of Range 46 East of Boise Meridian, in Idaho, containing 157 acres and 68/100 of an acre; and also an undivided one-third interest in and to the Lot numbered 2; the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 4, in Twp. 14 South of Range 46 East of Boise Meridian, in Idaho, containing 159 acres and 20/100 acres.

Tract No. 3. An undivided one-third interest in and to the following described land: Commencing at the SW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 22, Township 13 South of Range 46 East of Boise Meridian, and running thence North 40 rods; thence East 80 rods; thence South 40 rods; thence West 80 rods to the place of beginning, containing 20 acres of land, together with 10 miners inches of water diverted from the Taylor Canal.

And it appearing to the court that of the real estate above described tract No. 1 thereof was the community property of said decedent and said Merlyn Bartholomew, surviving widow of deceased, at the time of the death of deceased; and that the said interest of deceased, (being an undivided one-third interest in and to tracts 2 and 3 of said real estate was the separate property of said deceased at the time of his death. That the said Merlyn Bartholomew is entitled to have decreed to her the whole of tract No. 1 of said real estate and that tracts no. 2 and 3 of said real estate that is to say the one-third interest of deceased in said tracts should be decreed as follows; one-third of the said interest of said decedent in and to said tracts should be decreed to said Merlyn Bartholomew and the other two-thirds interest of decedent in and to said tracts should be decreed to the said Kathleen Hart Barrier and Nancy Lee Hart in equal shares.

And it further appearing to the court that notice to creditors to present their claims against said estate has been duly published; that more than six months elapsed, prior to filing said first and final account, since the first publication of notice to creditors was made. That no claims were presented against said estate, except those in said first and final account listed, all of which have been paid and discharged.

And, it further appearing that no money or other property has been received by said administrator and no disbursements made by him since the rendition of said first and final account. That no inheritance tax is due to the State of Idaho by any of the heirs of said estate; and it appearing that said estate is now in a condition to be closed and the residue of the property thereof decreed to those entitled thereto, and all and singular the law and the premises being by the court fully seen, heard and considered;

IT IS ORDERED ADJUDGED AND DECREED:

1. That due and legal notice of the hearing of said first and final account and petition for distribution has been given.

2. That said first and final account be and the same is hereby settled, allowed and approved as rendered.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all of the rest, residue and remainder of the property of said estate, the same consisting of the real property herein above described be, and the same is hereby distributed and decreed as follows:

To Merlyn Bartholomew, surviving widow of deceased the following described real estate, to-wit:

Lots 2, 3, and 4 and the E $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, and the Lot 1 and the E $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, in Township 13 South of Range 46 East of the Boise Meridian, Idaho, containing 321.56 acres.

To Merlyn Bartholomew an undivided one-third interest, and to Kathleen Bart Barrier and Nancy Lee Bart and undivided two-thirds interest, each to share and share alike therein, in and to all the interest left by said deceased, (being an undivided one-third interest) in and to the following described real estate to-wit:

Lots numbered 2, 3, and 4 of Section 3, and the Lot numbered 1 of Section 4 in Township 14 South of Range 46 East of the Boise Meridian, in Idaho, containing 157 acres and 65/100 of an acre.

Also, the Lot numbered 2; the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the W $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, in Township 14 South of Range 46 East of the Boise Meridian, in Idaho, containing 159 acres and 20/100 of an acre.

Also commencing at the SW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23, Township 13 South of Range 46 East of Boise Meridian, and running thence North 40 rods; thence East 80 rods; thence South 40 rods; thence West 80 rods to the place of beginning, containing 20 acres of land, together with 10 Miners inches of water diverted from the Taylor Canal.

Done in open court this 8th day of March, 1941.

DON C. HADDOCK
Probate Judge of Bear Lake
County, Idaho

State of Idaho)
County of Bear Lake) ss

I, Don C. Haddock, Clerk of the Probate Court of the State of Idaho, in and for Bear Lake County, do hereby certify that the within and foregoing is a full and true copy of the original Decree of settlement of first and final account and of distribution of estate entered in the matter of the estate of Willard E. Hart, deceased, and, duly filed in my office the 8th day of March, 1941.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Paris, Idaho, this 8th day of March, 1941.
(Seal)

DON C. HADDOCK, Clerk

Recorded at the request of D. E. Haddock at 10:35 A.M. March 10, 1941.
Recorded in Book 37 of Deeds at page 224.

By Maurice C. Clayton
Fee \$2.50

Sam V. Tunks, Recorder

No. 50024 ✓

DEED BY COUNTY OF PROPERTY ACQUIRED FOR TAXES

THIS INSTRUMENT, Made this 10th day of March A. D. 1941, between the County of Bear Lake, State of Idaho, party of the first part, and E. A. Palmer of Montpelier, Idaho, party of the second part, WITNESSETH:

WHEREAS, By an order duly made by the Board of County Commissioners of said County, in meeting assembled on the 12th day of June, 1933, and entered in book 4 of Commissioners' Minutes at page 379, it was found and determined that the certain tract or parcel of land belonging to said County and hereinafter particularly described, was not necessary for the use of said County, and that the same should therefore, pursuant to the provisions of Section 30-708 Idaho Code Annotated 1932, be sold at public auction;

WHEREAS, Pursuant to said order and the statute in such case made and provided, due notice of said sale was published for a period of thirty (30) days previous to the date of said sale by publication in The Bear Lake County News a weekly newspaper published in said County, the first publication having been made on the 15th day of June, 1933, and the last publication on the 14th day of July, 1933, affidavit of the giving of which notice has been duly filed with the Clerk of the Board of County Commissioners of said County;

WHEREAS, Said notice set forth the 17th day of July, 1933, at 2 o'clock P.M., at the Courthouse door of Bear Lake County, as the time and place of sale, and further set forth the terms of said sale;

WHEREAS, The premises hereinafter described having been acquired by tax deed based upon a delinquent tax certificate for the taxes of the year 1927, wherein said property was assessed to Riter Brothers Druc Co. in the notice of sale aforesaid, there was

purchase price in the event of the exercising of the said option, and Lessee (or its assigns) shall be required to pay only the difference in the amount between said \$125,000.00 purchase price and the royalties previously paid hereunder.

This lease and agreement, and all the terms and conditions hereof, shall be binding upon and shall inure to the benefit of the heirs, successors, executors, administrators, personal representatives and assigns of each and all of the parties hereto.

IN WITNESS WHEREOF, we have hereunto set our hands the day and year first above written.

S. A. Emma Jeffs

Mary A. Regan

LESSORS

NEVADA CHEMICAL COMPANY, LTD.

By Geo. W. Ley

By Carroll A. Low

GENERAL PARTNERS

STATE OF MICHIGAN } ss.
County of Ontonagon

On this ____ day of ____, 1945, before me, the undersigned, a Notary Public in and for said County and State, personally appeared S. A. EMMA JEFFS, as Trustee, known to me to be the person whose name is subscribed to the within and foregoing instrument, as Trustee, and acknowledged to me that she executed the same, as Trustee, for the uses and purposes therein set forth.

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

Notary Public in and for said
County and State
My Commission Expires: June 7, 1949.

STATE OF MICHIGAN } ss.
County of Ontonagon

On this ____ day of ____, 1945, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MARY A. REGAN, as Trustee, known to me to be the person whose name is subscribed to the within and foregoing instrument, as Trustee, and acknowledged to me that she executed the same, as Trustee, for the uses and purposes therein set forth.

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

Notary Public in and for said
County and State
My Commission Expires: June 7, 1949.

STATE OF CALIFORNIA } ss.
County of Los Angeles

On this ____ day of ____, 1945, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Geo. W. Ley and Carroll A. Low, known to me to be the partners of the partnership that executed the within and foregoing instrument, and acknowledged to me that such partnership executed the same, and that they executed the same as partners, for the uses and purposes therein set forth.

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

Notary Public in and for said
County and State
My Commission Expires:

Recorded at the request of B. W. Davis; 1:30 P.M.; September 10, 1945; Book 39 of Deeds at page 378.
By Ruby Bolton Deputy Sam V. Tunks, Recorder.
Fee: \$8.20

No. 56302. WARRANTY DEED.

THIS INDENTURE, made this 15th day of September in the year of our Lord, One Thousand Nine Hundred and 45, between Marilyn Bartholomew, unmarried, of Fresno, County of ____, State of California, the party of the first part, and Joseph A. Evans and Lillian Evans, his wife, of Raymond, County of Bear Lake, 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 FOUR THOUSAND FIVE HUNDRED (\$4,500.00) - - DOLLARS, lawful money of the United States of America, to her in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged does by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said parties of the second part, and to their and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Bear Lake, State of Idaho, bounded and more particularly described as follows, to-wit:

Com. at the SW corner of the S¹/₄, sec. 22, Tp. 13 S. R. 46 E. S. 11., and run thence North 40 rods; thence East 80 rods; thence South 40 rods; thence West 80 rods to place of

391380

beginning, containing 27 acres together with 10 miners inches of water diverted from Taylor canal.

Also Lots 2, 3, and 4, Sec. 3, and Lot 1, of sec. 4, in Tp. 14 S.R. 43 E.B.1. contain- ing 157 & 65/100 acres.

Also, Lot 2 and SW-1/4, and NW-1/4, sec. 4, Tp. 14 S.R. 43 E.B.1. contain: 155 and 10/100 acres of land.

\$5.05 Cancelled Documentary Stamps affixed.

The consideration mentioned herein is the community fund of Grantees.

Together with all and singular, the tenements, hereditaments and appurtenances there- unto 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 appurten- ances 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 her heirs warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said party of the first part, and her 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 party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed in the Presence of

Merlyn Bartholomew

Chas. E. Harris

STATE OF IDAHO,)
COUNTY OF Bear Lake) ss:

On this _____ day of September, in the year 1948, before me Chas. E. Harris, a notary public in and for said County and State, personally appeared Merlyn Bartholomew, unmarried, known to me to be the person whose name 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)

Chas. E. Harris
Notary Public for Idaho.
Residence Montpelier, Idaho.

Recorded at the request of J. A. Evans; 1:15 P.M.; Sep. 17, 1948; Book 59 of Deeds at

Page 350.
By Merlyn Bartholomew Deputy
Fee: \$1.00

Sam V. Tunks, Recorder.

No. 55320.

HIGHWAY RIGHT OF WAY DEED

Parcel No. 3

KNOW ALL MEN BY THESE PRESENTS, That E. S. Smart and Lee Smart, his wife of Logan, County of Cache, State of Utah, first parties, for and on account of the cert in benefits to them accruing, and of other valuable considerations, and the sum of One and No/100ths Dollars (\$1.00) to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the State of Idaho, second party, as and for a right of way for a public high- way, the following described parcel of land situated in the County of Bear Lake, in the State of Idaho, of which grantors are the owners to-wit:

A strip of land 150 feet wide, being 70 feet on the Northeasterly side and 80 feet on the Southwesterly side of the following described center line of highway as surveyed and shown on the official plat of the Old Oregon Trail SN F&P 65 A(2) Highway Survey on file in the office of the Department of Public Works of the State of Idaho, and lying over and across the East Half Southwest Quarter, The Southwest Quarter Southeast Quarter of Section 26, and the Northeast Quarter Northwest Quarter, the Northwest Quarter Northeast Quarter of Section 35, Township 10 South, Range 45 East, Boise Meridian.

Beginning at Station 783+50 of the said Highway survey, which station is a point on curve approximately 1320 feet East and 510 feet South from the West Quarter corner of Section 26, Township 10 South, Range 45 East, B.M., thence 736.0 feet with a 2°00' curve left, said curve having a central angle of 21°20' to Station 800+36.0, which station is a point on tangent, thence South 58°07' East on tangent 1792.5 feet to Station 813+72.5 which station is a point of curvature; thence 1226.7 feet with a 1°30' curve right, said curve having a central angle of 18°24' to Station 831+35.0, which station is a point on tangent; thence South 15°43' East on tangent 304.0 to Station 834+08, which station is a point on tangent approximately 1350 feet South and 704 feet East from the North Quarter corner of Section 35, Township 10 South, Range 45 East, B.M.

Also an additional strip of land 20 feet wide on the Northeasterly side adjacent and con- tinuous to and parallel with the above described right of way between Stations 790+50 and 810+00.

Excepting that portion already dedicated by public use or otherwise as a public road. New right of way required being approximately 18.55 acres of the 15.70 acres above described.

There is also granted hereby an easement adjacent to the above described highway right of way for relocation of all irrigation and drainage ditches and structures and such sur- face drain ditches as may be necessary to the proper construction of the highway.

Construction or relocation of right of way fencing shall be by and at the sole expense of the _____ and grantor further agree that no advertising or other signs will be erected on said fence without the written consent of the Commissioner of Public Works.

TO HAVE AND TO HOLD the same unto the State of Idaho for the purpose of a public

BEAR LAKE COUNTY, IDAHO

40/ 381

77371.

THIS INDENTURE, Made this 22nd. day of July, , in the year of our Lord one thousand nine hundred and fifty-nine between Nancy Lee Hart Johnson

of Corcoran , County of , State of California ,
the party of the first part, and J. A. Evans, formerly

of Raymond , County of Bear Lake , State of Idaho ,
the part y of the second part.

WITNESSETH That the said party of the first part, for and in consideration of the sum of ONE DOLLAR & OTHER CONSIDERATION DOLLARS lawful money of the United States of America, to her in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, do es by these presents remise, release and forever QUITCLAIM unto the said part of the second part, and to his heirs and assigns, all of certain lots , piece s or parcels of land, situate, lying and being in , County of Bear Lake , State of Idaho, bounded and particularly described as follows, to-wit:

Commencing at the SW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section twenty-two (22^o, township thirteen (13) south of Range 46 East of the Boise meridian, and running thence North forty (40) rods; thence East Eighty (80) rods; thence South forty (40) rods; thence West Eighty (80) rods to the place of beginning, and containing twenty (20) acres of land, together with ten (10) miners inches of water diverted from the Taylor canal.
Also, lots numbered 2, 3 and 4 of section 3, and the lot numbered 1 of section 4 in township 14, South of Range 46 East Boise meridian, in Idaho, containing 157 acres and 65/100 of an acre.
Also, the lot numbered 2 and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of section 4, in Twp. 14, South, Range 46 East of the Boise Meridian, in Idaho, containing 159 acres and 20/100 of an acre.
It is the intention of the grantor herein to convey all of her right, title and interest to the above described real estate such right, title and interest being acquired by decree of the Probate Court of Bear Lake county, State of Idaho, in the estate of Willard E. Hart deceased, dated March 9, 1941.
My interest in said real estate, if any, is my sole and separate property being acquired by decree of the Probate Court as aforesaid.
TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

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

IN WITNESS WHEREOF, The said part y 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

Dale Hammond ?	Nancy Lee Hart Johnson (SEAL)
	(SEAL)
	(SEAL)
	(SEAL)

STATE OF ~~Idaho~~ California
COUNTY OF Kings } ss.

On this 11th day of August , in the year 1959 , before me,
W. R. Lachez , a Notary Public in and for said State,
personally appeared Nancy Lee Hart Johnson

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

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

(SEAL) My Commission Expires Sept. 3, 1961	W. R. Lachez California Notary Public for the State of Idaho , Residing at Corcoran, California
--	--

I hereby certify that this instrument was filed for record at request of. E. Evans
at -- minutes past 1 o'clock P. M., this 20th day of August , A.D. 1959 ,
in my office, and duly recorded in Book 40 of Deeds at page 331. .
Sam V. Funks
Ex-Officio Recorder.

QUITCLAIM DEED

No. 77372.

40/382

THIS INDENTURE, Made this 22nd. day of July, , in the year of our Lord one thousand nine hundred and fifty-nine between KATHLEEN HART BARRIER

of Fresno , County of , State of California ,
the party of the first part, and J.A. Evans

of Raymond , County of Bear Lake , State of Idaho ,
the party of the second part.

WITNESSETH That the said party of the first part, for and in consideration of the sum of ONE DOLLAR & OTHER CONSIDERATION, her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do es by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to his heirs and assigns, all of certain lot s piece s or parcel sof land, situate, lying and being in , County of Bear Lake , State of Idaho, bounded and particularly described as follows, to-wit:

Commencing at the SW corner of the NW of the SW of section twenty-two (22), township thirteen (13) south of range 45 East of the Boise meridian, and running thence North forty (40) rods; thence East eighty (80) rods; thence South forty (40) rods; thence West Eighty (80) rods to the place of beginning, and containing twenty (20) acres of land, together with ten (10) miners inches of water diverted from the Taylor canal

Also, lots numbered 2, 3 and 4 of section 3, and the lot numbered 1 of section 4 in township 14 South, Range 46 East Boise meridian, in Idaho, containing 157 acres, and 65/100 of an acre.

Also, the lot numbered 2 and the SW of the NE and the W of the SE of section 4, in Twp. 14, South, Range 46 East of the Boise Meridian, in Idaho, containing 159 acres, and 20/100 of an acre.

It is the intention of the grantor herein to convey all of her right, title and interest to the above described real estate such right, title and interest being acquired by Decree of the Probate Court of Bear Lake County, Idaho in the Estate of Willard E. Hart, deceased, dated March 8, 1941.

My interest in said real estate, if any, is my sole and separate property being acquired by decree of the Probate Court as aforesaid.

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

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

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Kathleen Hart Barrier

(SEAL)

(SEAL)

(SEAL)

(SEAL)

California
STATE OF IDAHO

COUNTY OF

ss.

On this 17th day of August , in the year 1959 , before me,

personally appeared Kathleen Hart Barrier

, a Notary Public in and for said State.

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)

Edith E. Mitchell

My Commission Expires June 29, 1963.

Notary Public for the State of California
Residing at Fresno, California

I hereby certify that this instrument was filed for record at request of J. E. Evans

at 10 minutes past 1 o'clock P.M. this 20 day of August , A.D. 1959 ,

in my office, and duly recorded in Book 40 of Deeds at page 352.

Sgt. V. Tanks

Ex-Officio Recorder.

Fees, \$ 1.50

By

Deputy.

INSTRUMENT No. 71511.

THIS INDENTURE, Made the 6th day of February, in the year of our Lord, one thousand nine hundred and fifty-six between J. A. Evans and Lillian V. Evans, husband and wife, formerly of Raymond County of Bear Lake, State of Idaho, parties of the first part, and Joseph E. Evans of Raymond County of Bear Lake, 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 Thousand Dollars 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, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY, and CONFIRM unto the said party of the second part, and to his heirs and assigns forever, all that certain piece or parcel of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit:

Lots numbered 2, 3 and 4 of section 3; and the lot numbered 1 of section 4 in Township 14 south, range 46 East Boise meridian in Idaho containing 157 acres and sixty-five hundredths of an acre.

Also, the lot numbered 2; the SW¹/₄ of the NE¹/₄ and W¹/₄ of the SE¹/₄ of section 4 in township 14 south range 46 E. B. M., in Idaho containing 159 acres and twenty-one hundredths of an acre.

\$5.50 Cancelled Documentary Stamp affixed 5-31-56 R.B.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate right, title, interest, property possession, claim and demand whatsoever, as well in laws as in equity of the said parties of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

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 his heirs and assigns forever, and 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 any and all persons whosoever, 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 seal 9 the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Melvin E. Squires

Lillian V. Evans (SEAL)

Melvin R. Squires

J. A. Evans (SEAL)

STATE OF Utah
COUNTY OF BEAR LAKE } ss.

UNITED STATES OF AMERICA

On this 11 day of February, in the year of our Lord one thousand nine hundred and fifty-six before me, the undersigned, a Notary Public within and for said County and State personally appeared J. A. Evans and Lillian V. Evans, husband and wife personally known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

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

(SEAL)

My Commission Expires Mar. 24, 1959
Melvin R. Squires
Logan, Utah

Melvin R. Squires
Notary Public for Utah
residing at Logan, Utah.

Recorded at request of Joseph E. Evans
at 10:00 o'clock A.M., this 15 day of Feb., A.D. 1956

Fees, \$1.25

Sam V. Tunks

County Recorder.

Ruby Patton Deputy.

WARRANTY DEED

For Value Received

JOSEPH E. EVANS and ZELDA C. EVANS, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto

HEBER J. BOEHME and EMMA LYLE BOEHME, husband and wife

the grantees, the following described premises, in Bear Lake County Idaho, to wit:

TRACT #1: Beginning at the Southeast Corner of the Southwest Quarter of the Southwest Quarter, Section 34, Township 13 South, Range 46 East, Boise Meridian; thence North 93 1/3 rods; thence West 82 1/2 rods, more or less, to established road right-of-way; thence Southwesterly to South Section line of Section 33 in said Township and Range, 122 rods West of the point of beginning; thence East to point of beginning.

TRACT #2: Southeast Quarter of the Southwest Quarter of Section 34, Township 13 South, Range 46 East, Boise Meridian.

TRACT #3: Lots 2, 3, and 4 in Section 3 and Lot 1 in Section 4, Township 14 South, Range 46 East, Boise Meridian.

TRACT #4: Lot 2, Southwest Quarter of the Northeast Quarter, West half of the Southeast Quarter, Section 4, Township 14 South, Range 46 East, Boise Meridian.

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

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

Dated: October 16, 1968.

Joseph E. Evans
Zelda C. Evans

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 16th day of October, 1968, before me, a notary public in and for said State, personally appeared

Joseph E. Evans and Zelda Evans,
husband and wife

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

Residing at Montpelier, Idaho
Comm. Expires 4-9-1970

STATE OF IDAHO, COUNTY OF

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

at _____ minutes past _____ o'clock P.M.,
this 19th day of October, 1968, in my office, and duly recorded in Book
of Deeds at page _____

By _____
FEE
FEE

Fees \$
Mail to:

INSTRUMENT No

106976

STEVEN R. FULLER – 2995
Steven R. Fuller Law Office
24 North State
P.O. Box 191
Preston, ID 83263
Telephone: (208) 852-2680
Facsimile: (208) 852-2683

DISTRICT COURT
SIXTH JUDICIAL DISTRICT
BEAR LAKE COUNTY, IDAHO

2005 JUN 17 AM 10:08

KERRY HADDOCK, CLERK

DEPUTY _____ CASE NO. _____

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BEAR LAKE

IN THE MATTER OF THE ESTATE
OF
HEBER JOHN BOEHME,
Deceased.

CASE NO. CV-05-000201
ORDER DETERMINING HEIRS

ON THE 17th day of June, 2005, came on to be heard the Petition of EMMA LYLE BOEHME for an Order Determining the Heirs of HEBER JOHN BOEHME, deceased, and the Court having considered such Petition and having reviewed the evidence pertaining to such Petition,

NOW, THEREFORE, IT IS HEREBY ORDERED AND DECREED that:

1. The Court has jurisdiction of this Estate, proceeding and subject matter.
2. The time required for notice has expired.
3. All required notices have been given or waived.

2005 JUN 17 AM 9 47
DEPUTY *[Signature]* FEE \$18.00
BEAR LAKE COUNTY RECORDER
KERRY HADDOCK

191564

4. Heber John Boehme died on May 30, 1999.
5. Venue is proper because at the time of death, the decedent owned property in Bear Lake County, Idaho.
6. The decedent's estate was never probated and cannot now be probated because more than three years have passed since the decedent's death. (See *Idaho Code* §15-3-108.)
7. The names and addresses of the living and only heirs of the decedent, are as follows:

<u>NAME</u>	<u>ADDRESS</u>	<u>RELATIONSHIP</u>
Emma Lyle Boehme	1250 Raymond Road Geneva, ID 83238	Spouse
Rodney H. Boehme	2277 Wood Canyon Road Geneva, ID 83238	Son
Robert Dee Boehme	6235 Center Lane Geneva, ID 83238	Son
Jacalyn Noyes	10836 West Albany Street Boise, ID 83713	Daughter
Patrice Boehme	2443 East View Drive South Weber, UT 84405	Daughter

8. At the time of the decedent's death the decedent owned an interest in the real property located in Bear Lake County, Idaho as described on Exhibit "A" attached.
9. At the time of the decedent's death, distribution of this Estate was governed by the provisions of *Idaho Code* §15-2-102(b) which provides as follows:

The intestate share of the surviving spouse is as follows:

(b) As to community property:

(1) The one-half (½) of community property which belongs to the decedent passes to the surviving spouse.

10. EMMA LYLE BOEHME is the living heir of the decedent, Heber John Boehme, and pursuant to *Idaho Code* §15-2-102(b) is entitled to the ownership, possession and title to the above-described real property.

DATED this 17th day of June, 2005.

I hereby certify that the foregoing instrument is a full, true and correct copy of the original on file in the office of the undersigned Clerk of the District Court, of the Sixth Judicial District of Idaho, for Bear Lake County.

By


Deputy Clerk



MAGISTRATE JUDGE

191564

CLERK'S CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing ORDER DETERMINING HEIRS was served on the 17th day of June, 2005 to the following:

On:

EMMA LYLE BOEHME
1250 RAYMOND ROAD
GENEVA, ID 83238

By:

☒ MAIL, POSTAGE PRE-PAID
☐ HAND DELIVERY
☐ TELEPHONE FACSIMILE

Nancy Skinner

EXHIBIT A

191564

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 10: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 15: W $\frac{1}{2}$; W $\frac{1}{2}$ NE $\frac{1}{4}$;

ALSO: Beginning at a point 660 feet West from the Northeast Corner of Section 15, and running thence Southwesterly along the County Road to the Southwest Corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15; thence North 1320 feet; thence East 660 feet to the Point of Beginning.

Section 16: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

EXCEPT THEREFROM a right of way 66 feet in width along the East side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 21: Beginning at the Southeast Corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, and running thence West 1491 feet; thence South 33 feet; thence East 1491 feet; thence North 33 feet to the Point of Beginning.

ALSO: Beginning at the Northwest Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, and running thence South 1388 feet; thence North 77° East 1800 feet to the West side of "Thomas Fork" Creek; thence along said creek North 34° West 166 feet; thence North 43° East 337 feet; thence South 81° East 200 feet; thence North 2° West 268 feet; thence North 25° West 193 feet; thence South 39° West 200 feet; thence South 88° West 310 feet; thence South 87° West 356 feet; thence North 31° West 142 feet; thence North 20° East 232 feet to the North side of homestead (which is North line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21); thence West 1149 feet to the Point of Beginning.

Section 22: NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$.

ALSO: Commencing at the Northwest Corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, and running thence East 90 rods; thence South 276.1 feet; thence West 90 rods; thence North 276.1 feet to the Point of Beginning.

EXCEPT THEREFROM all oil, gas geothermal and mineral rights appertaining thereto.

PARCEL NO. 2:

TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN, IDAHO:

Section 3: SW $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$.

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

PARCEL NO. 3:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 21: S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$.

EXCEPT THEREFROM: Beginning at a point 827 feet West from the Southeast Corner of Section 21, and running thence West 493 feet; thence North 530 feet; thence East 493 feet; thence South 530 feet to the Point of Beginning.

Section 22: N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$.

SUBJECT to a 25 foot Right of Way along the West side of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 21.

(Continued)

PARCEL NO. 4:

TOWNSHIP 12 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Sections 22 and 23: Commencing at a point 504.5 feet East of the Southwest Corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 22, and running thence East 324 feet; thence North 1870 feet; thence East 1490 feet, more or less, to the Westerly boundary line of the State Highway Right of Way; thence Northwesterly along the State Highway Right of Way to the North line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23; thence West 346.5 feet; thence South 214 feet; thence West 231 feet; thence North 214 feet; thence West 815.5 feet; thence South 3960 feet to the Place of Beginning.

Section 35: The Easterly 545.4 feet of Lots 3 and 4.

PARCEL NO. 5:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 23: Lot 4.

Section 26: Lots 1, 2 and 3.

ALSO: All of Block 8 of the RAYMOND TOWNSITE SURVEY in Section 22, Township 13 South, Range 46 East, Boise Meridian.

EXCEPT THEREFROM: A tract 49 feet by 49 feet located in the Southeast Corner of Lot 4, Block 8, RAYMOND TOWNSITE SURVEY, deeded to CELDON R. HART and VENIE HART, husband and wife.

ALSO: All of Block 16 of the RAYMOND TOWNSITE SURVEY in Section 22, Township 13 South, Range 46 East, Boise Meridian.

EXCEPT THEREFROM: Commencing at the Northeast Corner of Block 16, RAYMOND TOWNSITE SURVEY; thence South 210 feet; thence West 210 feet; thence North 210 feet; thence East 210 feet to the Point of Beginning.

ALSO: Lots 3 and 4, being the South Half of Block 13, and all of Block 14, RAYMOND TOWNSITE SURVEY, as platted and of record in the records of Bear Lake County, State of Idaho.

PARCEL NO. 6:

All of Block 15 of the RAYMOND TOWNSITE SURVEY in Section 22, Township 13 South, Range 46 East of the Boise Meridian in Bear Lake County, Idaho, as platted and of record in said County.

PARCEL NO. 7:

Beginning at the Southeast Corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 13 South, Range 46 East, Boise Meridian; thence North 93-1/3 rods; thence West 82 $\frac{1}{2}$ rods, more or less, to an established road right of way; thence Southwesterly to South Section line of Section 33 in said Township and Range, 122 rods West of the Point of Beginning; thence East to the Point of Beginning.

ALSO: TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 34: SE $\frac{1}{4}$ SW $\frac{1}{4}$.

ALSO: TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 3: Lots 2, 3 and 4.

Section 4: Lots 1 and 2; SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$.

Instrument # 196425

BEAR LAKE COUNTY

2006-11-02

11:05:22 No. of Pages: 3

Recorded for : STEVEN R. FULLER LAW OFFICE

KERRY HADDOCK

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

WARRANTY DEED

FOR VALUE RECEIVED

EMMA LYLE BOEHME, Grantor,
do hereby grant, bargain, sell and convey unto

DIAMOND 1 RANCHES,, an Idaho Limited Liability Company,
whose current address is: 1250 Raymond Road, Geneva, ID 83238
the Grantees, the following described premises in ~~Franklin~~, to wit:
Bear Lake County

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantee,
its heirs and assigns forever. And the said Grantor does hereby covenant to and with the
said Grantee, that she is the owner in fee simple of said premises; that they are free from
all encumbrances and that she will warrant and defend the same from all lawful claims
whatsoever.

DATED: October 25, 2006


EMMA LYLE BOEHME

STATE OF IDAHO)

County of Franklin)

On this 25th day of October, 2006, before me, the undersigned a Notary Public In and for said State,
personally appeared **EMMA LYLE BOEHME**, known to me to be the person whose name is subscribed to
the within instrument and acknowledged to me that she executed the same.

STEVEN R. FULLER
NOTARY PUBLIC
STATE OF IDAHO


NOTARY PUBLIC for State of Idaho
Residing at: Preston, Idaho
Comm. Exp.: 1/21/11

EXHIBIT A

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 10: SW $\frac{1}{4}$ SW $\frac{1}{4}$.Section 15: W $\frac{1}{2}$; W $\frac{1}{2}$ NE $\frac{1}{4}$;

ALSO: Beginning at a point 660 feet West from the Northeast Corner of Section 15, and running thence Southwesterly along the County Road to the Southwest Corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15; thence North 1320 feet; thence East 660 feet to the Point of Beginning.

Section 16: SE $\frac{1}{4}$ SE $\frac{1}{4}$.EXCEPT THEREFROM a right of way 66 feet in width along the East side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 21: Beginning at the Southeast Corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, and running thence West 1491 feet; thence South 33 feet; thence East 1491 feet; thence North 33 feet to the Point of Beginning.

ALSO: Beginning at the Northwest Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, and running thence South 1388 feet; thence North 77° East 1800 feet to the West side of "Thomas Fork" Creek; thence along said creek North 34° West 166 feet; thence North 43° East 337 feet; thence South 81° East 200 feet; thence North 2° West 268 feet; thence North 25° West 193 feet; thence South 39° West 200 feet; thence South 88° West 310 feet; thence South 87° West 356 feet; thence North 31° West 142 feet; thence North 20° East 232 feet to the North side of homestead (which is North line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21); thence West 1149 feet to the Point of Beginning.

Section 22: NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$.

ALSO: Commencing at the Northwest Corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, and running thence East 90 rods; thence South 276.1 feet; thence West 90 rods; thence North 276.1 feet to the Point of Beginning.

EXCEPT THEREFROM all oil, gas geothermal and mineral rights appertaining thereto.

PARCEL NO. 2:

TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN, IDAHO:

Section 3: SW $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$.Section 4: SE $\frac{1}{4}$ NE $\frac{1}{4}$.

PARCEL NO. 3:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 21: S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$.

EXCEPT THEREFROM: Beginning at a point 827 feet West from the Southeast Corner of Section 21, and running thence West 493 feet; thence North 530 feet; thence East 493 feet; thence South 530 feet to the Point of Beginning.

Section 22: N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$.SUBJECT to a 25 foot Right of Way along the West side of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 21.

(Continued)

PARCEL NO. 4:

TOWNSHIP 12 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Sections 22 and 23: Commencing at a point 504.5 feet East of the Southwest Corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 22, and running thence East 324 feet; thence North 1870 feet; thence East 1490 feet, more or less, to the Westerly boundary line of the State Highway Right of Way; thence Northwesterly along the State Highway Right of Way to the North line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23; thence West 346.5 feet; thence South 214 feet; thence West 231 feet; thence North 214 feet; thence West 815.5 feet; thence South 3960 feet to the Place of Beginning.

Section 35: The Easterly 545.4 feet of Lots 3 and 4.

PARCEL NO. 5:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 23: Lot 4.

Section 26: Lots 1, 2 and 3.

ALSO: All of Block 8 of the RAYMOND TOWNSITE SURVEY in Section 22, Township 13 South, Range 46 East, Boise Meridian.

EXCEPT THEREFROM: A tract 49 feet by 49 feet located in the Southeast Corner of Lot 4, Block 8, RAYMOND TOWNSITE SURVEY, deeded to CELDON R. HART and VENIE HART, husband and wife.

ALSO: All of Block 16 of the RAYMOND TOWNSITE SURVEY in Section 22, Township 13 South, Range 46 East, Boise Meridian.

EXCEPT THEREFROM: Commencing at the Northeast Corner of Block 16, RAYMOND TOWNSITE SURVEY; thence South 210 feet; thence West 210 feet; thence North 210 feet; thence East 210 feet to the Point of Beginning.

ALSO: Lots 3 and 4, being the South Half of Block 13, and all of Block 14, RAYMOND TOWNSITE SURVEY, as platted and of record in the records of Bear Lake County, State of Idaho.

PARCEL NO. 6:

All of Block 15 of the RAYMOND TOWNSITE SURVEY in Section 22, Township 13 South, Range 46 East of the Boise Meridian in Bear Lake County, Idaho, as platted and of record in said County.

PARCEL NO. 7:

Beginning at the Southeast Corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 13 South, Range 46 East, Boise Meridian; thence North 93-1/3 rods; thence West 82 $\frac{1}{2}$ rods, more or less, to an established road right of way; thence Southwesterly to South Section line of Section 33 in said Township and Range, 122 rods West of the Point of Beginning; thence East to the Point of Beginning.

ALSO: TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 34: SE $\frac{1}{4}$ SW $\frac{1}{4}$.

ALSO: TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 3: Lots 2, 3 and 4.

Section 4: Lots 1 and 2; SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$.