

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 12 2014

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Joseph and Lyle Swensen Phone 208 425 3305
Mailing address 685 Bench Lago Rd Grace Idaho 83241 Email _____

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

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

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

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

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

Joseph Swensen
Signature of Applicant or Authorized Representative

Joseph Swensen
Print Name and Title if applicable

5/9/14
Date

Signature of Applicant or Authorized Representative

Lyle Swensen
Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

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

79327

Right 13-684 is a 1904 right that has always been used on 80 acres in the N ½ of the SE ¼ of T11S R40E, Section 15. However, an error in the 1920 Bear River Decree placed 40 acres of right 13-684 in the SWSE of the same section instead of the NESE. This application proposes to correct that error.

The application includes deeds linking 77.5 acres owned by the applicant to the right's original owner (complete with all appurtenances) in the N ½ of the SE ¼ of the above Section, providing evidence of the Decree's error.

Right 13-684 was split into rights 13-7877 and 13-684 as a result of a 2013 ownership change. Right 13-7877 is on the 37.5 acres in the NWSE of the above Section owned by the applicant. 13-684 remains on 2.5 acres in the NWSE and the 40 erroneously decreed acres in the SWSE, neither of which is owned by the applicant.

The application proposes to correct the Decree's error by moving the 40 erroneously decreed acres in the SWSE of T11S, R40E, Section 15 to the NESE of the same Section. Those 40 acres are then proposed to be combined with right 13-7877's existing 37.5 acres to create a 77.5 acre POU. 13-7877's new POU, and 13-684's remaining 2.5 acres, will then together accurately reflect the current and historical use of water under the original 13-684 right.

This transfer also proposes to change the POD description to accurately reflect the current and historical POD for 13-7877, and will update the right's ownership according to the deeds.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	13-7877	1.55	Irrigation	4/20 to 9/30	Saltpetre Hollow Creek
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.55 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.80 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	SW	10	11S	40E	Caribou	Saltpetre Hollow Creek	

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	15													40.0	37.5			77.5
Total Acres (for irrigation use)																			77.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

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

Installation of a locking headgate at pipe line entrance.

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

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

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The 40 acres onto which 13-684 was erroneously decreed will continue to be irrigated. They are within the service boundary of Last Chance Canal Company, and are covered by right 13-682A.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None.

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

Yes No

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

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

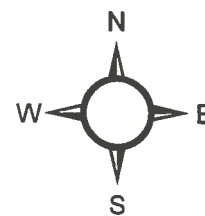
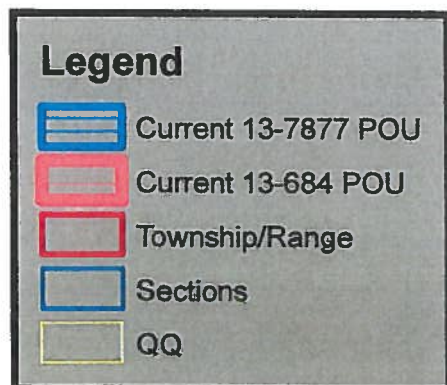
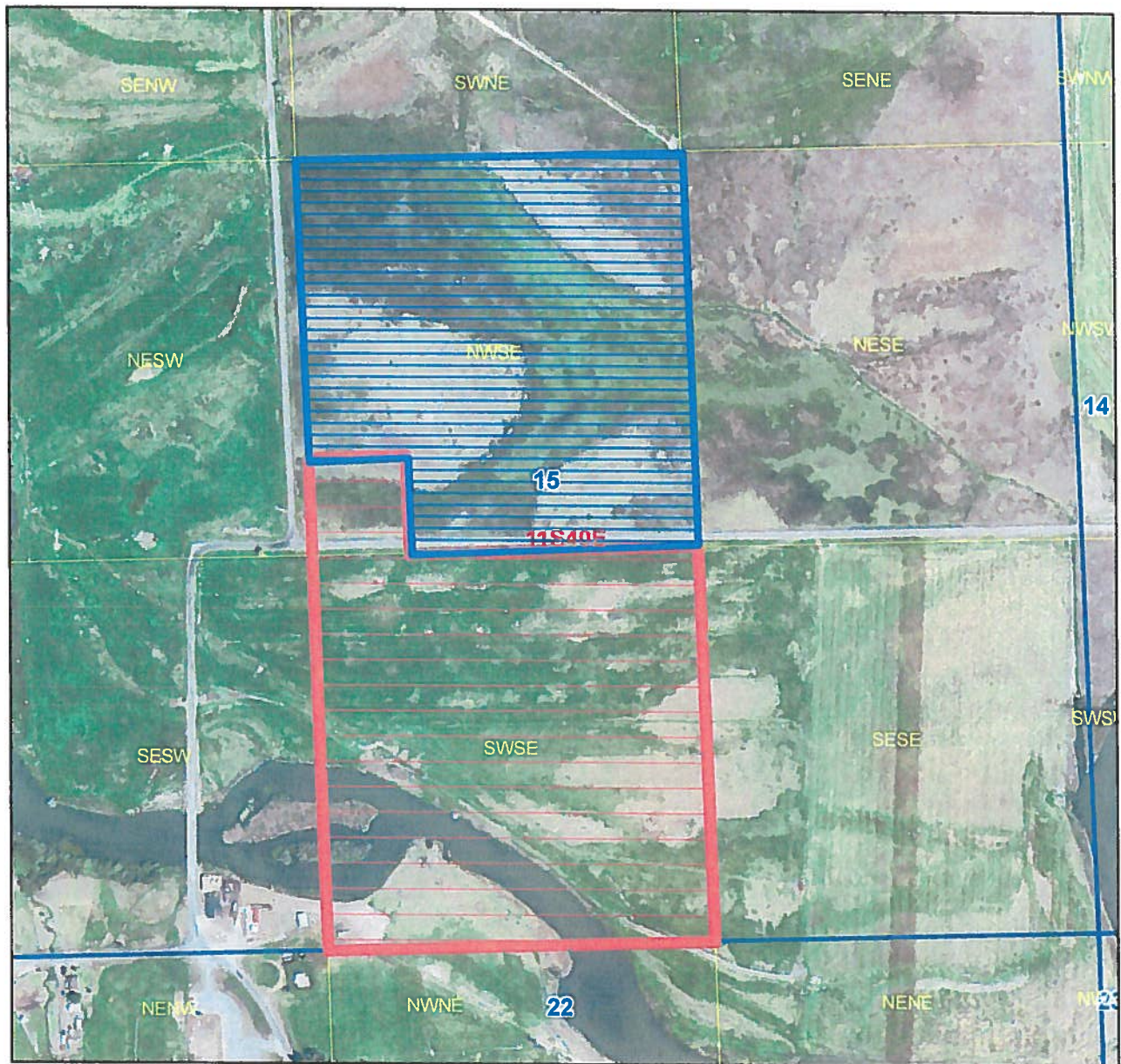
Transfer contains _____ pages and _____ attachments.

Received by _____ Date 5/15/15 Preliminary check by _____ Date _____

Fee paid 500 - Date 5/15/15 Received by CF Receipt # ED 39834

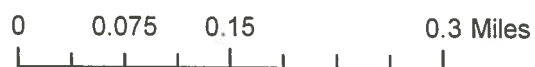
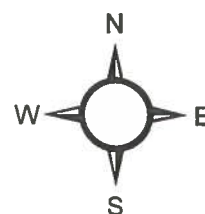
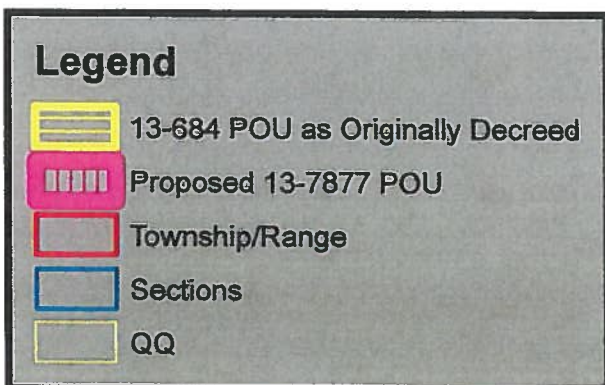
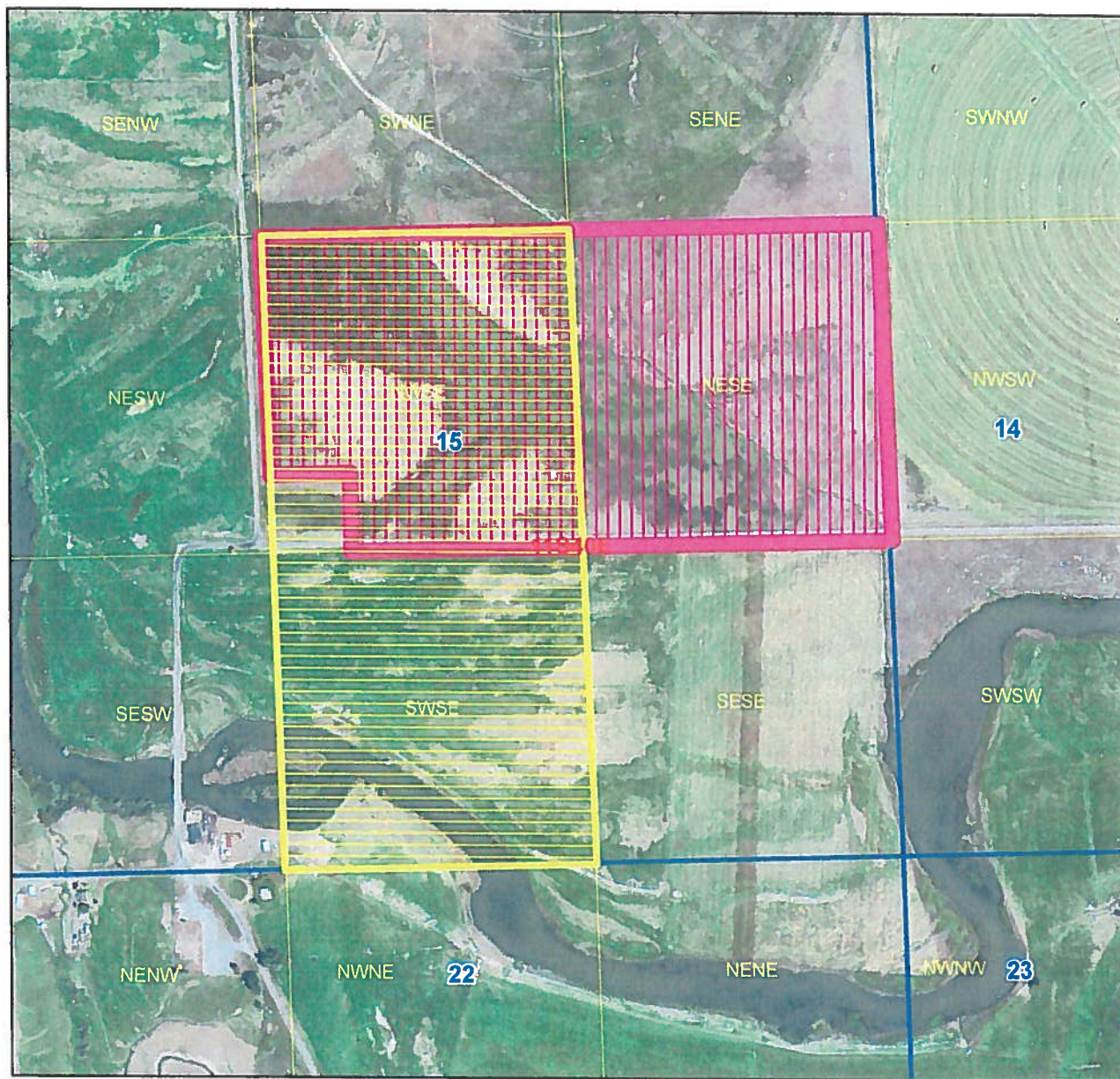
Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Swensen Transfer



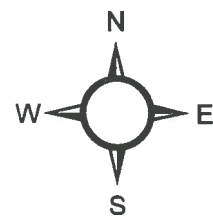
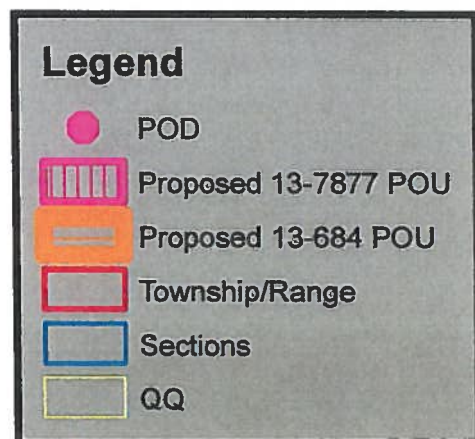
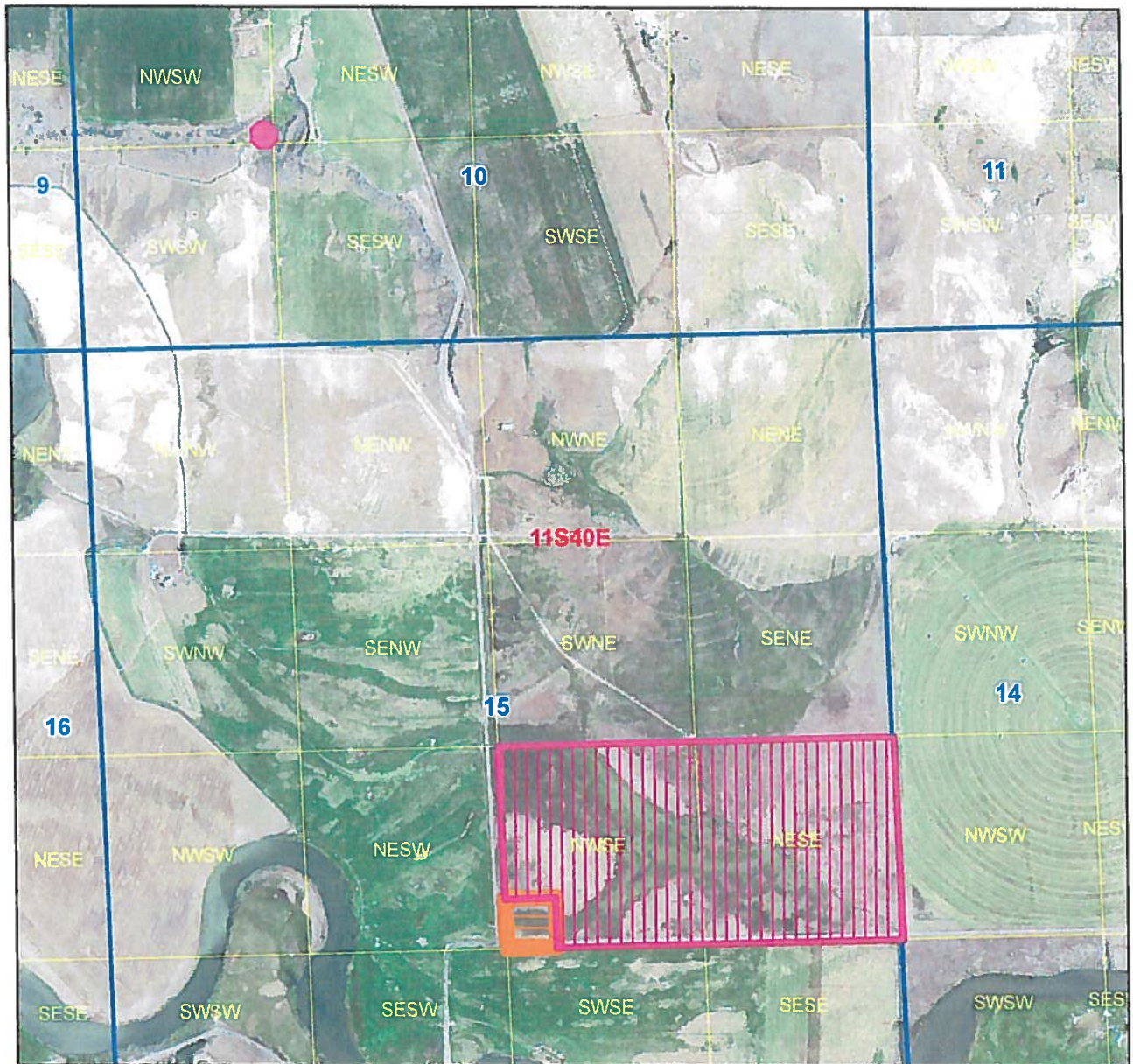
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Swensen Transfer



79 327

Swensen Transfer



0 0.125 0.25 0.5 Miles

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IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/8/2014

Water Right 13-684

Owner Type **Name and Address**
Current Owner JOSEPH SWENSON
 ZZ

Priority Date: 5/1/1904
Basis: Decreed
Status: Active

Source
SALTPETRE HOLLOW CREEK

Tributary
BEAR RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/20	09/30	0.850 CFS	
	Total Diversion		0.850 CFS	

Source and Point(s) of Diversion
SALTPETRE HOLLOW CREEK

Place Of Use

IRRIGATION within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	15														2.5	40.0		42.5

POU Total Acres: 42.5

Conditions of Approval:

1. Place of Use: 42.5 acres
Point of Diversion: Ditches in the W1/2 of the SE1/4, Section 15, T11S, R40E

Dates and Other Information

Decreed Date: 7/14/1920
Judicial District: District Court Eastern Division
Decree Defendant: Last Chance Canal Co
Decree Plaintiff: Utah Power & Light Co
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/8/2014

Water Right 13-7877

Owner Type **Name and Address**
Current Owner JOSEPH SWENSEN
 685 BENCH LAGO RD
 GRACE, ID 83241
 (208)425-3305

Current Owner LYLE SWENSEN
 685 BENCH LAGO RD
 GRACE, ID 83241
 (208)425-3305

Priority Date: 5/1/1904

Basis: Decreed

Status: Active

Source
SALTPETRE HOLLOW CREEK

Tributary
BEAR RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/20	09/30	0.750 CFS	
	Total Diversion		0.750 CFS	

Source and Point(s) of Diversion
SALTPETRE HOLLOW CREEK

Place Of Use
IRRIGATION within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	15														37.5			37.5

POU Total Acres: 37.5

Conditions of Approval:

1. Place of Use: 37.5 acres
Point of Diversion: Ditches in the W1/2 of the SE1/4, Section 15, T11S, R40E.

Dates and Other Information

Decreed Date: 7/14/1920
Judicial District: District Court Eastern Division
Owner Name Connector: And
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Decree Defendant: Last Chance Canal Co
Decree Plaintiff: Utah Power & Light Co
Mitigation Plan: False

Satisfaction of Mortgage

For value received I hereby acknowledge full payment and satisfaction in and to a certain mortgage made by Bryant H. Nowell (unnamed) of Soda Springs, Bingham County Idaho, to Perry J. Arson of Blackfoot Bingham County, Idaho, for the sum of Two Hundred (\$200.00) of 100 dollars dated February 24th 1892 and Recorded in Book "B" of Mortgage page 37th of the records of Bingham Co. Idaho, on the 4th day of June A. D. 1892 upon the following described lands situated in the County of Bingham and State of Idaho, to wit: The south half (S¹/₂) of the South West Quarter (S¹/₄) and the South half of the South East Quarter (S¹/₄) of Section 16 Township 11 South of Range 40 East of the Boise Meridian Bingham County Idaho.

The Testimony Whereof I have hereunto set my hand and seal this 17th day of May A. D. 1893.

Signed Sealed and Delivered
in Presence of } J. J. Arson

H. M. Bacon
Territory of Idaho }
County of Ada } 55

This certifies that on this 17th day of May A. D. 1893 personally came before me H. M. Bacon a Notary Public in and for said County the within named Perry J. Arson to me personally known to be the identical person described in and who executed the foregoing satisfaction of Mortgage and acknowledged to me that he executed the same freely and for the uses and purposes therein named.

Witness my hand and official seal this 17th day of May A. D. 1893.

H. M. Bacon
Notary Public

Recorded at request of H. C. Casselman
at 8 minutes past 10 o'clock June 5th 1893
O. J. Bell
Recorder.

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DEED RECORD NO. 36

INSTRUMENT NO. 70887

4-2057

854651
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DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE.

Washington Jul 31, 1919.

I hereby certify that the annexed copy of patent is a true and literal exemplification from the record which is in my custody in this office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of this office to be affixed, at the city of Washington, on the day and year above written.

L. L. C. Lamer.
Recorder of the General Land Office.

(SEAL)

Homestead Certificate No. 918 THE UNITED STATES OF AMERICA,
Application 930

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 Territory, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1906, which secures Homesteads to actual Settlers on the Public Domain, and the acts supplemental thereto, the claim of Bryan W. Dowlin, has been established and duly consummated, in conformity to law, for the

South half of the South West quarter and the South half of the South East quarter of Section fifteen in Township eleven, South of Range forty East of Boise Meridian, in Idaho Territory, containing one hundred and sixty acres,

according to the Official Plat of the Survey of 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 Bryan W. Dowlin the tract of Land here described: TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereto, unto the said Bryan W. Dowlin, and to his heirs and assigns forever; subject to any vested and unceded water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs and 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 the ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

IN TESTIMONY WHEREOF, I BENJAMIN HARRISON, 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 fourth day of June, in the year of our Lord one thousand eight hundred and ninety, and of the Independence of the United States the one hundred and fourteenth.

BY THE PRESIDENT, BENJAMIN HARRISON.

By M. McKeon, Secretary.

J. L. Townsend, Recorder of the General Land Office

854651

(L.S.)

Recorded at request of
R. H. Jilman
By Lillian Spencer, Deputy

4:04 P. M. August 14, 1919.

Recd. C. J. Penney, Recorder.

INSTRUMENT NO. 70888

MARRIAGE DEED.

THIS MARRIAGE, made the seventh day of June, in the year of our Lord one thousand nine hundred and nineteen, between A. L. Hanson and Thosbe Hanson, husband and wife, of the County of Bluffman, and State of Idaho, the parties of the first part, and Elverd F. Ziegler and Nell E. Sorenson, of the County of Lannook and the State of Idaho, the parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Thirty Thousand Dollars, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, sell, bargain, convey and confirm unto the said

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WARRANTY DEF.

The west half (1/2) of the North East Quarter (1/4) and the North half (1/2) of the South East Quarter (1/4) of Section sixteen (16) Township Eleven (11), Range forty (40) T-11N, R-40E, S-1E, with all the water rights used upon the above described land, said land being situated in Gentile Valley, Garcon County, State of Idaho.

Witnesses: F. J. Kuhl and J. H. Kuhl, both of the 15th day of October, A. D. 1903.
Signed in the presence of Arthur Kuhl (JFAL)
C. H. Kircher

State of Utah,)
County of Weber.) ss.

On this the 15th day of October, in the year of our Lord one thousand nine hundred and three (1903), before me C. W. Kircher a Notary Public in and for the said County and State, personally appeared Arthur Kuhn, known to me to be the person whose name is subscribed to the within instrument, and he acknowledged to me that he was the said C. W. Kircher. I then delivered to said Arthur Kuhn a copy of the original of the within instrument, and he acknowledged to me that he was the said Arthur Kuhn. In testimony whereof I have hereunto set my hand and seal the day and year first above written in this certificate.

(CPL.) Chas. W. Kircher

Chas. W. Kircher
Hntery Public.

Recorded at the request of Mr. Wendt, Jct. 21st 1910. At 10:00 A. M.
By Marie Jones Leruby. Page 10 cert. F. G. Hall: Recorder.

Instrument No. 1827A

It is further: Made this 20 day of Oct. 1910 by and between the McCarren Investment Company, Limited a corporation organized and existing under the laws of the State of Idaho; with its principal place of business at McCarren, Blaine County, Idaho, the part. of the first part and Thomas Jenkins of McCarren, Ida. the party of the second part.

It is understood that whereas, the party of the first part, is a corporation, duly incorporated and existing under the laws of the State of Idaho, and in pursuance of the authority in such manner made and provided; has acquired, and in the name of said real estate, representing the estate; and whereas, the Board of Directors of said corporation, duly a resident, duly passed the following resolution;

[illegible][illegible]

Forbear with all and singular the here unto, hereditaments and other immovables belonging, or in any way appertaining and the rents, issues and profits thereof.

To have and to hold, all singular, the said premises, together with all pertunances and advowsons thereto incident unto the said party of the second part, and to his heirs and assigns forever, unto the said party of the first part, his heirs and assigns forever, the said premises and advowsons thereto incident unto the said party of the second part, his heirs and assigns forever, and the said party of the first part, his heirs and assigns forever, 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, by resolution of its Board of Directors, has caused these presents to be subscribed by its vice-president and secretary, its corporate name and seal to be hereunto affixed the day above written.

(S
Z
A
1.)

McCann Investment Company, Limited.
by J. P. McInerney: President.
And T. M. Fox: Secy.

State of Idaho) ss
Banner, County.)

On this the 21 day of Oct. 1910, personally appeared before me Geo. W. McFarlane, Public in and for said County and State, J.P. McFarlane, personally known to me to be the President and T.W. Powers, personally known to me to be the Secretary of the Carson Investment Company, Limited, the Corporation that executed the foregoing instrument, and acknowledged to me that such Corporation executed the same.

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

Recorded at the request of McGowan State Bank. Oct. 21, 1910.
By Maria Jones Leroy. fee \$1.70

WARRANTY DEED.

ARTHUR KUHN, unmarried, Grantor, of Ogden City, Weber County, State of Utah, hereby conveys and warrants to Joseph Swenson, Grantee, of Gentile Valley, Bannock County, State of Idaho, for the sum of nine hundred Dollars (\$900.00) the following described tract of land in Bannock County, State of Idaho:

The west half (1/2) of the North East Quarter (1/4) and the North half (1/2) of the South East Quarter (1/4) of Section Fifteen (15) Township Eleven (11), Range Forty (40) Together with all the water rights used upon the above described land, said land being situated in Gentile Valley, Bannock County, State of Idaho.

WITNESS THE HAND OF THE SAID GRANTOR this the 15th day of October, A.D. 1903.
Signed in the presence of
C. H. Kircher
Arthur Kuhn (SEAL)

State of Utah,) ss.
County of Weber.)

On this the 15th day of October, in the year of our Lord one thousand nine hundred and three (1903), before me C. H. Kircher a Notary Public in and for said County and State, personally appeared Arthur Kuhn, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.
IN WITNESS WHEREOF I have hereunto set my hand and Notarial Seal the day and year first above written in this certificate:
(SEAL)

Chas. H. Kircher
Notary Public.

Recorded at the request of WM. H. Mendenhall. Oct. 21st 1910. At 10:00 A. M.
By Marie Jones Deputy. Fee 60 cents. E. G. Gallet Recorder.

Instrument No. 18278.

Warranty Deed.

THIS INDENTURE: Made this the 20 day of Oct. 1910 by and between the McCammon Investment Company, Limited a corporation organized and existing under the laws of the State of Idaho, with its principal place of business at McCammon, Bannock County, Idaho, the party of the first part and Thomas Jenkins of McCammon, Ida. the party of the second part.

WITNESSETH that whereas, the party of the first part, is a corporation, duly incorporated and existing under the laws of the State of Idaho, and in pursuance of the statutes in such cases made and provided; has acquired, and is the owner of certain real estate, hereinafter described; and whereas, the Board of Directors of said corporation, duly assembled, duly passed the following resolution;

"RESOLVED: By the Board of Directors of the McCammon Investment Company, Limited, a corporation, that it is for the best interest of said corporation, to sell and convey by Warranty Deed, the following property hereinafter described, for the sum of 300.00 Dollars, lawful money to be paid to the treasurer of said corporation, and that H. O. Harkness, vice president, in the absence of the president and T. M. Edwards, secretary of said McCammon Investment Company, Limited, and as its attorney and deed to Thomas Jenkins a conveyance of Lot Number 7-B of Block Number 4 of South Addition Harkness Townsite at the Village of McCammon, Bannock County, Idaho, as the same appears by the official plat and survey of said Townsite or record in the office of County Recorder of said Bannock County, with clause of general warranty, and to affix to said conveyance the corporate name and seal of this corporation.

NOW THEREFORE, in pursuance of said resolution aforesaid, and in consideration of the sum of \$300.00 Dollars lawful money of the United States, paid by the party of the second part to the party of the first part, the receipt whereof is hereby acknowledged, the party of the first part does by these presents grant, bargain, sell, convey and confirm unto the said party of the second part, and to heirs and assigns forever, the following described real estate, to-wit:

All of Lot Numbered 7-B in Block Number 4 in South Addition Harkness Townsite McCammon, in Bannock County, State of Idaho, as the same appears from the official plat and survey of said townsite of record in the office of the County Recorder of the said Bannock County.

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

To have and to hold, all singular, the said premises, together with appurtenances and privileges thereunto incident unto the said party of the second part, and to his heirs and assigns forever.

And the said party of the first part, its successors and assigns, the said premises, in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against said party of the first part, its successors and assigns, 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, by resolution of its Board of Directors, has caused these presents to be subscribed by its vice-president and secretary, and its corporate name and seal to be hereunto affixed the day above written.

(S

McCammon Investment company, Limited.

A

By J. P. McDermott President.

L)

And T. M. Edwards Secretary.

State of Idaho) ss.
Bannock County.)

On this the 20 day of Oct. 1910, personally appeared before me Geo. F. Girard a Notary Public in and for said County and State, J.P. McDermott, personally known to me to be the president and T.M. Edwards, personally known to me to be the secretary of the McCammon Investment Company, Limited, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

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

(SEAL)

Geo. F. Girard

Notary Public.

Recorded at the request of McCammon State Bank. Oct. 21, 1910.
By Marie Jones Deputy. Fee \$1.20

At 10:15 A. M.
F. G. Gallet Recorder.

72327

of Idaho, and I do hereby further certify that the within and foregoing instrument is a full, true, and correct copy of the original DECREE SETTLING FINAL ACCOUNT OF ADMINISTRATRIX AND DECREE OF FINAL DISTRIBUTION OF ESTATE now on file and of record in my office in the Matter of the Estate of Willis J. Swensen, deceased, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Probate Court of the County of Bannock, State of Idaho, which is a court of record, this 29th day of October, 1945.

(COURT SEAL)

Willard Lund,
Probate Judge and Ex-officio clerk
of the Probate Court of County of
Bannock, State of Idaho.

Recorded, Oct. 29, 1945 9:49 A.M. in Book 93, Record of Deeds, at Page 535 at the request of Earl W. Cory, Blackfoot, Idaho. Records of Bannock County, State of Idaho.

Anna Keefe, Recorder.

- Fees, \$2.40 -

INSTRUMENT No. 240005

QUIT CLAIM DEED

THIS INDENTURE, Made the 29th day of October, in the year of our Lord, One Thousand Nine Hundred and Forty-five, between W. E. Cahoon, a widow, of Salt Lake City, County of Salt Lake and State of Utah, the party of the first part, and Samuel Adelstein and Roberta P. Adelstein, his wife, of Pocatello, of the County of Bannock and 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 Two Hundred Dollars (\$200.00) Dollars lawful money of the United States of America to me in hand paid by the said parties of the second part, the receipt of which is hereby acknowledged, does by these presents devise, release and forever Quitclaim unto the said parties of the second part, and to their heirs and assigns, all that certain lot situated in Bannock County, of the State of Idaho, particularly described as follows, to-wit:

The North One half of Lot 5, in Block 266,
City of Pocatello, Bannock County, Idaho,
containing 2100 square feet.

(\$554 I. R. S. attached to Deed and cancelled.)

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

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

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

Signed, Sealed and Delivered in the Presence of:

W. E. Cahoon. (Seal)

W. A. Hubble

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

On this 29th day of October in the year 1945, before me, W. A. Hubble, a Notary Public, in and for said County and State, personally appeared, W. E. Cahoon, a widow, 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)

W. A. Hubble,
Notary Public, Idaho.
Residing at: Pocatello, Idaho

My Commission Expires: July 14, 1949.

Filed for record at the request of Samuel Adelstein, 219 So. 6th., Oct. 29, 1945, at 05 minutes past 2 o'clock P. M., in Record of Deeds, page 537.

Anna Keefe, Recorder

- Fees, \$1.00 -

By. Sarah Devaney, Deputy.

INSTRUMENT No. 240007

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

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS
CERTIFICATE OF DEATHDate Filed AUGUST 15, 2013State File No. 2013-07506

DECEDENT - LEGAL NAME LYLE JACKMAN SWENSEN			
SEX FEMALE	SOCIAL SECURITY NUMBER [REDACTED]	AGE 73 YEARS	DATE OF BIRTH DECEMBER 14, 1939
BIRTHPLACE PAYSON, UTAH		PLACE OF RESIDENCE BENCH, IDAHO	
MARITAL STATUS AT TIME OF DEATH MARRIED		NAME OF SURVIVING SPOUSE (if wife, maiden name) JOSEPH FRANK SWENSEN	WAS DECEDENT EVER IN U.S. ARMED FORCES? NO
FATHER - NAME WILLIAM WELLS JACKMAN			BIRTHPLACE WYOMING
MOTHER - MAIDEN NAME GEORGIA RUBLE WELLS			BIRTHPLACE OKLAHOMA
METHOD OF DISPOSITION BURIAL		FUNERAL SERVICE LICENSEE DARRIN F. SIMS	
NAME AND ADDRESS OF FUNERAL FACILITY SIMS FUNERAL HOME, SODA SPRINGS, IDAHO			
DATE OF DEATH AUG. 09, 2013	TIME OF DEATH 2:00 A.M.	CITY/TOWN OR LOCATION OF DEATH GRACE, IDAHO	COUNTY OF DEATH CARIBOU
CAUSE OF DEATH (underlying cause last) a RENAL FAILURE			Approximate Interval Between Onset and Death DAYS
DUE TO (or as a consequence of) b C-DIFF INFECTION			WEEKS
DUE TO (or as a consequence of) c COLON CANCER			MONTHS
DUE TO (or as a consequence of) d			
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above NONE STATED			WAS AN AUTOPSY PERFORMED? NO
MANNER OF DEATH NATURAL		NAME OF CERTIFIER BRETT A. SMITH, P.A.	TITLE PHYSICIAN
CORONER SUBSEQUENT CERTIFICATION IF NECESSARY			
EXTERNAL CAUSES ONLY			
DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?
LOCATION WHERE INJURY OCCURRED			
DESCRIPTION OF HOW INJURY OCCURRED			

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

AUGUST 15, 2013

DATE ISSUED:

This copy not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

PRNCO (Rev. 02/11)

79327

James B. Aydelotte
JAMES B. AYDELOTTE
STATE REGISTRAR