

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 12 2013

Department of Water Resources
Bureau of Water

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?
13-55 - 0	Yes ☒	13-56	Yes ☒	Abbott Ranch 115 acres being irrigated	Yes ☒
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Abbott Ranches
Name of current water right holder/claimant

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

Abbott Ranches
Name of each new owner as listed on the conveyance document

New owner continued

Name connector ☐ and ☐ or ☐ and/or

33023-5-54015 TOW RD

Mailing address

Sun Lake, ID 83281

City

State

ZIP

208-251-5550

Telephone

Email All Hay & Live.com

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: _____
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:

Signature of new owner/claimant

Title, if applicable

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

12/12/2013

Receipt No.

E039367

Receipt Amt.

50. -

Approved by

Processed by

Date

1/2/2014

SUPPORT DATA

IN FILE # 13-55

MEMO

TO: File

FROM: James Cefalo

DATE: May 16, 2011

RE: Analysis of Brossard v. Morgan Decree (1899)

A water user on Stockton Creek, Glen Merrill, asked me to look at an old decree for Stockton Creek (Brossard v. Morgan) to verify that the water rights in the IDWR database are consistent with the language in the decree. This memo identifies some of the inconsistencies in the decree file and proposes changes to some of the water right records based on an updated interpretation of the decree language.

The Brossard v. Morgan Decree presents a unique situation. The decree file contains various documents from the Bannock County District Court that present different descriptions of the water right elements. It appears that there may have actually been two separate cases, or a re-hearing of the initial case, resulting in two separate judgments.

The decree file contains a document titled "Findings of Fact and Conclusions of Law" (hereinafter "FF/CL"). The caption for the matter reads: "Alphonse Brossard and Joseph Vaness, and Intervenor Richard Hadley, Plaintiff, vs John T. Morgan, Jason Howell, Maria Howell, John Jorgenson, Peter Jorgenson and Mrs Peter Jorgenson, Defendants." The FF/CL was signed by Judge DW Standrod on **January 25, 1898**. It states that a trial was held in the matter without a jury, but does not give a specific date for the trial. The end of the document states, "Let judgment be entered accordingly." However, the document does not contain an "Order" or "Judgment" section.

The decree file also contains a second document titled "Judgment and Decree." Its caption reads: "Alphonse Brossard and Joseph Vaness, Plaintiffs, vs. J.T. Morgan, Jason Howell, Maria Howell, John Jorgenson, Peter Jorgenson, and Mrs. Peter Jorgenson, Defendants." The Judgment and Decree was signed by Judge Joseph C. Rich on **April 28, 1899**. The document states a trial was held in the matter on **March 31, 1899**. It refers to findings of fact and conclusions of law, but those specific portions are not attached.

We recently contacted Bannock County to see if additional records or documents could be found in the archives (for example, the findings of fact from the 1899 case). Unfortunately, the county could not find any documents beyond those already contained in the file.

The difficulty for purposes of creating an accurate water right record is that there are clear discrepancies between the two court documents. The FF/CL gives very detailed descriptions of the water rights, including priority dates and acres irrigated. It also sets forth

three separate water use periods (winter, early spring, and summer) for most of the water rights. The parties were given different diversion rates for each water use period. In contrast, the 1899 Judgment and Decree only states a single flow rate for each party and does not mention priority dates, acres, or places of use.

Because the water users on Stockton Creek need some certainty regarding their water rights for administration, IDWR has to interpret the two documents to derive a water right record. I believe the 1898 FF/CL be used to establish the basic elements of the water rights. The water rights should only be altered by the 1899 Judgment and Decree to the extent that specific elements of the water rights were addressed in that document. Therefore, I propose that the water rights on Stockton Creek should be recorded as listed below.

Water rights 13-55, 13-56 and 13-57 all include wintertime irrigation. The 1898 FF/CL specifically identified wintertime irrigation and acknowledged that the water users obtain a benefit from running water on the meadows in the winter. The 1899 Judgment and Decree also refers to year-round water usage under those water rights.

(Note: All of the water rights are for irrigation. The elements described in the 1898 FF/CL are shown in regular type. Some of the season of use cut-off dates were assumed based on the local irrigation season. Assumed values are underlined. The changes to the elements resulting from the 1899 Judgment and Decree are highlighted in yellow.)

Water Right Information Obtained from Various Decree Documents

Water Right 13-55 (Brossard)

Priority Date: May 1, 1873

Period of Use / Diversion Rate:	<u>Apr 1</u> – June 1	3.2 cfs
	June 2 – Oct 15	1.6 cfs
	Oct 15 – <u>Mar 31</u>	<u>1.6 cfs</u>
Period of Use / Diversion Rate	Jan 1 – Dec 31	2.3 cfs
Place of Use:	NE ¼ of Sec 23, T13S, R38E (160 acres)	

Water Right 13-56 (Vaness / Caldwell)

Priority Date: May 1, 1873

Period of Use / Diversion Rate:	<u>Apr 1</u> – June 1	1.8 cfs
	June 2 – Oct 15	1.4 cfs
	Oct 15 – <u>Mar 31</u>	<u>1.4 cfs</u>
Period of Use / Diversion Rate	Jan 1 – Dec 31	2.1 cfs
Place of Use:	S½SE and E½SW of Sec 14, T13S, R38E (160 acres)	

Water Right 13-57 (Hadley)

Priority Date: May 1, 1873

Period of Use / Diversion Rate:	Jan 1 – Dec 31	0.34 cfs
Period of Use / Diversion Rate	Jan 1 – Dec 31	0.50 cfs
Place of Use:	NWSE, SWNE, SENW, Lots 2 & 3 of Sec 14, T13S, R38E (175 acres)	

Water Right 13-58 (Morgan)

Priority Date: February 5, 1880

Period of Use / Diversion Rate: Apr 1 – Oct 31 3.2 cfs

Period of Use / Diversion Rate: Apr 1 – Oct 31 3.0 cfs

Place of Use: S½SW and S½SE of Sec 24, T13S, R38E (160 acres)

Final Water Rights (as recorded in IDWR database)

Water Right 13-55 (Brossard)

Priority Date: May 1, 1873

Period of Use / Diversion Rate Jan 1 – Dec 31 2.3 cfs

Place of Use: NE ¼ of Sec 23, T13S, R38E (160 acres)

Water Right 13-56 (Vaness / Caldwell)

Priority Date: May 1, 1873

Period of Use / Diversion Rate Jan 1 – Dec 31 2.1 cfs

Place of Use: S½SE and E½SW of Sec 14, T13S, R38E (160 acres)

Water Right 13-57 (Hadley)

Priority Date: May 1, 1873

Period of Use / Diversion Rate Jan 1 – Dec 31 0.50 cfs

Place of Use: NWSE, SWNE, SENW, Lots 2 & 3 of Sec 14, T13S, R38E (175 acres)

Water Right 13-58 (Morgan)

Priority Date: February 5, 1880

Period of Use / Diversion Rate: Apr 1 – Oct 31 3.0 cfs

Place of Use: S½SW and S½SE of Sec 24, T13S, R38E (160 acres)

IDWR database was updated to match list of Final Water Rights on May 16, 2011.

Warranty Deed

THIS INDENTURE, Made this 9th day of May
in the year of our Lord One Thousand Nine Hundred and sixty two, between Harold H. Westover and
Marcelone C. Westover, his wife; Reed K. Westover and Gladys B. Westover, his
wife; Clair K. Westover and Mary Alice Westover, his wife
of Swan Lake, County of Bannock, State of Idaho
the parties of the first part, and James Abbott and Erma H. Abbott, his wife

of Swan Lake, County of Bannock, 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
\$1.00 and other good and valuable considerations DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged

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

Beginning at a point on the Easterly right of way line of the County road
as the same now exists, said point of beginning being 70 feet, more or
less West of the common corner of Sections 13, 14, 23 and 24, T. 13 South
Range 38 East Boise Meridian, thence East 2710 feet, thence South 1261
feet, thence East 1747 feet, thence North 1071 feet, thence North 41.48'
West 2482 feet, thence West 550 feet, thence South 52.32' West 1321 feet
thence South 85.32' West 1144 feet to a point 33 feet South of Private
Road, thence South 61.26' West 158 feet to a point 8 feet South of a
private road and to the easterly right of way line of the County road,
thence Southeasterly along said easterly right of way line 700 feet, more
or less to the point of beginning.

ABOVE described tract of land lies in portions of SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14,
SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, of Section 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of
Section 24, Township 13 South, Range 38 East Boise Meridian.

All that portion of the South half of the Southeast Quarter of Section
14, Township 13 South, Range 38 East Boise Meridian, lying West of the
County Road.

Together with 4/7 of Stockton Irrigation water, now owned by the Grantors
herein (approximately 60 inches of 105 inches), as of Decreed Water
Rights of Stockton Creek, Bannock County and found of record in Book 2
of Judgments, page 135, records of Bannock County, Idaho.

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

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

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



Harold H. Westover (Seal)
Marcelone C. Westover (Seal)
Reed K. Westover (Seal)

THIS INDENTURE, made this 27th day of December
in the year of our Lord one thousand nine hundred and Fifty-five between
Nord K. Westover and his wife Norma Gannon P. Westover

of Swan Lake County of Bannock
State of Idaho the part ies of the first part, and
Harold H. Westover and Reed K. Westover, and Clair K. Westover

of Swan Lake County of Bannock
State of Idaho the part ies of the second part.

WITNESSETH, That the said part ies of the first part, for and in consideration of the sum of
One dollar

lawful money of the United States of America, to them in hand paid by the said part ies of the second
part, the receipt whereof is hereby acknowledged, he granted, bargained and sold, and by these presents do
grant, bargain, sell, convey and confirm unto the said part ies of the second part, and to their heirs and
assigns forever, all the following described real estate, situated in the County of Bannock, State of Idaho, to-wit:

The East half of the Southwest quarter and the Southwest quarter of the
Southeast quarter of Sec 14, Township 13 South, Range 38 East of the Boise
Meridian,

Also, commencing at the Southeast corner of the Northeast quarter of
the Southwest quarter of Section 13, Township 13 South, Range 38 East of
the Boise Meridian, and running thence West 160 rods to the Northwest
corner of the Southwest quarter of the Southwest quarter of said Section
13; thence South 80 rods to the Southwest corner of said Section 13; thence
West 80 rods to the Southwest corner of the Southeast quarter of the South-
east quarter of Section 14, Township 13 South, Range 38 East of the Boise
Meridian; thence North 1610 feet; more or less, to a point 830 feet
South of the Northwest corner of the Northeast quarter of the Southeast
quarter of said Section 14; thence South 61°50' East 299 feet; thence
South 68°12' East 600 feet; thence North 73°17' East 190 feet; thence North
59°13' East 300 feet; thence North 55°15' East 285 feet; thence South 38°
22' East 100 feet; thence South 35°25' East 400 feet; thence North 69°51' East
475 feet; thence North 54°55' East 160 feet; thence North 26°35' East
330 feet; thence North 51°29' East 300 feet; thence North 23' East
332 feet to a point on latitudinal center line of Section 13; thence East
836 feet, more or less, to the Northeast corner of the Southwest quarter
of said Section 13; thence South along the East line of said Southwest
quarter 80 rods to the point of beginning.

Also, approximately 1/2 of the water of Stockton Creek. Together with
deeded right to 195 miners inches of waters of Stockton Creek; and also
right to use waters of unmined streams as evidenced by license and
certificate of water right recorded in Book 2 page 111 records of Bannock
County, Idaho.

The grantees herein agree to assume a certain contract to the
Prudential Insurance Company of America recorded in Bannock County, Idaho
Made by Albert H. Westover and his wife.

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

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

same shall and will WARRANT and by these presents forever DEFEND.

WITNESS WHEREOF, The said part ies of the first part have hereunto set their hand and
seal the day and year first above written.

WITNESSED, SEALED AND DELIVERED IN PRESENCE OF

Nord K. Westover (SEAL)
Norma Gannon P. Westover (SEAL)

(SEAL)
(SEAL)



33
THIS INDENTURE, made this 27th day of December 1935
in the year of our Lord one thousand nine hundred and Fifty-five between
Nord K. Westover and his wife Norda Carmon H. Westover

of Swan Lake County of Bannock
State of Idaho the part 108 of the first part and
Harold H. Westover and Reed K. Westover, and Clair K. Westover

of Swan Lake County of Bannock
State of Idaho the part 108 of the second part

WITNESSETH, That the said part 108 of the first part, for and in consideration of the sum of
One dollar

lawful money of the United States of America, to them in hand paid by the said part 108 of the second
part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do
grant, bargain, sell, convey and confirm unto the said part 108 of the second part, and to their heirs and
assigns forever, all the following described real estate, situated in the County of Bannock, State of Idaho, to-wit:

The East half of the Southwest quarter and the Southwest quarter of the
Southeast quarter of Sec 14, Township 13 South, Range 18 East of the Boise
Meridian,

Also, commencing at the Southeast corner of the Northeast quarter of
the Southwest quarter of Section 13, Township 13 South, Range 38 East of
the Boise Meridian, and running thence West 160 rods to the Northwest
corner of the Southwest quarter of the Southwest quarter of said Section
13; thence South 80 rods to the Southwest corner of said Section 13; thence
West 80 rods to the Southwest corner of the Southeast quarter of the South-
east quarter of Section 14, Township 13 South, Range 38 East of the Boise
Meridian; thence North 1810 feet; more or less, to a point 830 feet
South of the Northwest corner of the Northeast quarter of the Southeast
quarter of said Section 14; thence South 63°50' East 299 feet; thence
South 68°12' East 600 feet; thence North 73°17' East 190 feet; thence North
59°18' East 300 feet; thence North 56°1' East 285 feet; thence South 16°
22' East 100 feet; thence South 65°25' East 400 feet; thence North 69°12'
East 475 feet; thence North 64°55' East 180 feet; thence North 26°35'
East 330 feet; thence North 61°20' East 300 feet; thence North 23' East
332 feet to a point on latitudinal center line of Section 13; thence East
836 feet, more or less, to the Northeast corner of the Southwest quarter
of said Section 13; thence South along the East line of said Southwest
quarter 80 rods to the point of beginning.

Also, approximately 1/2 of the water of Stockton Creek. Together with
decreed right to 105 miners inches of waters of Stockton Creek, and a
right to use waters of unnamed springs as evidenced by license and
certificate of water right recorded in Book 8 page 111 records of Bannock
County, Idaho.

The grantees herein agree to assume a certain mortgage to the
Prudential Insurance Company of America recorded in Bannock County, Idaho
Made by Albert H. Westover and his wife.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any
wise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and
all estate, right, title and interest in and to said property, as well in law as in equity, of the said part 108
of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the
appurtenances, unto the part 108 of the second part, and to their heirs and assigns forever. And the
said part 108 of the first part, and their heirs, the said premises in the quiet and peaceable possession of
the said part 108 of the second part their heirs and assigns, against the said part 108 of the first
part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim

same shall and will WARRANT and by these presents forever DEFEND.

WITNESS WHEREOF, The said part 108 of the first part have hereunto set their hand and
the day and year first above written.

SEED, SEALED AND DELIVERED IN PRESENCE OF

Nord K. Westover (SEAL)
Norda Carmon H. Westover (SEAL)
(SEAL)
(SEAL)



FOR VALUE RECEIVED, A RANCHES, INC., an Idaho Corporation, as Grantor, hereby grants, sells and conveys unto ABBOTT RANCHES, INC., an Idaho Corporation, as Grantee, of Swan Lake, County of Bannock, State of Idaho, the following described tracts of land in Bannock and Franklin Counties, State of Idaho, described as follows, to wit:

Beginning at a point on the Easterly right of way line of the County Road as the same now exists, said point of beginning being 70 feet, more or less, west of the common corner of Sections 13, 14, 23 and 24, Township 13 South, Range 38 E. B. M., Bannock County, Idaho; thence East 2710 feet; thence South 1261 feet; thence East 1747 feet; thence North 1071 feet; thence North 41°48' West, 2482 feet; thence West 550 feet; thence South 52°32' West, 1331 feet; thence South 85°32' West, 1144 feet to a point 33 feet South of Private Road; thence South 61°26' West, 158 feet to a point 8 feet South of a Private Road and to the Easterly right of way line of the County Road; thence Southeasterly along said Easterly right of way line 700 feet, more or less to the point of beginning. Above described tract of land lies in portions of SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14, S $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 13 South, Range 38 E. B. M., Bannock County, Idaho.

All that portion of the South half of the Southeast Quarter of Section 14, Township 13 South, Range 38 E. B. M., lying West of the County Road.

Also: Tax 8 being a tract in the Northeast quarter of Section 23, Township 13 South, Range 38 E. B. M., Bannock County, Idaho, particularly described as follows:

The Northeast quarter of Section 23, Township 13 South, Range 38 E. B. M., according to the official plat of the survey of the said lands returned to the General Land Office by the Surveyor General. Subject to the right of way over and across the same of the Oregon Short Line Railroad Company; except a strip of land 100 feet wide, being 50 feet on each side of the following described center line of said highway as surveyed and shown on the Official Plat of the Preston Red Rock (F.A.P. 17) 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 of the Northeast quarter and a portion of the Northwest quarter of the Northeast quarter of Section 23, Township 13 South, Range 38 E. B. M.; Also Excepting: Beginning at Station 793+35 of said Highway Survey, which station is a point on tangent approximately 185 feet West from the East quarter corner of Section 23, Township 13 South, Range 38 E. B. M., thence running North 27°51' West 2973.0 feet to Station 823+08 of said survey, which

station is a point on tangent approximately 1565 feet West from the Northeast corner of Section 23, Township 13 South, Range 38 E. B. M., Bannock County, Idaho.

Also: Township 13 South, Range 38 E.B.M., Section 23: Beginning at the Northeast corner of NE $\frac{1}{4}$; thence South 320 feet; thence West 640 feet; thence North 320 feet; thence East 640 feet to the point of beginning.

Also: Tax 7, located in Section 23, Township 13 South, Range 38 E. B. M., Bannock County, Idaho, and more particularly described as follows: Northeast quarter of Section 23, Township 13 South, Range 38 E. B. M., excepting therefrom a strip of land 100 feet wide, being 50 feet on each side of the following described central line of said Highway as surveyed and shown on the official plat of the Preston Red Rock (7.A.P. 17) 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 of the Northeast quarter and a portion of the Northwest quarter of the Northeast quarter of Section 23, Township 13 South, Range 38 E. B.M., and also excepting therefrom beginning at a station 793+35 of said Highway Survey, which station is a point on tangent approximately 185 feet West from the East quarter corner of Section 23, Township 13 South, Range 38 E. B.M.; thence running North 27°51' West, 2973.0 feet to Station 823+08 of said survey, which station is a point on tangent approximately 1565 feet West from the Northeast corner of Section 23, Township 13 South, Range 38 E. B.M.

Township 13 South, Range 38 East of the Boise Meridian, Section 10: A parcel of land in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows: Commencing at a point South 32°42' East 531.65 feet from the North Quarter corner of said Section 10, said point being the Northerly boundary line of Swan Lake Road, and running thence North 61°57' East 111.4 feet along said road; thence North 28°03' West 132.9 feet; thence North 80°00' West 68.98 feet; thence South 61°57' West 33.96 feet, more or less, to the Easterly boundary line of U. S. Highway #91; thence South 32°47' East 176 feet to the Northerly boundary line of said Swan Lake Road; thence North 61°57' East 12.34 feet to the point of beginning.

Also: Lot 4, Section 30, Township 12 South, Range 39, E.B.M., Bannock County, Idaho.

Also: The East half Southeast quarter of Section 25, Township 12 South, Range 38 E.B.M., and Lot 2, Section 25, Township 12 South, Range 38 E.B.M., Bannock County, Idaho.

Also: The Southwest quarter of the Southwest quarter of Section 28, Township 12 South, Range 39 E.B.M., Bannock County, Idaho.

Also: Lot 1 and the Northeast quarter of Northwest quarter of Section 31, Township 12 South, Range 39 E.B.M., Bannock County, Idaho.

An undivided one-half ($\frac{1}{2}$) interest in the following parcels:

The East half of the Southeast quarter and the Southeast quarter of the Northeast quarter of Section 17, Township 12 South, Range 39 E.B.M., in Bannock County, Idaho.

Also: The East half of the Northeast quarter and the Southwest quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter and the Southeast quarter of the Northwest quarter of Section 20, Township 12 South, Range 39 E.B.M., Bannock County, Idaho.

Also: The West half of the Northwest quarter and the West half of the Southwest quarter of Section 21, Township 12 South, Range 39 E.B.M., Bannock County, Idaho.

Also: The Northwest quarter of the Southwest quarter of Section 28, Township 12 South, Range 39 E.B.M., Bannock County, Idaho.

Also: The Northeast quarter of the Southeast quarter and the Southeast quarter of the Southeast quarter and the East half of the Northeast quarter in Section 29, Township 12 South, Range 39 E.B.M., Bannock County, Idaho.

Also: Lot 4 and the East half of the Southwest quarter and the Southeast quarter of the Northwest quarter of Section 31, Township 12 South, Range 39 E.B.M., Bannock County, Idaho.

Also: Lots 4, 5 and 6 and the Northeast quarter of the Southwest quarter of Section 6, Township 13 South, Range 39 E.B.M., Bannock County, Idaho.

Also: The Northeast quarter of the Northeast quarter of Section 32, Township 12 South, Range 39 E.B.M., Bannock County, Idaho.

Also: The North half of the Southwest quarter of Section 33, Township 12 South, Range 39 E.B.M., Bannock County, Idaho.

An undivided 7/18ths interest in the following parcels:

Lots 1, 2, 3 and 4 and the North half of the Southeast quarter and the South half of the Northeast quarter and the Southeast quarter of the Northwest quarter in Section 4, Township 12 South, Range 39 E.B.M., Bannock County, Idaho.

Also: The North half of the Southwest quarter and the Southwest quarter of the Northwest quarter of Section 4, Township 12 South, Range 39 E.B.M., Bannock County, Idaho.

Also: The Southwest quarter of the Southeast quarter and the South half of the Southwest quarter and the Southeast quarter of the Southeast quarter of Section 33, Township 11 South, Range 39 E.B.M., Bannock County, Idaho.

Also: The Southwest quarter of the Southwest quarter of Section 34, Township 11 South, Range 39, E.B.M., Bannock County, Idaho.

1053

21-4

660215

Township 13 South, Range 38 East of the Boise Meridian,
Franklin County, Idaho, Section 23: E $\frac{1}{2}$ NW $\frac{1}{4}$

An undivided 7/18ths interest in the following parcel:

Township 12 South, Range 39 East of the Boise Meridian,
Franklin County, Idaho, Section 3: Lot 4, NW $\frac{1}{4}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$

Together with all appurtenant water rights,
appurtenances and hereditaments pertaining thereto.

SUBJECT TO: All rights of way, easements, reservations,
covenants and restrictions against all real property
above described.

SUBJECT TO: All liens and encumbrances duly of record
against all or any of the real property above described.

TO HAVE AND TO HOLD the same unto the said Grantee, its
successors and assigns forever.

IN WITNESS WHEREOF, This Deed is executed this 12 day
of December, 1980.

A RANCHES, INC.

By

Lael Abbott
President

STATE OF IDAHO)

) ss.

County of Bannock)

On this 12th day of December, 1980, before me, the
undersigned Notary Public, personally appeared LAEL ABBOTT, known
to me to be the President of A Ranches, Inc., the corporation that
executed the foregoing instrument and acknowledged to me that said
corporation executed the same.

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

Craig Christensen
Notary Public for Idaho

Residing at Pocatello, Idaho

NOTARY SEAL

660215

NO.
RECORDED AT REQUEST OF
Craig Christensen

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OFFICIAL RECORD BK. NO.
BANNOCK COUNTY IDAHO
G. NEIL ANDERSON RECORDER