

Transfer No. 75742
 Receipt No.E035210

**STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 1**

1. Applicant Information SHANE ROBERTS
 20 SHARON LOOP
 OVID ID 83254
 (208)945-2686

Will this transfer result in an ownership change? ☒ Yes ☐ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
11-46	WR/Decreed	0.52				NORTH CREEK

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
11-46	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

This transfer proposes to update the ownership for water right 11-46, currently in the name of DM King (the owner listed in the 1902 Brown v. Wixom Decree). The 1902 decree incorrectly described the place of use for right 11-46. This transfer corrects the error and changes the place of use to a 26-acre parcel farmed by the applicant.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change. N/A

B. Describe the effects on other water uses resulting from the proposed change. N/A

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
11-46	0.52 cfs		26.0	
TOTAL	0.52 cfs		26.0	

RECEIVED

JUN 15 2011

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Department of Water Resources
Eastern Region

Transfer No. 75742
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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



(Signature of Applicant)

(Title or Office)

75742

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 11-46

Priority Date: May 15, 1864
Origin: Water Right
Basis: Decreed
Status: Active

Source: NORTH CREEK

Tributary: BEAR RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	0.52 CFS		
	Total Diversion	0.52 CFS		

Source and Point(s) of Diversion:

NORTH CREEK

Sec. 32 Twp 12S Rge 43E BEAR LAKE
County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	43E	4					X	X	X	X									

Conditions/Remarks:

1. P/D NOT SPECIFIED IN DECREE. POU IS WITHIN 102 ACRES DESCRIBED.

Documentation of Ownership of the Current Place of Use

Memo describing error in 11-46 place of use description in the 1920 decree.
Chain of deeds from DM King to Shane Roberts for the correct place of use.
Letters from owners under decreed place of use, disclaiming interest in 11-46.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Unknown. Current water right place of use is not owned by the applicant.
See Memo describing the error in the 11-46 place of use description.

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer.

Decreed place of use for this water right will be dried-up. Water will be used at the new POU.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

No. The water has been used from the Liberty Ditch every year.

Transfer No. 75742
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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 11-46

Priority Date: May 15, 1864

Origin: Water Right

Basis: Decreed

Status: Active

Source: NORTH CREEK

Tributary: BEAR RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.52 CFS		
	Total Diversion	0.52 CFS		

Source and Point(s) of Diversion:

NORTH CREEK	SWNESE	Sec. 32 Twp 12S	Rge 43E	BEAR LAKE County
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Describe the proposed diversion system

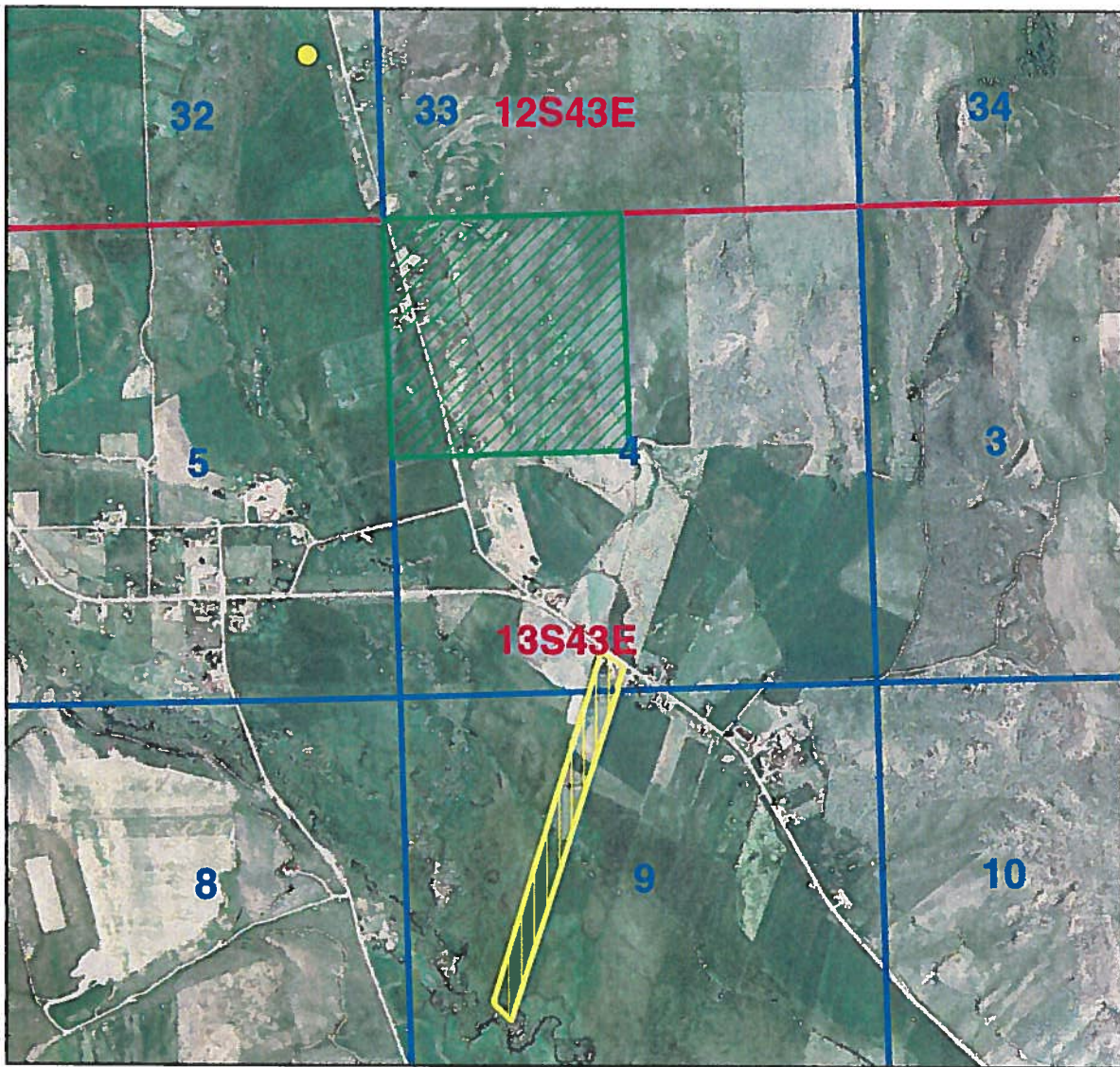
Point of Diversion # 1 Liberty Ditch off of North Creek.

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 43E 4																	2.4
13S 43E 9					9.3		.7	8.2	.6	4.8							23.6

Total Acres: 26

Transfer 75742 (Roberts)



0 0.25 0.5 1 Miles

Legend

-  Water Right POU
-  Transfer Water Right POD
-  Transfer Water Right POU
-  Township/Range
-  Sections

2009 Aerial Photography
Map prepared on May 24, 2011



75742

Warranty Deed

THIS INDENTURE, made the 21st day of January, in the year of our Lord, one thousand nine hundred and Fifty Eight between David Roberts and Lottia H. Roberts, husband and wife, of Logan, County of Cache, State of Utah parties of the first part, and Udell Roberts, and Afton E. Roberts husband and wife Liberty, County of Bear Lake, State of Idaho, the part Y of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Five Thousand Eight hundred and twenty DOLLARS, lawful money of the United States of America to them in hand paid by the said part Y 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 part Y 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:

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 parties of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

The South st quarter of the Northeast quarter, and the West Half of Northwest quarter of the South st quarter of Section Three (3), 1st Township 13 South, Range 43 East of the Boise Meridian, containing 60 acres of land.

Also, a tract of land beginning at a point 3.73 chains West from the Northeast corner of the Northwest quarter of Section 9, in Township 13 South, Range 43 East of the Boise Meridian and running thence West 5.12 chains; thence South 19 degrees 30' West 23.53 chains to ditch; thence South 48 degrees 30' E. 4.75 chains; thence North 20 degrees 30' East 27.08 chains to place of beginning, containing 11.62 acres of land, more or less.

Also, Commencing at a point 1320 feet East and 1320 feet North from the Southwest corner of Section 3 in Township 13 South, Range 43 East, Boise Meridian, and running thence North 1979 feet; thence East 100 feet; thence North 1295 feet; thence North 36° West 160 feet; thence North 465 feet, to the Northwest corner of the Northeast quarter of the Northwest quarter of said Section 3; thence East 892 feet; thence South 12°30' East 460 feet; thence South 33°05' West 809 feet; thence South 6°38' West 1098 feet; thence South 18°20' East 258 feet; thence South 24°50' East 232 feet; thence South 13°04' East 407 feet; thence South 73°35' East 161 feet; thence South 6° West 765 feet; thence West 731 feet to the place of beginning and containing 54.36 acres more or less.

Also, Commencing at a point 8.85 chains West and S. 19°30' West 23.53 chains from the Northeast corner of the Northwest quarter of Section 9, Township 13 South, Range 43 East, Boise Meridian, run thence S. 48°30' East 4.75 chains; thence S. 20°30' West 29.15 chains to the center of Liberty Creek, thence following the meanderings of the center of the creek in a Northwesterly direction to a point N. 63°15' East 3.80 chains; thence N. 19°30' East 30.30 chains, to place of beginning, containing 12.17 acres of land, more or less.

Also, from the Southeast corner of Section 4, Township 13 South, Range 43 East, Boise Meridian in Idaho, run East 1.42 chains; thence N. 30°19' E. 9.80 chains; thence N. 17°39' E. 4.10 chains to the real place of beginning; running thence S. 17°39' W. 4.10 chains; thence S. 30°19' W. 9.80 chains; thence West 20.87 chains; thence N. 35°45' E. 2.57 chains; thence N. 31°45' E. 3.00 chains; thence N. 12°00' E. 1.00 chains; thence N. 11°30' W. 2.00 chains; thence N. 35° E. 7.48 chains; thence East 18.60 chains, more or less, to the place of beginning, containing 23½ acres, be there more or less.

Together with any and all water and water rights thereunto belonging or in anywise appertaining, particularly 4 shares of stock in the East Liberty Water Ditch.

Also, Commencing at a point on the Southwesterly line of the right of way of the County road, (commonly known as the East Liberty road) which said point is approximately 229 feet South 52 degrees 30' East off a point which is 3.05 chains East of the NW corner of the NE¼ of Section 9, Twp. 13 South, Range 43 East of Boise Meridian, in Idaho, and running thence North 52 degrees 30' West, along said Southwesterly line of said Highway, 44 feet; thence South 37 degrees 30' West 36 feet; thence South 52 degrees 30' East 44 feet; thence North 37 degrees 30' East 36 feet to the place of beginning, containing Four hundredths of an acre, more or less.

Also, a tract of land Commencing at a point 3.73 chains West of the Southeast corner of the Southwest quarter of Section 4, Township 13 South, Range 43 East of the Boise Meridian and running thence West 5 chains; thence North 19 degrees 30' E. 7.65 chains; thence along county road South 52 degrees 30' E. 4.90 chains; thence South 19 degrees 30' W. 4.34 chains to place of beginning and containing 2.70 acres.

Also, commencing at the NW corner of the NE¼ of NW¼ of Sec. 3 in Tp. 13 S. of R. 43 E.B.M. in Idaho; running West 260 feet; thence S. 15°24' E. 129 feet; thence S. 36° E. 409 feet; thence North 465 feet to the place of beginning and containing 1.56 acres more or less.

PP 6 0411

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said part y..... of the second part, and to his heirs and assigns forever, and said part ies..... of the first part, and their..... heirs, the said premises, in the quiet and peaceable possession of the said part y..... of the second part, his heirs, and assigns against the said part ies..... 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 part ies..... of the first part have hereunto set their hand s..... and seal s..... the day and year first above written.

Signed, Sealed and Delivered in the Presence of

..... (SEAL)
..... (SEAL)

United States of America

STATE OF IDAHO }
County of Bear Lake } ss.

On this 21st day of January in the year of our Lord one thousand nine hundred and Fifty Eight before me, John B Hoge a Notary public, within and for said County and State personally appeared David Roberts and Lottie H. Roberts, husband and wife, personally known to me to be the person s whose name s 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.

John B Hoge
Notary Public for Idaho
Residing at *Paris, Idaho*

*My Commission Expires
25 June 1958*

No. _____
Warranty Deed

TO _____

Dated _____, 19____
INDEXED OFFICE OF COUNTY RECORDER
92544
STATE OF IDAHO }
County of Bear Lake } ss.
I hereby certify that this instrument was
filed for record at the request of *David & Lottie*
at *26* minutes past *3* o'clock p.m.
this *21* day of *January*
A. D. 19 *58* in my office, and duly recorded
in Book *29* Deeds at page *100*
John B. Hoge County Recorder.
John B. Hoge Deputy.
Fee - \$ _____
Presented to and platted by me this _____
day of _____ 19____
ASSASOT.

75742

WARRANTY DEED RECORD No. 34

INSTRUMENT No. 42862

THIS INDENTURE, Made the 28th day of May, in the year of our Lord one thousand nine hundred and 36, between Ortensia A. Horsley and William Horsley, her husband, of Montpelier, County of Bear Lake, State of Idaho, part 1es. o. the first part, and David Roberts of Liberty, County of Bear Lake, State of Idaho, part y of the second part: WITNESSETH, That the part 1es. of the first part, for and in consideration of the sum of

Three Hundred Sixty and no/100 - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said part y 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 part y 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:

Beginning at a point 8.85 chains West and South 19° 30' West 23.53 chains from the Northeast corner of the Northwest quarter of Section 9, Township 13, S R 43 E. B. M., thence South 48° 30' East 4.75 chains, thence South 20° 15' chains to the center of Liberty creek in a northeasterly direction to a point North 63.15 chains, East 3.80 chains, Thence North 19° 30' East 30.30 chains to place of beginning, containing 12.17 acres of land.

(FIFTY CENTS CANCELLED DOCUMENTARY STAMPS ATTACHED)

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereto belonging, of 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 1es. 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 part y of the second part, and to his heirs and assigns, forever, and the said parties of the first part, do their said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, the said part 1es. of the first part, and the heirs, and against any and all persons whomsoever, and by these presents forever defend.

IN WITNESS WHEREOF The said part 1es. of the first part have 75-4-9

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 1st 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 part y of the second part, and to his heirs and assigns, forever, and the said part 1st of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said part 1st of the first part, and their 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 1st 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

Ortensia A. Horsley (SEAL.)

W. Smith Hoge

William Horsley (SEAL.)

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

UNITED STATES OF AMERICA

On this 28th day of May, in the year of our Lord one thousand nine hundred and 36, before Notary Public

within and for said County and State, personally appeared Ortensia A. Horsley and William Horsley, 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 executed the same.

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

W. Smith Hoge
Notary Public

(SEAL)

Recorded at request of David Roberts
at 1 o'clock P. M., this 24th day of November, A. D. 1936

Sam V. Tunks

County Recorder.

Fee, \$ 1.00

Eugene J. Shepherd, Deputy.

WARRANTY DEED RECORD No. 34

INSTRUMENT No. 42823

34.159

THIS INDENTURE, Made the 28th day of April, in the year of our Lord one thousand nine hundred and 38, between Thomas King and Ruella King, his wife, of Montpelier, County of Bear Lake, State of Idaho, parties of the first part, and Ortensia King Horsley, County of Bear Lake, State of Idaho, parties of the second part, witnesseseth, That the parties of the first part, for and in consideration of the sum of

One - - - - - Dollar and other valuable considerations, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, 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 her 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:

Beginning at a point 8.85 chains West and South 19° 30' West 23.53 chains from the Northeast corner of the Northwest quarter of Section 9, Township 13, S. R. 43 E. B. M. Thence South 48° 30' East 4.75 chains, Thence South 20° 30' West 29.15 chains to the center of Liberty creek, thence following the meandering of the center of the creek in a northwesterly direction to a point North 63° 15' East 3.80 chains, Thence North 19° 30' East 30.30 chains to place of beginning, containing 12.17 acres of land

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 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 parties of the second part, and to her heirs and assigns, forever, and the said parties of the first part, and their heirs, do give, sell, convey and confirm, the said premises in the quiet and peaceable possession of the said parties of the second part, her heirs, and against any and all persons whomsoever, lawfully claiming the same, shall and will warrant and by these presents forever defend.

75742

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. ies 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 part. y of the second part, and to her 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. y of the second part, her heirs and assigns, against the said part. ies of the first part, and their 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. ies of the first part ha. ve hereunto set their hands and seal s, the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Albert E. Leeright

Thos C. King (SEAL.)

Ruella King (SEAL.)

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

UNITED STATES OF AMERICA

On this 28th day of April, in the year of our Lord one thousand nine hundred and 36, before Albert Leeright, a Notary Public within and for said County and State, personally appeared Thomas King and Ruella King, 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)

Albert E. Leeright
Notary Public

Recorded at request of W. Smith Hoge
at 9 o'clock A M., this 12th day of November, A. D. 1936

Fee, \$ 1.00

Sam V. Tunks

County Recorder.

Deputy

THIS INDENTURE, Made the 1st day of July, 1937, in the year of our Lord one thousand nine hundred and thirty seven, between Thomas C. King, who is the same person as B. King, and Ruella P. King, his wife, of the County of Bear Lake, State of Idaho, part 108 of the first part, and David Roberts, of the County of Bear Lake State of Idaho, part 108 of the second part: WITNESSETH, That the part 108 of the first part, for and in consideration of the sum of

Twenty-Five Hundred 00/100----- DOLLARS,
lawful money of the United States of America, to them in hand paid by the said part y 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 part y 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:

✓ A tract of land beginning at a point 3.73 chains West from Northeast corner of Northwest quarter of section 9, in Tp. 13S. R. 43 E. B. M.; running thence West 5.12 chains, thence South 19°30' West 23.53 chains to ditch, thence South 48°30' E. 4.75 chains, thence North 20°30' East 27.08 chains to place of beginning; containing 11.62 acres of land more or less.

✓ Also a tract of land commencing at a point 3.73 chains west of the southeast corner of the southwest quarter of Section 4, Tp. 13 S. R. 43 E. B. M. and running thence west 5.00 chains, thence N. 19°30' E. 7.65 chains; thence along county road S. 52°30' E. 4.90 chains; thence S. 19°30' W. 4.34 chains to place of beginning and containing 2.70 acres.

Also, a tract of land commencing at a point 26.58 chains north from the southeast corner of the southwest quarter of section 4, Tp. 13 S. R. 43 E. B. M., and running thence north 9.08 chains, thence west 30.53 chains to middle of County road; thence S. 12° E. 8.57 chains; thence S. 14° E. 7.80 chains, thence S. 46° 10' E. 9.65 chains thence S. 52° 30' E. 6.10 chains, thence N. 40° E. 23.10 chains to place of beginning, containing 54.80 acres.

Together with decreed water rights for said lands.

\$2.50 cancelled Documentary stamps affixed.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereto in anywise appertaining unto the said part 1A.S. of the first part, of, in or to said premises, together with the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possession, claim, demand whatsoever, in and to the said premises, as well in law as in equity, of the said part 1A.S. of the first part, of, in or to said premises, together with the appurtenances, unto the said part 1A.S. of the first part, of, in or to said premises, together with the appurtenances.

[illegible]

thence west 5.00 chains, thence N. 19°30' E. 7.65 chains; thence along county road S. 52°30' E. 4.90 chains; thence S. 19°30' W. 4.34 chains to place of beginning and containing 2.70 acres.

Also, a tract of land commencing at a point 26.58 chains north from the southeast corner of the southwest quarter of section 4, Tp. 13 S. R. 43 E. B. M., and running thence north 9.08 chains, thence west 30.53 chains to middle of County road; thence S. 12° E. 8.57 chains; thence S. 14° E. 7.80 chains, thence S. 46° 10' E. 9.65 chains thence S. 52°30' E. 6.10 chains, thence N. 40° E. 23.10 chains to place of beginning, containing 54.80 acres.

Together with decreed water rights for said lands.

\$2.50 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, possessions, claim and demand whatsoever, as well in law as in equity, of the said part...ias. 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 part y... of the second part, and to his heirs and assigns, forever, and the said part...ias. of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said part y... of the second part, his heirs and assigns, against the said part...ias. of the first part, and their 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...ias. of the first part have hereunto set their hands and seals the day and year first above written.

Water additions made before signing.

Chas E. Harris
Notary Public

Thos C. King

(SEAL)

Ruella P. King

(SEAL)

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

UNITED STATES OF AMERICA

On this 19th day of July, 1937, in the year of our Lord one thousand nine hundred and 37, before me, Chas. E. Harris, a Notary Public within and for said County and State, personally appeared Thomas C. King and Ruella P. King, 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. Official seal, the day and year in this certificate above written.

(SEAL)

Chas. E. Harris
Notary Public
Montpelier, Idaho

Recorded at request of David Roberts
at 10:10 o'clock A. M., this 20 day of July

, A. D. 1937.

Sam V. Tunks

County Recorder.

Fee, \$ 1.00

, Deputy.

75742

RECORDED AT THE REQUEST OF W. SMITH HOGE AT 10:10 O'CLOCK A. M. MAY 31ST, 1935.

By *Sam V. Tunks* Deputy

Sam V. Tunks, Recorder

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No. 40859 +

STATE OF IDAHO,

County of Bear Lake) ss

S. H. Rich of lawful age, being first duly sworn, deposes and says that he was well acquainted with Edward Burgoyne and his wife, Mary A. Burgoyne, during their life time, and knows of his own knowledge that prior to his death the said Edward Burgoyne conveyed by that certain deed bearing date September 7th, 1901, and recorded in Book 10 of Deeds at page 403, records of Bear Lake County, Idaho.

That Sarah J. Williams is a daughter of said Edward Burgoyne and his wife, Mary A. Burgoyne; that said Sarah J. Williams and Milford Williams were husband and wife on the date first above mentioned and have been husband and wife ever since.

S. H. Rich

Subscribed and sworn to before me this 9th day of June A. D. 1930.

(SEAL)

Edwin L. McClave
NOTARY PUBLIC

Residence, Montpelier, Idaho

My commission Expires Mar. 8, 1932.

Recorded at the request of W. Smith Hoge at 10:15 o'clock A. M. May 31st, 1935.

By *Sam V. Tunks* Deputy

Sam V. Tunks, Recorder

No. 40859 ✓ IN THE PROBATE COURT OF BEAR LAKE COUNTY STATE OF IDAHO

IN THE MATTER OF THE ESTATE

OF

} DECREE OF SETTLEMENT OF ACCOUNT AND
} FINAL DISTRIBUTION

DAVID MORRIS KING, deceased.))

3. C. KING, Executor of the last will of David Morris King, deceased, having on the 27th day of October, 1934, rendered and filed herein a full and complete account and report of his administration of said estate, which account was for final settlement, and the said 3. C. King, having with said account filed and presented a petition for final distribution of said estate;

The court finds that the distribution of said money occurred prior to the appointment of C. King as administrator, and that said distribution all as set forth in the Executor account and report was in accordance with the terms of the last will of David Morris King, deceased.

That having been no one appear in person or otherwise to protest said account and report, or to file objections thereto, IT IS THEREFORE ORDERED that said account and report be and it is hereby settled and approved.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the estate of said deceased in realty, more particularly hereinafter described, be and the same is hereby distributed in accordance with the terms of said will as follows:

To Mrs. Hortensia King, administratrix of the estate of Franklin Morris King, deceased

13060 Lot twenty-eight (28) as platted in Bear Lake County plat Book "B" page 66, and further described as follows, to-wit: Commencing at a point thirteen (13) chains and fourteen (14) links S. 89° 30' W. from the southeast corner of Section nine, Township thirteen south of Range forty-three E. B. M., in Idaho Territory and running thence S. 89° 30' W. five chains and forty-five links, thence N. 13° 15' E. twenty-three chains, thence S. 61° 45' E. five chains and thirty-one links thence S. 13° W. twenty chains and thirty-three links to place of beginning and containing eleven acres and one hundred three square rods of land be the same more or less.

13061 Also a tract of land commencing at a point thirteen chains and eight links West from the Northeast corner of Section sixteen of Township thirteen South of Range forty-three E. B. M., U. S. Survey and running thence South 13° 44' West twelve chains and fifteen links thence following up center of creek ten chains (from point to point, North 18° 30' East two chains and seventy-five links) thence North 13° 30' two chains and fifty links thence East five chains and forty-seven links to place of beginning and containing four acres and one hundred and twenty square rods of land, be there more or less.

To T. C. King,

13062 The entire farm and ranch were decedent lived December 13, 1899, sometimes known as the Lewis place, and otherwise described as: A tract of land beginning at a point 3.73 chains West from Northeast corner of northwest quarter of section 9 in Township 13 South of Range 43 E. B. M.; running thence West 5.12 chains, thence South 19° 30' W. 23.53 chains to ditch, thence South 48° 30' E. 4.75 chains, thence North 20° 30' E. 27.08 chains to place of beginning; containing 11.62 acres of land more or less.

13063 Also a tract of land beginning at a point 8.85 chains N. and S. 19° 30' W. 23.53 chains, thence S. 48° 30' E. 4.75 chains, thence S. 20° 30' W. 29.15 chains to center of Liberty Creek. Thence following the meandering of center of creek in northwesterly direction to a point N. 63° 15' E. 3.80 chains; thence N. 19° 30' E. 30.30 chains to place of beginning containing, 12.17 acres of land more or less.

13064 Also a tract of land commencing at a point in the middle of "North Creek" 1342 feet south of the northwest corner of the southwest quarter of section 4 T. 13 S. R. 43 E. and running thence north 591 feet to middle of County Road, thence along said road N. 75° E. 788 feet to junction of Sharon-Ovid Road, thence along last named road S. 14° E. 515 feet, thence S. 62° W. 672 feet to creek, thence up North Creek to place of beginning and containing 11.35 acres.

13065 Also a tract of land commencing at a point 3.73 chains west of the southeast corner of the southwest quarter of section 4 T. 13 S. R. 43 E.B. and running thence West 5.00 thence N. 19° 30' E. 7.65 chains; thence along County Road S. 52° 30' E. 4.90 chains; thence S. 19° 30' W. 4.34 chains to place of beginning and containing 2.70 acres.

Also a tract of land commencing at a point 26.58 chains north from the southwest corner of the southwest quarter of Section 4 T 13 S R 43 E.B.M. and running thence north 9.08 chains, thence west 30.53 chains to place of County Road; thence S. 12° E. 8.57 chains, thence S. 14° E. 7.55 chains, thence S. 45° 10' E. 9.65 chains thence S. 52° 30' E. 6.10 chains, thence N. 40° E. 23.10 chains to place of beginning, containing 54.80 acres.

To David King, a son,

Lot one (1) as platted in Bear Lake County plat book B on page sixty-nine (69), further described as follows, to-wit: Commencing at a point twenty-six (26) chains and ten (10) links north from the southwest corner of northwest quarter (1) of Section fifteen (15) Township thirteen (13) South of Range forty-three (43) East of Boise Meridian in Idaho Territory and running thence South eight (8) chains, thence N. 62° 45' E. nineteen (19) chains and fifty (50) links to center of North Creek, thence up said creek following its windings to place of beginning containing nine (9) acres and forty-two (42) square rods of ground be the same more or less.

Also a tract of land described as follows, to-wit: Commencing at the Southeast corner of the Northeast quarter of the Northeast quarter of Section sixteen (16) of Township thirteen (13) South of Range forty-three (43) East of Boise Meridian, U. S. Survey and running thence North five (5) chains and seventy (70) links, thence up center of creek two (2) chains and twenty-three (23) links (from point to point being North 20° West one (1) chain and sixty (60) links) thence South 62° 50' West fifteen (15) chains and sixty-eight (68) links, thence East fourteen (14) chains and forty-nine (49) links to place of beginning and containing four (4) acres and thirty-two (32) square rods of land be there more or less.

All in Township thirteen (13) South of Range forty-three (43) East of Boise Meridian.

The Court makes the following findings in connection with said estate, to-wit:

That Susan King and Susanna King are one and the same person and that she was the wife of the deceased and that she resided upon said estate until November 29, 1930 when she died in Bear Lake County, Idaho, and that her life interest in said estate terminated on that date and IT IS HEREBY ADJUDGED AND DECREED that she, nor her estate, has any right, title or interest of any nature whatsoever in the lands hereinabove described.

IT IS ALSO FURTHER ORDERED, ADJUDGED AND DECREED That all of the above described real estate includes and carries with it all water rights and appurtenances thereto belonging to each tract severally.

That Frank King, Franklin King and Franklin Morris King are one and the same person whenever such names appear in these proceedings.

It is further provided that T. C. King, Thos. King, Thos C. King and Thomas C. King are one and the same person when used in these proceedings.

It was provided insaid will that any of the unmarried daughters of the deceased could have their home in common with their mother on said premises during her life and as long as they remained single.

The court finds that at the date of the death of David Morris King all his daughter had married except Olive King and that she married Morgan Rich in 1921 and left the premises and her mother and lived with and resided with said Morgan Rich and at the time of her marriage as aforesaid her right to live upon said premises or to share any of the profits therefrom ceased and terminated. AND IT IS ORDERED, ADJUDGED AND DECREED that said Olive King Rich has no right, title or interest of any nature whatsoever

WARRANTY DEED RECORD, No. 36

INSTRUMENT No. 51131

463

From David Roberts to Norman Roberts

THIS INDENTURE, Made the 1st day of January, in the year of our Lord, one thousand nine hundred and forty between David Roberts and Lottie H. Roberts, husband and wife of Liberty County of Bear Lake, State of Idaho, parties of the first part, and Norman H. Roberts of Liberty County of Bear Lake, State of Idaho, part Y of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Two Thousand and No/100 DOLLARS

lawful money of the United States of America to them in hand paid by the said part Y 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 Y 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:

T-3067

A tract of land commencing at a point 26.58 chains north from the southeast corner of the Southwest Quarter of Section 4, Township 13 South, Range 43 East Boise Meridian, and running thence North 9.08 chains; thence West 30.53 chains, to middle of County Road; thence S. 12° East 8.57 chains; thence S. 14° East 7.80 chains; thence S. 46° 10' East 9.65 chains; thence S. 52° 30' East 5.10 chains; thence N. 40° East 23.10 chains to place of beginning, containing 54.80 acres.

T-1252

Also commencing at a point 2.50 chains south from the Southwest Corner of the Southeast quarter of Northeast quarter of Section 29, in Township 12 South of Range 43 East, Boise Meridian, in Idaho, and running thence North 21.53 chains to the foot of a dugway road; thence along said road following; N. 41° E. 2.70 chains, N. 32° 15' E. 5.77 chains, N. 47° 23' E. 14.30 chains; N. 19° E. 5.58 chains; thence East 1.95 chains; thence South 42.50 chains; thence West 20 chains to the place of beginning and containing 65.16 acres of land, more or less.

Together with any and all water rights, or water represented by stock, used upon or in connection with the above described tracts of land.

\$2.20 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 part ies 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 part Y of the second part, and to his heirs and assigns forever, and said part ies of the first part, and their heirs, the said premises, in the quiet and peaceable possession of the said part Y of the second part, his heirs and assigns against the said part ies 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 s and seal s the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

<u>W. SMITH HOGE</u>	<u>DAVID ROBERTS</u> (SEAL) <u>LOTTIE H. ROBERTS</u> (SEAL)
----------------------	--

STATE OF IDAHO, } ss. UNITED STATES OF AMERICA
 COUNTY OF BEAR LAKE }

On this 22 day of November in the year of our Lord one thousand nine hundred and 41 before W. Smith Hoge, Notary Public within and for said County and State personally appeared David Roberts and Lottie H. Roberts, his wife personally known to me to be the person s whose name s 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 notarial seal the day and year in this certificate above written.

(Seal) W. SMITH HOGE
 My Comm. expires: Nov. 2 nd, 1943. Notary Public, Paris, Idaho

Recorded at request of W. Smith Hoge at 11:05 o'clock A M., this 24th day of November, A. D. 1941.

Fee, \$ 1.00 Sam V. Tunks County Recorder.

75742 *Mavis C. Knutson*, Deputy.

STATE OF IDAHO,
County of Bear Lake) ss.

On this 14th day of August, in the year 1961 before me, Albert E. Leeright, a Notary Public in and for said County, personally appeared Ray D. Pugmire known to me to be the person whose name is subscribed to the annexed instrument, and acknowledged to me that he executed the same.

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

(SEAL)

Albert E. Leeright
Notary Public for Idaho
residing at Montpelier, Idaho

Recorded at the request of A.E. Leeright; 1:20 P.M.; August 14, 1961; Book 49 of Deeds at page 155.

By Ray D. Pugmire Deputy
Fee: \$1.20

Sam V. Tunks, Recorder.

No. 80613. WARRANTY DEED

For Value Received GERALD E. PHELPS and MILDRED B. PHELPS, husband and wife, of the City of Montpelier, County of Bear Lake, State of Idaho, the grantors, do hereby grant, bargain, sell and convey unto J. L. LANGFORD and LUCILLE LANGFORD, husband and wife, of the City of Montpelier, County of Bear Lake, State of Idaho, the grantees, the following described premises, to-wit:

Beginning at a point 39 feet North and 90 feet West of the Northeast Corner of Lot 4, Block 15, of the Original Townsite Survey of Montpelier, Idaho, and running thence South 120 feet; thence West 85 feet; thence North 120 feet to the Jefferson Street (formerly known as Jackson Street); thence East along Jefferson Street 85 feet to the point of beginning.

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

Dated this 17 day of August, 1961.

\$17.60 Revenue Stamps attached.

Gerald E. Phelps

Mildred B. Phelps

STATE OF IDAHO, COUNTY OF Bear Lake

On this day of August, 1961, before me, the undersigned, a Notary Public in and for said State, personally appeared Gerald E. Phelps and Mildred B. Phelps, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS My hand and official seal.

(SEAL)

Albert E. Cass
Notary Public, Residing at
Montpelier, Idaho
My Comm. expires: 8/26/63

Recorded at the request of J. L. Langford; 1:35 P.M.; August 17, 1961; Book 49 of Deeds at page 156.

By Ray D. Pugmire Deputy
Fee: \$1.20

Sam V. Tunks, Recorder.

No. 80635. WARRANTY DEED

NORMAN H. ROBERTS and AFTON S. ROBERTS, husband and wife, of Liberty, Bear Lake County, Idaho, GRANTORS, hereby convey and warrant to SUE M. VALDEZ of Logan, Cache County, Utah, GRANTEE, for the sum of Ninety Thousand and No/100 Dollars (\$90,000.00), the following described tracts of land in Bear Lake County, Idaho:

Commencing at a point 2.50 chains south from the southwest corner of the southeast quarter of the northeast quarter of Section 29, in Township 12 South of Range 43 East, Boise Meridian, in Idaho, and running thence north 21.53 chains to the foot of a dugway road; thence along said road following: North 41° east 2.70 chains; north 32° 15' east 5.77 chains north 47° 23' east 14.30 chains; north 19° east 5.58 chains; thence east 1.95 chains; thence south 42.50 chains; thence west 20.00 chains to the place of beginning; and containing 65.16 acres of land, more or less.

Also, a tract of land commencing at a point 26.52 chains north from the southeast corner of the southwest quarter of Section 4, Township 13 South, Range 43 East, Boise Meridian, and running thence north 9.08 chains; thence west 30.53 chains to the middle of County Road; thence south 12° east 8.57 chains; thence south 14° east 7.80 chains; thence south 46° 10' east 9.65 chains; thence south 52° 30' east 6.10 chains; thence north 40° east 23.10 chains to the place of beginning; containing 54.80 acres.

Also, the southwest quarter of the northeast quarter, the northwest quarter, and the north half of the southeast quarter of Section 28, Township 12 South, Range 43 East, Boise Meridian, containing 280 acres, more or less.

BK 49
Pg. 156
from Norman Roberts
to Valdez

Also, the northwest quarter of the northeast quarter of Section 33, Township 12 South, Range 43 East, Boise Meridian, containing 40 acres.

Also, the southwest quarter of the southeast quarter of Section 28, Township 12 South, Range 43 East, Boise Meridian, containing 40 acres.

Also, the east half of the southwest quarter of Section 28, the east half of the northwest quarter of Section 33, Township 12 South, Range 43 East, Boise Meridian, containing 160 acres, more or less, EXCEPTING the following: Beginning at the northwest corner of the northeast quarter of the northwest quarter of said Section 33, running thence east 44 rods, more or less, to Sagars Creek; thence following the channel of Sagars Creek in a southwesterly direction to where it intersects the west line of the east quarter of the northwest quarter of said Section 33; thence north 80 rods, more or less, to the place of beginning, leaving a net acreage of 149 acres, more or less.

Also, the west half of the northwest quarter of Section 33, Township 12 South of Range 43 East, Boise Meridian, containing 60 acres.

ALSO, that piece or parcel of land described as follows, to-wit: Commencing at the northwest corner of the southeast quarter of the northwest quarter of Section 33, Township 12 South of Range 43 East, Boise Meridian, and running thence north 80 rods; thence east 44 rods to the center of Sagars Creek; thence in a southwesterly direction down the channel of said creek 108 rods to the place of beginning; containing 11 acres of land, more or less.

CONVEYING with the above described land any and all water rights and irrigating ditches belonging or in anywise appertaining thereto and especially including, but not limited to, the following:

- (a) $13\frac{1}{2}$ shares of the capital stock of the Ovid Irrigation Company.
- (b) All right to the use of two unnamed springs located in Sagars Creek Canyon, together with the right to the use of the waters of Sagars Creek.

Also, all right, title and interest in and to the following sprinkler system equipment:

- (a) One and one-fourth ($1\frac{1}{4}$) miles of underground trunk line.
- (b) 2,640 feet of 3-inch sprinkler laterals with sprinkling heads.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to said property, as well in law as in equity, of the said grantors.

This conveyance however is subject to that certain mortgage dated the 16th day of May, 1960, in the principal sum of \$35,000.00 payable to the Connecticut Mutual Life Insurance Company, which mortgage the grantee herein assumes and agrees to pay in accordance with the terms and conditions thereof.

WITNESS the hands of said grantors this 18th day of 1961.

Norman H. Roberts

Signed in the presence:

Afton S. Roberts

S. L. Hymas

STATE OF UTAH)
) ss
County of Cache)

On this 18th day of August, 1961, personally appeared before me, S. L. Hymas a Notary Public in and for said State, NORMAN H. ROBERTS and AFTON S. ROBERTS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(SEAL)

S. L. Hymas
NOTARY PUBLIC
Residing at Smithfield, Utah
My Commission Expires: 1/24/64

\$22.00 Cancelled Documentary Stamps affixed.

Recorded at the request of Sam Hymas; 10:30 A.M.; August 21, 1961; Book 49 of Deeds at page 156
By Sam V. Tunks Deputy Sam V. Tunks, Recorder.
Fee: \$2.40

No. 80636. IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
IN AND FOR THE COUNTY OF BANNOCK

AUTHNELL JOHN POWELL,)
)
Plaintiff,)
vs.)
GRACE R. POWELL,)
)
Defendant.)

JUDGMENT AND DECREE

FILED
SARAH DEVANEY, CLERK AUDITOR &
RECORDER BANNOCK COUNTY, IDAHO
JUN 28 2:20 PM '60 By A.G.
Olsen, Deputy

75742

Valdez to Long

THIS INDENTURE, made this 15th day of May, 1983,
between SUE VALDEZ, a divorced woman
of the County of BEAR LAKE, State of IDAHO,
the party of the first part and R. H. LONG and LINDA LONG, husband and wife
650 North 6th; Montpelier, Idaho 83254
of Montpelier, 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
TEN AND NO/100 Dollars
lawful money of the United States of America and other good and valuable consideration,
to party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged,
has granted, bargained, sold, and by these presents, does grant, bargain, sell and convey and confirm unto the said
party of the second part, and to party of the second part's heirs and assigns, forever, all the following described real
estate situated in Section 4, Township 13 South, Range 43 East, County of Bear Lake, State of Idaho, to-wit:

Commencing at a point 26.52 chains North from the Southeast corner of the
Southwest Quarter of Section 4, Township 13 South, Range 43 East, Boise
Meridian, and running thence North 9.08 chains; thence West 30.53 chains
to the middle of county road; thence South 12° East 8.57 chains; thence
South 14° East 7.80 chains; thence South 46°10' East 9.65 chains; thence
South 52°30' East 6.10 chains; thence North 40° East 23.10 chains to the
place of beginning.

Her 11/18ths interest therein.

Including therewith 6% shares in the OVID IRRIGATION COMPANY ditch.

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

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the
appurtenances unto the party of the second part, and to party of the second part's heirs and assigns forever. And the
said party of the first part, and said party of the first part's heirs shall and will warrant and by these presents for-
ever defend the said premises in the quiet and peaceable possession of the said party of the second part, and party
of the second part's heirs and assigns, against the said party of the first part, and party of the first part's heirs, and
against all and every person and persons whomsoever, lawfully claiming or to claim the same.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part hereunto has set his hand.

Sue M. Valdez

(S) Sue M. Valdez

STATE OF IDAHO,
County of Bear Lake } ss.
On this 10 day of May, in the year 1983 before me
Sue M. Valdez a Notary Public in and for said State, personally appeared

known to me to be the person whose name subscribed to the within instru-
ment, and acknowledged to me that he executed the same.

(SEAL)

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 for the State of Idaho
Residing at

No. 131298
WARRANTY DEED
(FORM NO. 31)
BEAR LAKE TO BEAR LAKE
JOAN P. EUBANK
02 MAY 20 PM 3 08
Dated 02 MAY 20 1983
STATE OF IDAHO

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

at minutes past
o'clock M., this day of
office, and duly entered in Book
of , 19, in my
at page

By Ex-Officio Recorder.
Fees, \$ Deputy.

Mail to

AFTER RECORDING RETURN TO

75742

Valdez to Long

Book 49

pg. 156

THIS INDENTURE, made this 15th day of May, 1983, between ALBERT F. VALDEZ, a divorced man

of Pocatello, County of Bannock, State of Idaho, the party of the first part and R. H. LONG and LINDA LONG, husband and wife, 630 North 6th, Montpelier, Idaho 83254, 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 TEN AND NO/100 Dollars lawful money of the United States of America and other good and valuable consideration to party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents, does grant, bargain, sell and convey and confirm unto the said party of the second part, and to party of the second part's heirs and assigns, forever, all the following described real estate situated in Section 4, Township 13 South, Range 43 East, County of Bear Lake, State of Idaho, to-wit:

Commencing at a point 26.52 chains North from the Southeast corner of the Southwest Quarter of Section 4, Township 13 South, Range 43 East, Boise Meridian, and running thence North 9.08 chains; thence West 30.53 chains to the middle of county road; thence South 12° East 8.57 chains; thence South 14° East 7.80 chains; thence South 46°10' East 9.65 chains; thence South 52°30' East 6.10 chains; thence North 40° East 23.10 chains to the place of beginning.

His 7/18ths interest therein.

Including therewith 6 1/2 shares in the OVID IRRIGATION COMPANY ditch.

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

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

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part hereunto has set his hand.

x Albert F. Valdez

STATE OF IDAHO,

County of BEAR LAKE

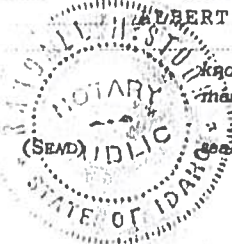
On this 9th day of May, 1983, before me

RANDALL M. STOR

ALBERT F. VALDEZ, a divorced man

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

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



Randall M. Stor
Notary Public for the State of Idaho
Residing at Montpelier, Idaho.

No. 131299

WARRANTY DEED

(FORM No. 321)

BEAR LAKE CO. RECORDER
JOAN P. EUBEN

'83 MAY 20 PM 3 09

Dated June 2, 1983

FEE
STATE OF IDAHO,

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

at _____ minutes past _____ day of _____, 19____, in my office, and duly entered in Book _____ of _____ at page _____

By _____ Ex-Officio Recorder.

Fees, \$ _____ Deputy.

Mail to _____

AFTER RECORDING RETURN TO

WARRANTY DEED

*from
Long &
Sharon*
For Value Received TEN DOLLARS AND OTHER VALUABLE CONSIDERATION
R.H. LONG AND LINDA K. LONG, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

SHANE D. ROBERTS AND SHAUNA L. ROBERTS, husband and wife
20 Sharon Loop, Ovid, Idaho 83260

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

Commencing at a point 26.52 chains North from the Southeast Corner of the Southwest Quarter of Section 4, Township 13 South, Range 43 East of the Boise Meridian, in Idaho, and running thence North 600 feet; thence West 2015 feet, more or less to the middle of a County Road; thence along the middle of said County Road the following 3 courses: South 12° East 565.62 feet; South 14° East 514.80 feet; South 56°10' East 636.90 feet; thence North 40° East 540 feet; thence South 52°30' East 402.60 feet; thence North 40° East 984.60 feet, more or less, to the Point of Beginning.

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

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

Dated: 9 April 1990

[Signature of R.H. Long]
[Signature of Linda K. Long]

STATE OF IDAHO, COUNTY OF Bear Lake
On this 9th day of April, 1990,
before me, a notary public in and for said State, personally
appeared R.H. LONG AND LINDA K. LONG
husband and wife

75742

DEPU
'90 AF

BEAR L

INSTRUMENT

514.80 feet; South 56°10' East 636.90 feet; thence North 40° East 540 feet; thence North 52°30' East 402.60 feet; thence North 40° East 984.60 feet, more or less, to the Point Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are 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: 9 April 1990

R.H. Long
Linda K. Long

STATE OF IDAHO, COUNTY OF Bear Lake

On this 9th day of April, 1990,
before me, a notary public in and for said State, personally
appeared R.H. LONG AND LINDA K. LONG
husband and wife

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

[Signature]
Notary Public
, Idaho

Residing at Ovid
Comm. Expires 12/1/94

DEPUTY FEE

'90 APR 10 AM 8 59
[Signature] \$3.00

BEAR LAKE COUNTY RECORDER
JOAN P. EBORN

150120

INSTRUMENT No

from Long to Shane Roberts

WARRANTY DEED

For Value Received TEN DOLLARS AND OTHER VALUABLE CONSIDERATION

R.H. LONG AND LINDA K. LONG, husband and wife

the grantor s. do hereby grant, bargain, sell and convey unto

SHANE D. ROBERTS AND SHAUNA L. ROBERTS, husband and wife
20 SHARON LOOP, OVID, IDAHO 83260

the grantee s, the following described premises, in ~~Bear Lake~~ County Idaho, to wit:

Commencing at a point 26.52 chains North from the Southeast Corner of the Southwest Quarter of Section 4, Township 13 South, Range 43 East, Boise Meridian, in Idaho, and running thence South 40° West 984.60 feet to the TRUE POINT OF BEGINNING; and running thence North 52°30' West 402.60 feet; thence South 40° West 540 feet; thence South 52°30' East 402.60 feet; thence North 40° East 540 feet, to the True Point of Beginning.

SUBJECT TO That certain Deed of Trust securing an indebtedness of \$66,172.00 plus interest, dated 25 March 1987 and recorded 31 March 1987 as Microfilm Instrument #143419, records of Bear Lake County, Idaho.

Grantor: R. H. LONG and LINDA K. LONG, husband and wife

Trustee: TITLE AND TRUST COMPANY, an Idaho Corporation

Beneficiary: TRANSWESTERN MORTGAGE CORPORATION, an Idaho Corp.

AND ASSIGNED BY Assignment of Deed of Trust to EMPIRE OF AMERICA REALTY CREDIT CORP., dated 25 March 1987 and recorded 31 March 1987 as Microfilm Instrument #143420, records of Bear Lake County, Idaho.

AND ASSIGNED BY Assignment of Mortgage to Southmark Mortgage Corporation, dated 03 March 1988 and recorded 04 April 1988 as Microfilm Instrument #146008, records of Bear Lake County, Idaho.

GRANTEES HEREBY Agree to assume and pay the balance owed on said Deed of Trust. *ADR* *SR*

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

75742

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

CORNER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 15 SOUTH, Range 43 East, Boise Meridian, in Idaho, and running thence South 40° West 984.60 feet to the TRUE POINT OF BEGINNING; and running thence North 52°30' West 402.60 feet; thence South 40° West 540 feet; thence South 52°30' East 402.60 feet; thence North 40° East 540 feet, to the True Point of Beginning.

SUBJECT TO That certain Deed of Trust securing an indebtedness of \$66,172.00 plus interest, dated 25 March 1987 and recorded 31 March 1987 as Microfilm Instrument #143419, records of Bear Lake County, Idaho.

Grantor: R. H. LONG and LINDA K. LONG, husband and wife

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Beneficiary: TRANSWESTERN MORTGAGE CORPORATION, an Idaho Corp.

AND ASSIGNED BY Assignment of Deed of Trust to EMPIRE OF AMERICA REALTY CREDIT CORP., dated 25 March 1987 and recorded 31 March 1987 as Microfilm Instrument #143420, records of Bear Lake County, Idaho.

AND ASSIGNED BY Assignment of Mortgage to Southmark Mortgage Corporation, dated 03 March 1988 and recorded 04 April 1988 as Microfilm Instrument #146008, records of Bear Lake County, Idaho.

GRANTEES HEREBY Agree to assume and pay the balance owed on said Deed of Trust. *SYR*

SDR
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, 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: 9 April 1990

R. H. Long
Linda K. Long

STATE OF IDAHO, COUNTY OF Bear Lake

On this 9th day of April, 1990, before me, a notary public in and for said State, personally appeared

R.H. LONG AND LINDA K. LONG
husband and wife

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

[Signature]
Notary Public
Residing at *Quid*, Idaho
Comm. Expires 12/1/94

BEAR LAKE COUNTY RECORDER
JOAN P. EDORN
90 APR 10 AM 8 59
DEPUTY FEE
[Signature]

150119

~~Ann Hymas. D. Lynn Broker~~
~~Jesse M. M. Frank~~

T - 3067

Secs. 4 and 9, Twp. 13, S. R.
43 E.
Frac. SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4,
Frac. N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
Frac. NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9

~~Mrs. D. M. King.~~

~~F. C. King~~

~~David Roberts~~

~~Udell H. Roberts~~

Shane D. Roberts

T - 3068

Secs. 4, 5, 8 and 9, Twp. 13,
S. R. 43 E.
Frac. SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4,
Frac. S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 5;
Frac. NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8;
Frac. NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9 as follows:

~~David P. Morgan.~~

~~Hugh Morgan~~

~~Udell H. Roberts~~

Shane D. Roberts

T - 3069

Secs. 4 and 5, Twp. 13, S. R.
43 E.
Frac. SW $\frac{1}{4}$ Sec. 4;
Frac. NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5 as follows:

~~Mrs. David M. King.~~

~~F. C. King~~

~~David Roberts~~

~~Norman H. Roberts~~

~~Sue M. Valdez~~

~~R. H. Long~~

Shane D. Roberts

192554
34-301
#203960 34-68639
1432.00. 23
#78439 32-527
26.78 acres approx.
Lot 2, Plat Book "B" page
66.
Also:

See 34-301
for Desc

Except

T-3530

All the land lying North of
Lot 2, and between the East
and West sides of lot 2, Pl.
Bk. "B" page 66, extended
to the county road on the
north;

Also:

All the land lying South of
lot 2; and north of North
Creek, and being between the
E. and W. sides of Lot 2,
extended to said creek;

1550' #11855 #110013 32-150
23 acres approx.

Commence at a point 2.04 chs.
N. and 10.5 chs. E. from
NW cor Sec. 9; W. 39.70 chs.
to center county road; S.
.65 chs.; S. 79° E. 9.47 chs.
S. 89°38' E. .48 chs.; S.
9 lks.; S. 79° E. 9.60 chs.;
S. 6.21 chs.; S. 78° E. 8.45
chs.; S. 53° E. 2.44 chs.;
S. 24°50' E. 7.85 chs. to
center of North Creek; up
said creek following center
of channel, to beginning.

Except T-3917 131298 9,
42-154

548 36-46;
5148 34-301

#150119, 20 32-527

65.43 acres approx.

Commence at the NE cor.

SW $\frac{1}{4}$ Sec. 4; S. 9 chs.;

S. 40° W. 23.10 chs. to

County Road; N. 52°30' W.

6.10 chs.; N. 46°10' W.

9.65 chs.; S. 62° W. 9.30

chs. to North creek; fol-

lowing up said creek to its

intersection with the

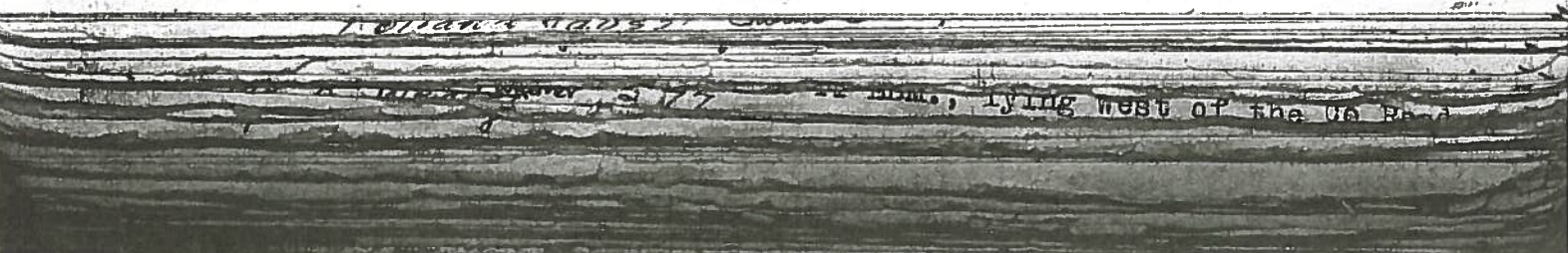
county Road leading into

Liberty; N. 75°30' E.

18.67 chs.; N. 12° W. 8.16

Except T-3484

75742



2010 (Same as 2009)

APRIL 1-30

MAY 1-31

JUNE 1-30

JULY 1-30

AUGUST 1-31

SEPTEMBER --- LAWN, GARDEN AND LIVESTOCK ONLY UNLESS OK'D BY THE DITCH PRESIDENT

OVID IRRIGATION WATER SCHEDULE

FLOOD IRRIGATION 2 HRS/SHARE

SPRINKLE 4 HRS/SHARE

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
K R RANCH	X	X	X																													
CARLSON RANCH	X	X																														
WENDELL BROWN	X																															
RAO HYMAS	X		X																													
ELZO POULSEN		X																														
SHANE ROBERTS	X																															
CHAD McMURRAY		X																														
KEVIN MATTHEWS			X	X	X																											
ZED GRIFFITHS	X	X	X	X	X	X	X	X																								
DAVID MATTHEWS						X																										
PAUL PEDERSEN							X	X																								
MATT JENSEN								X	X	X	X	X	X	X	X	X																
STACY LARSEN			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X															
B D JENSEN													X		X																	
MIKE JENSEN												X	X																			
CEMETERY														X	X																	
ROSCOE CALDWELL													X	X																		
KEITH SORENSON														X	X																	
LARRY JOHNSON																X																
DELOY SORENSON																	X	X														
VIRGIL JOHNSON																		X	X	X	X	X										
PAUL JOHNSON																	X	X	X	X	X	X	X	X	X	X						
LARAE NIELSON																						X	X	X	X	X						
DARRELL SORENSON																											X	X	X	X		
DEBBIE PETERSON																											X	X	X	X		
K R RANCH																														X	X	

UDELL
ROBERTS

May

{LOWER DITCH}

		1	2	3	4	5
6	7	8	9 ELZO POULSON 9:00 AM ↓	10 ELZO POULSON ↓ 10:00 AM UDELL ROBERTS 10:00 AM ↓	11 UDELL ROBERTS ↓ 5:00 AM JEFF RHEES 5:00 AM ↓ 10:00 PM DALE HYMAS 10:00 PM ↓	12 DALE HYMAS ↓ 7:00 AM MARVIN HYMAS 7:00 AM ↓
13 MARVIN HYMAS ↓	14 MARVIN HYMAS ↓	15 MARVIN HYMAS ↓ 2:00 PM LAVOR HEMMERT 2:00 PM ↓	16 LAVOR HEMMERT ↓ 11:00 AM LYNN BROWER 11:00 AM ↓	17 LYNN BROWER ↓ 8:00 PM GLADE HYMAS 8:00 PM ↓	18 GLADE HYMAS ↓	19 GLADE HYMAS ↓
20 GLADE HYMAS ↓ 8:00 AM FILL DITCH 9:00 AM ELZO POULSON 9:00 AM ↓	21 ELZO POULSON ↓ 10:00 AM UDELL ROBERTS 10:00 AM ↓	22 UDELL ROBERTS ↓ 5:00 AM JEFF RHEES 5:00 AM ↓ 10:00 PM DALE HYMAS 10:00 PM ↓	23 DALE HYMAS ↓ 7:00 AM MARVIN HYMAS 7:00 AM ↓	24 MARVIN HYMAS ↓	25 MARVIN HYMAS ↓	26 MARVIN HYMAS ↓ 2:00 PM LAVOR HEMMERT 2:00 PM ↓
27 LAVOR HEMMERT ↓ 11:00 AM LYNN BROWER 11:00 AM ↓	28 LYNN BROWER ↓ 8:00 PM GLADE HYMAS 8:00 PM ↓	29 GLADE HYMAS ↓	30 GLADE HYMAS ↓	31 GLADE HYMAS ↓ 8:00 AM FILL DITCH 9:00 AM ELZO POULSON 9:00 AM ↓		

UDEL
ROBERTS

May

<UPPER DITCH>

		1	2	3	4	5
6	7	8	9 CEMETARY DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 5:00 AM 3:00 PM RON LECHNOR 3:00 PM	10 RON LECHNOR 3:00 PM RAO HYMAS 3:00 PM	11 RAO HYMAS	12 RAO HYMAS
13 RAO HYMAS 7:00 AM CEMETARY DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 7:00 AM 8:00 PM MAYME PUGMIRE 8:00 PM	14 MAYME PUGMIRE	15 MAYME PUGMIRE	16 MAYME PUGMIRE	17 MAYME PUGMIRE	18 MAYME PUGMIRE 8:00 PM YVONNE DERICOTT 8:00 PM	19 YVONNE DERRICOTT
20 YVONNE DERRICOTT	21 YVONNE DERRICOTT	22 Y. DERRICOTT 4:00 AM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 4:00 AM 9:00 AM MIKE DIRHAM 9:00 AM	23 MIKE DIRHAM 5:00 AM CEMETARY DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 5:00 AM 3:00 PM RON LECHNOR 3:00 PM	24 RON LECHNOR 3:00 PM RAO HYMAS 3:00 PM	25 RAO HYMAS	26 RAO HYMAS
27 RAO HYMAS 7:00 AM CEMETARY DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 7:00 AM 8:00 PM MAYME PUGMIRE 8:00 PM	28 MAYME PUGMIRE	29 MAYME PUGMIRE	30 MAYME PUGMIRE	31 MAYME PUGMIRE		

75742

June

<LOWER DITCH>

					1 ELZO POULSON ↓ 10:00 AM UDELL ROBERTS 10:00 AM ↓	2 UDELL ROBERTS ↓ 5:00 AM JEFF RHEES 5:00 AM ↓ 10:00 PM DALE HYMAS 10:00 PM ↓
3 DALE HYMAS ↓ 7:00 AM MARVIN HYMAS 7:00 AM ↓	4 MARVIN HYMAS ↓	5 MARVIN HYMAS ↓	6 MARVIN HYMAS ↓ 2:00 PM LAVOR HEMMERT 2:00 PM ↓	7 LAVOR HEMMERT ↓ 11:00 AM LYNN BROWER 11:00 AM ↓	8 LYNN BROWER ↓ 8:00 PM GLADE HYMAS 8:00 PM ↓	9 GLADE HYMAS ↓
10 GLADE HYMAS ↓	11 GLADE HYMAS ↓ 8:00 AM FILL DITCH 9:00 AM ELZO POULSON 9:00 AM ↓	12 ELZO POULSON ↓ 10:00 AM UDELL ROBERTS 10:00 AM ↓	13 UDELL ROBERTS ↓ 5:00 AM JEFF RHEES 5:00 AM ↓ 10:00 PM DALE HYMAS 10:00 PM ↓	14 DALE HYMAS ↓ 7:00 AM MARVIN HYMAS 7:00 AM ↓	15 MARVIN HYMAS ↓	16 MARVIN HYMAS ↓
17 MARVIN HYMAS ↓ 2:00 PM LAVOR HEMMERT 2:00 PM ↓	18 LAVOR HEMMERT ↓ 11:00 AM LYNN BROWER 11:00 AM ↓	19 LYNN BROWER ↓ 8:00 PM GLADE HYMAS 8:00 PM ↓	20 GLADE HYMAS ↓	21 GLADE HYMAS ↓	22 GLADE HYMAS ↓ 8:00 AM FILL DITCH 9:00 AM ELZO POULSON 9:00 AM ↓	23 ELZO POULSON ↓ 10:00 AM UDELL ROBERTS 10:00 AM ↓
24 UDELL ROBERTS ↓ 5:00 AM JEFF RHEES 5:00 AM ↓ 10:00 PM DALE HYMAS 10:00 PM ↓	25 DALE HYMAS ↓ 7:00 AM MARVIN HYMAS 7:00 AM ↓	26 MARVIN HYMAS ↓	27 MARVIN HYMAS ↓	28 MARVIN HYMAS ↓ 2:00 PM LAVOR HEMMERT 2:00 PM ↓	29 LAVOR HEMMERT ↓ 11:00 AM LYNN BROWER 11:00 AM ↓	30 LYNN BROWER ↓ 8:00 PM GLADE HYMAS 8:00 PM ↓

June

{UPPER DITCH}

					1 MAYME PUGMIRE ↓ 8:00 PM YVONNE DERRICOTT 8:00 PM ↓	2 YVONNE DERRICOTT ↓
3 YVONNE DERRICOTT ↓	4 YVONNE DERRICOTT ↓	5 YVONNE DERRICOTT ↓ 4:00 AM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 4:00 AM ↓ 9:00 AM MIKE DIRHAM 9:00 AM ↓	6 MIKE DIRHAM ↓ 5:00 AM CEMETARY DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 5:00 AM ↓ 3:00 PM RON LECHNOR 3:00 PM ↓	7 RON LECHNOR ↓ 3:00 PM RAO HYMAS 3:00 PM ↓	8 RAO HYMAS ↓	9 RAO HYMAS ↓
10 RAO HYMAS ↓ 7:00 AM CEMETARY DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 7:00 AM ↓ 8:00 PM MAYME PUGMIRE 8:00 PM ↓	11 MAYME PUGMIRE ↓	12 MAYME PUGMIRE ↓	13 MAYME PUGMIRE ↓	14 MAYME PUGMIRE ↓	15 MAYME PUGMIRE ↓ 8:00 PM YVONNE DERRICOTT 8:00 PM ↓	16 YVONNE DERRICOTT ↓
17 YVONNE DERRICOTT ↓	18 YVONNE DERRICOTT ↓	19 Y. DERRICOTT ↓ 4:00 AM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 4:00 AM ↓ 9:00 AM MIKE DIRHAM 9:00 AM ↓	20 MIKE DIRHAM ↓ 5:00 AM CEMETARY DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 5:00 AM ↓ 3:00 PM RON LECHNOR 3:00 PM ↓	21 RON LECHNOR ↓ 3:00 PM RAO HYMAS 3:00 PM ↓	22 RAO HYMAS ↓	23 RAO HYMAS ↓
24 RAO HYMAS ↓ 7:00 AM CEMETARY DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 7:00 AM ↓ 8:00 PM MAYME PUGMIRE 8:00 PM ↓	25 MAYME PUGMIRE ↓	26 MAYME PUGMIRE ↓	27 MAYME PUGMIRE ↓	28 MAYME PUGMIRE ↓	29 MAYME PUGMIRE ↓ 8:00 PM YVONNE DERRICOTT 8:00 PM ↓	30 YVONNE DERRICOTT ↓

July

<Lower Ditch & Full Ditch>

1 GLADE HYMAS ↓	2 GLADE HYMAS ↓	3 GLADE HYMAS ↓ 4:00 AM FILL DITCH 5:00 AM JEFF RHEES 5:00 AM ↓ 4:00 PM ELZO POULSON 4:00 PM ↓	4 ELZO POULSON ↓ 8:00 AM UDELL ROBERTS 8:00 AM ↓ 8:00 PM DALE HYMAS 8:00 PM ↓	5 DALE HYMAS ↓ 1:30 AM MARVIN HYMAS 1:30 AM ↓	6 MARVIN HYMAS ↓	7 MARVIN HYMAS ↓ 5:00 AM GLADE HYMAS 5:30 AM ↓
8 GLADE HYMAS ↓ 9:30 PM LYNN BROWER 9:30 PM ↓	9 LYNN BROWER ↓ 7:00 PM LAVOR HEMMERT 7:00 PM ↓	10 LAVOR HEMMERT ↓ 8:30 AM CEMETARY 8:30 AM ↓ 8:30 PM RON LECHNOR 8:30 PM ↓	11 RON LECHNOR ↓ 12:30 PM RAO HYMAS 12:30 PM ↓	12 RAO HYMAS ↓	13 RAO HYMAS ↓ 7:30 AM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 7:30 AM ↓ 11:30 AM Y. DERRICOTT 11:30 AM ↓	14 YVONNE DERRICOTT ↓
15 YVONNE DERRICOTT ↓ 5:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 5:00 PM ↓ 9:00 PM MAYME PUGMIRE 9:00 PM ↓	16 MAYME PUGMIRE ↓	17 MAYME PUGMIRE ↓	18 MAYME PUGMIRE ↓	19 MAYME PUGMIRE ↓ 6:30 AM MIKE DIRHAM 6:30 AM ↓ 8:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 8:00 PM ↓	20 FILL TIME ↓ 5:00 AM JEFF RHEES 5:00 AM ↓ 4:00 PM ELZO POULSON 4:00 PM ↓	21 ELZO POULSON ↓ 8:00 AM UDELL ROBERTS 8:00 AM ↓ 8:00 PM DALE HYMAS 8:00 PM ↓
22 DALE HYMAS ↓ 1:30 AM MARVIN HYMAS 1:30 AM ↓	23 MARVIN HYMAS ↓	24 MARVIN HYMAS ↓ 5:30 AM GLADE HYMAS 5:30 AM ↓	25 GLADE HYMAS ↓ 9:30 PM LYNN BROWER 9:30 PM ↓	26 LYNN BROWER ↓ 7:00 PM LAVOR HEMMERT 7:00 PM ↓	27 LAVOR HEMMERT ↓ 8:30 AM CEMETARY 8:30 AM ↓ 8:30 PM RON LECHNOR 8:30 PM ↓	28 RON LECHNOR ↓ 12:30 PM RAO HYMAS 12:30 PM ↓
29 RAO HYMAS ↓	30 RAO HYMAS ↓ 7:30 AM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 7:30 AM ↓ 11:30 AM Y. DERRICOTT 11:30 AM ↓	31 YVONNE DERRICOTT ↓				

July

{UPPER DITCH & FULL DITCH}

1 YVONNE DERRICOTT ↓	2 Y. DERRICOTT ↓ 4:00 AM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GALEY 4:00 PM ↓ 9:00 PM MIKE DIRHAM 8:00 PM ↓	3 MIKE DIRHAM ↓ 4:00 AM FILL DITCH 5:00 AM JEFF RHEES 5:00 AM ↓ 4:00 PM ELZO POULSON 4:00 PM ↓	4 ELZO POULSON ↓ 8:00 AM UDELL ROBERTS 8:00 AM ↓ 8:00 PM DALE HYMAS 8:00 PM ↓	5 DALE HYMAS ↓ 1:30 AM MARVIN HYMAS 1:30 AM ↓	6 MARVIN HYMAS ↓	7 MARVIN HYMAS ↓ 5:30 AM GLADE HYMAS 5:30 AM ↓
8 GLADE HYMAS ↓ 9:30 PM LYNN BROWER 9:30 PM ↓	9 LYNN BROWER ↓ 7:00 PM LAVOR HEMMERT 7:00 PM ↓	10 LAVOR HEMMERT ↓ 8:30 AM CEMETARY 8:30 AM ↓ 8:30 PM RON LECHNOR 8:30 PM ↓	11 RON LECHNOR ↓ 12:30 PM RAO HYMAS 12:30 PM ↓	12 RAO HYMAS ↓	13 RAO HYMAS ↓ 7:30 AM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GALEY 7:30 AM ↓ 11:30 AM Y. DERRICOTT 11:30 AM ↓	14 YVONNE DERRICOTT ↓
15 YVONNE DERRICOTT ↓ 5:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GALEY 5:00 PM ↓ 9:00 PM MAYME PUGMIRE 9:00 PM ↓	16 MAYME PUGMIRE ↓	17 MAYME PUGMIRE ↓	18 MAYME PUGMIRE ↓	19 MAYME PUGMIRE ↓ 8:30 AM MIKE DIRHAM 8:30 AM ↓ 8:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GALEY 8:00 PM ↓	20 FILL TIME ↓ 5:00 AM JEFF RHEES 5:00 AM ↓ 4:00 PM ELZO POULSON 4:00 PM ↓	21 ELZO POULSON ↓ 8:00 AM UDELL ROBERTS 8:00 AM ↓ 8:00 PM DALE HYMAS 8:00 PM ↓
22 DALE HYMAS ↓ 1:30 AM MARVIN HYMAS 1:30 AM ↓	23 MARVIN HYMAS ↓	24 MARVIN HYMAS ↓ 5:30 AM GLADE HYMAS 5:30 AM ↓	25 GLADE HYMAS ↓ 9:30 PM LYNN BROWER 9:30 PM ↓	26 LYNN BROWER ↓ 7:00 PM LAVOR HEMMERT 7:00 PM ↓	27 LAVOR HEMMERT ↓ 8:30 AM CEMETARY 8:30 AM ↓ 8:30 PM RON LECHNOR 8:30 PM ↓	28 RON LECHNOR ↓ 12:30 PM RAO HYMAS 12:30 PM ↓
29 RAO HYMAS ↓	30 RAO HYMAS ↓ 7:30 AM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GALEY 7:30 AM ↓ 11:30 AM Y. DERRICOTT 11:30 AM ↓	31 YVONNE DERRICOTT ↓				

August

{ Full Ditch }

			1 YVONNE DERRICOTT ↓ 5:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 5:00 PM ↓ 9:00 PM MAYME PUGMIRE 9:00 PM ↓	2 MAYME PUGMIRE ↓	3 MAYME PUGMIRE ↓	4 MAYME PUGMIRE ↓
5 MAYME PUGMIRE ↓ 8:30 AM MIKE DIRHAM 8:30 AM ↓ 8:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 8:00 PM ↓	6 FILL TIME ↓ 5:00 AM JEFF RHEES 5:00 AM ↓ 4:00 PM ELZO POULSON 4:00 PM ↓	7 ELZO POULSON ↓ 8:00 AM UDELL ROBERTS 8:00 AM ↓ 8:00 PM DALE HYMAS 8:00 PM ↓	8 DALE HYMAS ↓ 1:30 AM MARVIN HYMAS 1:30 AM ↓	9 MARVIN HYMAS ↓	10 MARVIN HYMAS ↓ 5:30 AM GLADE HYMAS 5:30 AM ↓	11 GLADE HYMAS ↓ 9:30 PM LYNN BROWER 9:30 PM ↓
12 LYNN BROWER ↓ 7:00 PM LAVOR HEMMERT 7:00 PM ↓	13 LAVOR HEMMERT ↓ 8:30 AM CEMETARY 8:30 AM ↓ 8:30 PM RON LECHNOR 8:30 PM ↓	14 RON LECHNOR ↓ 12:30 PM RAO HYMAS 12:30 PM ↓	15 RAO HYMAS ↓	16 RAO HYMAS ↓ 7:30 AM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 7:30 AM ↓ 11:30 AM Y. DERRICOTT 11:30 AM ↓	17 YVONNE DERRICOTT ↓	18 YVONNE DERRICOTT ↓ 5:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 5:00 PM ↓ 9:00 PM MAYME PUGMIRE 9:00 PM ↓
19 MAYME PUGMIRE ↓	20 MAYME PUGMIRE ↓	21 MAYME PUGMIRE ↓	22 MAYME PUGMIRE ↓ 8:30 AM MIKE DIRHAM 8:30 AM ↓ 8:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 8:00 PM ↓	23 FILL TIME ↓ 5:00 AM JEFF RHEES 5:00 AM ↓ 4:00 PM ELZO POULSON 4:00 PM ↓	24 ELZO POULSON ↓ 8:00 AM UDELL ROBERTS 8:00 AM ↓ 8:00 PM DALE HYMAS 8:00 PM ↓	25 DALE HYMAS ↓ 1:30 AM MARVIN HYMAS 1:30 AM ↓
26 MARVIN HYMAS ↓	27 MARVIN HYMAS ↓ 5:30 AM GLADE HYMAS 5:30 AM ↓	28 GLADE HYMAS ↓ 9:30 PM LYNN BROWER 9:30 PM ↓	29 LYNN BROWER ↓ 7:00 PM LAVOR HEMMERT 7:00 PM ↓	30 LAVOR HEMMERT ↓ 8:30 AM CEMETARY 8:30 AM ↓ 8:30 PM RON LECHNOR 8:30 PM ↓	31 RON LECHNOR ↓ 12:30 PM RAO HYMAS 12:30 PM ↓	

September

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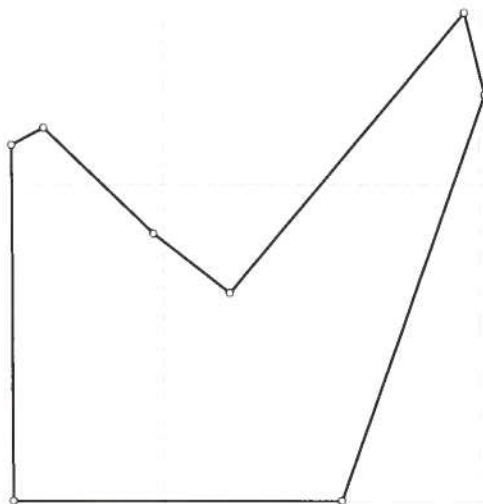
						1 RAO HYMAS ↓
2 RAO HYMAS ↓ 7:30 AM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GALEY 7:30 AM ↓ 11:30 AM Y. DERRICOTT 11:30 AM ↓	3 YVONNE DERRICOTT ↓	4 YVONNE DERRICOTT ↓ 6:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GALEY 6:00 PM ↓ 8:00 PM MAYME PUGMIRE 8:00 PM ↓	5 MAYME PUGMIRE ↓	6 MAYME PUGMIRE ↓	7 MAYME PUGMIRE ↓	8 MAYME PUGMIRE ↓ 8:30 AM MIKE DIRHAM 8:30 AM ↓ 6:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GALEY 6:00 PM ↓
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September

< Full Ditch >

						1 RAO HYMAS ↓
2 RAO HYMAS ↓ 7:30 AM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 7:30 AM ↓ 11:30 AM Y DERRICOTT 11:30 AM ↓	3 YVONNE DERRICOTT ↓	4 YVONNE DERRICOTT ↓ 5:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 5:00 PM ↓ 8:00 PM MAYME PUGMIRE 8:00 PM ↓	5 MAYME PUGMIRE ↓	6 MAYME PUGMIRE ↓	7 MAYME PUGMIRE ↓	8 MAYME PUGMIRE ↓ 8:30 AM MIKE DIRHAM 8:30 AM ↓ 8:00 PM DEWAYNE DIMICK MIKE DERRICOTT ARDEN GAILEY 8:00 PM ↓
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ES Morgan PO (11-55)



Title:		Date: 05-24-2011
Scale: 1 inch = 800 feet	File:	
Tract 1: 50.520 Acres: 2200665 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 7719 Feet		
001=/sw,4,13s,43e	005=n14w 353	009=s62w 152
002=/n90e 693	006=s40w 1525	010=s00.1640e 1482.42 ?
003=n90e 1372	007=n52.20w 403	
004=n19.30e 1795	008=n46.10w 637	

Fred Alsop for use upon--

35 acres of land. (no description given). May 15th. 64. 33/50 second feet, being 33 inches.

S. W. MATHEWS for use upon--

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 9 and W $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 10 Tp. 13 S.R. 43 E.B.M. containing 160 acres of land. May 15th. 1864. 45/50 second feet, being 45 inches.

A. H. ANNA A. EDNA A. HARRY AND ESTHER S. MATHEWS for use upon--

Commence 4 chains 44 links north 14' west from the NE corner of NW $\frac{1}{4}$ Section 9 Tp. 13 S.R. 43 E.B.M. run thence north 14' west 21 chains 23 links; thence south 19°30' west 12 chains 54 links; thence south 53°30' east 7 chains 22 links; thence north 20°25' east 1 chain 75 links to place of beginning, containing 7 acres and 18 rods of land.

Also, commence 33 and 90/100 chains north 14' west from the NE corner of the NW $\frac{1}{4}$ Section 9, Tp. 13 S.R. 43 E.B.M. run thence north 14' west 6-10/100 chains; thence E. 12-84/100 chains; thence S. 20°0'W. 9.50 chains; thence north 70° west 10-9/100 chains to place of beginning, containing 8 acres 146 rods of land. May 15th. 1864. 7/50 second feet being 7 inches.

C. C. SOREKSON for use upon--

Commence 4-44/100 chains north 14' west from the NE corner of NW $\frac{1}{4}$ Sec. 19, Tp. 13 S.R. 43 E.B.M. run thence north 20°8' east 37-60/100 chains; thence east 18-56/100 chains; thence south 34°21' west 48-45/100 chains; thence west 98 links; thence north 52°4' west 3-83/100 chains; thence north 14' west 2-11/100 chains to place of beginning, containing 50 acres of land. May 15th. 1864. 7/50 second feet, being 7 inches.

CHRISTIAN OLSEN for use upon--

Commence 7 chains south from NE corner SE $\frac{1}{4}$ Sec. 9 Tp. 13 S.R. 43 E.B.M. run thence north 45°10' west 7 chains 10 links; thence south 11°50' west 18 chains 47 links; thence south 56° east 8 chains 75 links; thence north 9° east 9 chains 50 links; thence north 8 chains 70 links to place of beginning and containing 15 acres 89 rods of land, and 10 acres more, description not now known. May 15th. 1864. 13/50 second feet, being 13 inches.

E. S. MORGAN for use upon--

Commence 10 chains 50 links east from SW corner Section 4 Tp. 13 S.R. 43 E.B.M. run thence east 20 chains 78 links; thence north 19°30' east 27 chains 19 links; thence north 14' west 5 chains 35 links; thence south 40° west 23 chains 10 links; thence north 52°20' west, 6 chains 10 links; thence north 46°10' west 9 chains 65 links; thence south 62° west 2 chains 30 links to center of North Creek, thence down said creek following its windings to place of beginning containing 58 acres and 34 square rods of land. May 15th. 1864. 1-9/50 second feet, being 59 inches.

OVID IRRIGATION COMPANY, a corporation:

For distribution among its stock holders to irrigate the lands owned by them respectively and for culinary purposes. May 15th. 1864. 9 second feet, being 450 inches.

11-00057

DEFENDANTS.

JOSEPH M. WIXOM for use upon--

160 acres of land (no description given) May 15th. 1879. 2 second feet, being 100 inches.

LORENZO WIXOM for use upon--

160 acres of land (no description given) May 15, 1892. 30/50 second feet, being 30 inches.

MARONI MECHAM for use upon--

160 acres of land (no description given) May 15, 1892. 25/50 second feet, being 25 inches.

J. T. LYONS for use upon--

80 acres of land (no description given) May 15, 1891. 15/50 second feet, being 15 inches.

OLIVER ORR for use upon--

80 acres of land (no description given) May 15, 1895. 15/50 second feet, being 40 inches.

Watered
SE SW
Section 4
Township 13 south
Range 43 E

Land watered

9-135 432

NE NW
SE NW
SW NW
NW SW
NE SW



RECEIVED

APR 21 2009

Department of Water Resources
Eastern Region

[illegible]

75 74 2

June 16, 2008

Dear Mr. Wendell Brown,

The purpose of this letter is to inform you of an error that I've had in my water-shares record and to get a signature from you, as a part of the section of the ditch to which ours is deeded, signifying that you are aware and agree with the corrections I have made. Please allow me to further explain.

In the process of getting the ownership of the water shares changed with the State of Idaho Water Resource Board, I found that the description recorded didn't match the water's place of use. There was a typographical error in the original land description. What was supposed to be a section nine (9) became interpreted to a section four (4) until the records showed the wrong description of land with the water share. What I am trying to do is get the records all straightened out.

So, to further clarify, I need to straighten out only the difference that the four and the nine made in the paperwork. This change of records will not change the point of diversion or location of use. The water will still be used on the land that is connected with Udell's house and the dairy facilities. It doesn't change the *amount* of water shares or anything pertaining to *location* etc.

I would greatly appreciate your help and cooperation on this matter so that I don't have problems with records in the future. Feel free to contact me with any concerns you may have. (945-2686)

Thanks again for your help.

Shane Roberts

(Please sign on the line below signifying that you are okay with the corrections I am making to the records. Again, if there are any concerns please don't hesitate to contact me.)

Wendell Brown

Encl: A stamped return-envelope.

June 16, 2008

Dear F. H. Derricott, (or Legal Representative)

The purpose of this letter is to inform you of an error that I've had in my water-shares record and to get a signature from you, as a part of the section of the ditch to which ours is deeded, signifying that you are aware and agree with the corrections I have made. Please allow me to further explain.

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Thanks again for your help.

Shane Roberts

(Please sign on the line below signifying that you are okay with the corrections I am making to the records. Again, if there are any concerns please don't hesitate to contact me.)

A handwritten signature in dark ink, appearing to read "George Derricott", is written over a horizontal line.

Encl: A stamped return-envelope.

June 16, 2008

Dear Mr. Rao Hymas, (or Legal Representative)

The purpose of this letter is to inform you of an error that I've had in my water-shares record and to get a signature from you, as a part of the section of the ditch to which ours is deeded, signifying that you are aware and agree with the corrections I have made. Please allow me to further explain.

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Thanks again for your help.

Shane Roberts

(Please sign on the line below signifying that you are okay with the corrections I am making to the records. Again, if there are any concerns please don't hesitate to contact me.)

Rao Hymas

Encl: A stamped return-envelope.

June 16, 2008

Dear Mr. Zar,

The purpose of this letter is to inform you of an error that I've had in my water-shares record and to get a signature from you, as a part of the section of the ditch to which ours is deeded, signifying that you are aware and agree with the corrections I have made. Please allow me to further explain.

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Thanks again for your help.

Shane Roberts

(Please sign on the line below signifying that you are okay with the corrections I am making to the records. Again, if there are any concerns please don't hesitate to contact me.)

 6-19-2008

Encl: A stamped return-envelope.

June 16, 2008

Dear Mrs. Mitz Bustah,,

The purpose of this letter is to inform you of an error that I've had in my water-shares record and to get a signature from you, as a part of the section of the ditch to which ours is deeded, signifying that you are aware and agree with the corrections I have made. Please allow me to further explain.

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Thanks again for your help.

Shane Roberts

(Please sign on the line below signifying that you are okay with the corrections I am making to the records. Again, if there are any concerns please don't hesitate to contact me.)



Encl: A stamped return-envelope.