

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 74659Amended**JAN 19 2011**Department of Water Resources
Eastern Region**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1****AMENDED**Name of Applicant(s) Brad SmithPhone 208-427-6649Mailing address 412 River Road, Grace, ID 83241

Email _____

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

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

☐ No RepresentativeName of Representative Thomas J. Budge, AttorneyPhone 208-232-6101Mailing address PO Box 1391, Pocatello, ID 83204-1391Email tjb@racinelaw.net

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

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

Signature of Applicant or Authorized Representative

Thomas J. Budge, Attorney
Print Name and Title if applicable1-15-11
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. The purpose of this transfer is to swap water right 13-679 with water right 13-681A. The places of use of these water rights will trade places as a result of this transfer.

74659

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	13-679	1.6 cfs	Irrigation	4/20 to 9/30	Cold Spring Creek/Bear Rvr.
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.6 cfs cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 1.6 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No			NW	NW	11	11S	40E	Caribou	Cold Spring Creek	Brown Ditch

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	10																40	40
11S	40E	15	40	40	40	40													160

Total Acres (for irrigation use) 200 PPU

74659

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: Culvert in Cold Springs Creek has a steel metal cap that is used to block the culvert and push water into the Brown Ditch through an existing weir. A locking measuring device could be installed on the culvert in Cold Springs Creek and/or on the weir that diverts water into the Brown Ditch if necessary.
- b. Who owns the property at the point(s) of diversion? Alan Rasmussen
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: Prescriptive Easement; Idaho Code 42-1102
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: The land irrigated under water right 13-679 will become irrigated under water right 13-681A pursuant to companion transfer no. 74658.
- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: None

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

Yes No

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

If yes, describe: _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: _____

1. amount _____ (cfs/ac-ft) for _____	purposes from _____	to _____
amount _____ for _____	purposes from _____	to _____
amount _____ for _____	purposes from _____	to _____
amount _____ for _____	purposes from _____	to _____
amount _____ for _____	purposes from _____	to _____
amount _____ for _____	purposes from _____	to _____
amount _____ for _____	purposes from _____	to _____
amount _____ for _____	purposes from _____	to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

Twp	Rge	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

74659

Total Acres (for irrigation use) _____

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/15/2011

WATER RIGHT NO. 13-679

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN W HARRINGTON

Priority Date: 09/10/1880

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
COLD SPRING CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	1.6 CFS	
Total Diversion			1.6 CFS	

Location of Point(s) of Diversion:

COLD SPRING CREEK	SWNE	Sec. 10	Township 11S	Range 40E	CARIBOU County
-------------------	------	---------	--------------	-----------	----------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION ELMORE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>

1/15/2011

Water Right Report

11S	40E	9	S 3
		10	SWSW
		15	NENW

NWNW

Conditions of Approval:

1. P/U, AC IRR=80.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Prelim. Check by _____ Date _____

Fee Paid _____ Date _____ Received by _____ Receipt # _____

Add'l Fee Paid 50.00 Date _____ Received by Blaw Receipt # FO36386

74659

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 74659
Amended

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

- | <u>Yes</u> <u>N/A</u> | * | |
|-------------------------------------|--------------------------|--|
| ☒ | * | Completed Application for Transfer of Water Right form, Part 1. |
| ☒ | * | Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative. |
| ☒ | * | Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded. |
| ☐ | ☐ | Complete and attach an Application for Transfer Part 2B <u>for each water right</u> for which <u>only a portion</u> is proposed to be changed through this transfer application. Part 2B forms are available on the Department's website at: http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf . |
| ☐ | * | Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s). |
| ☒ | * | Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.) |

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- | | | |
|-------------------------------------|-------------------------------------|--|
| ☐ | ☒ | #1 If the applicant is a business, partnership, organization, or association, and <u>not</u> currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.) |
| ☒ | ☐ | #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. |
| ☒ | ☐ | #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). |
| ☒ | ☐ | #3 Documentation of authority to make the change if the applicant is not the water right owner. |
| ☐ | ☒ | #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.) |
| ☐ | ☒ | #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/wrt_default.htm . |
| ☐ | ☒ | #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.) |
| ☒ | * | #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.) |
| ☒ | ☐ | #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. |
| ☐ | ☒ | #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) |
| ☐ | ☒ | #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.) |
| ☐ | ☐ | #9 Other. Please describe: _____ |



Exhibits 7A & 7B
Water Right 13-679
after transfer

Point of Diversion

Place of Use

13-679
Cold Spring
(Barlow)

TRANSFER NO. 74659

ATTACHMENT 2A AND 2B

INSTRUMENT NO. 134299

THIS INSTRUMENT, made this Twelfth day of December, in the year of our Lord one thousand nine hundred and twenty-seven between CHARLES LUND and WIFE, ALMA LUND, of the County of Sanneek State of Idaho the parties of the first part, and LEO N. ANDERSON of the County of Sanneek State of Idaho the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Nineteen hundred and no/100 DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described Real estate, situated in the County of Sanneek, State of Idaho, to-wit:

The West half of the Northeast quarter of Section 15, in Township 11, South of Range 40, East of the Boise Meridian, containing 80 "acs.

This deed is made subject in all respects to a mortgage indebtedness to the UTAH MORTGAGE LOAN CORPORATION, which the grantors herein assumes and agrees to pay, together with all interest thereon from January 1st, 1926.

TO HAVE AND TO HOLD, with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

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

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

WITNESSETH AND DELIVERED IN PRESENCE OF

C. F. Dunn
-V- L. Lund

Charles Lund (Seal)
Alma Lund (Seal)

STATE OF UTAH,
County of Cache. } ss.

On the Twelfth day of December, in the year 1927, before me Willard Faulsen, a Notary Public in and for said State, personally appeared Charles Lund and wife, Alma Lund 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) Willard Faulsen
Notary Public, Residing at Logan, Utah.

My commission expires May 9th, 1928.

I hereby certify that this instrument was filed for record at request of Leo N. Anderson at 7 minutes past 4 o'clock P.M. this 1 day of March A. D. 1928 in my office and duly recorded in Book 26 of Records at Page 189.

Willard Faulsen, Recorder.

Fee \$1.00

INSTRUMENT NO. 134210

THIS INSTRUMENT, made this Third day of February in the year of Lord One thousand nine hundred and twenty-eight between CHARLES W. WILLARD and his wife, ALMA LUND, of the County of Sanneek State of Idaho the parties of the first part, and LEO N. ANDERSON, of the County of Sanneek State of Idaho the party of the second part.

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

That
count and that
administrator as
acquired by said
decease and by
parties;

That
positive degree
daughter and the
decease to her

It is
hereinafter desc
beirs at law of
thereof.

Dated

STATE OF IDAHO
County of Sanneek

I, F. H.
acting Judge of
full, true and
property in the
office.

IN WIT
said court this

RECORDED MAR 3 19
State of Idaho
-Willard Faulsen

INSTRUMENT NO. 1

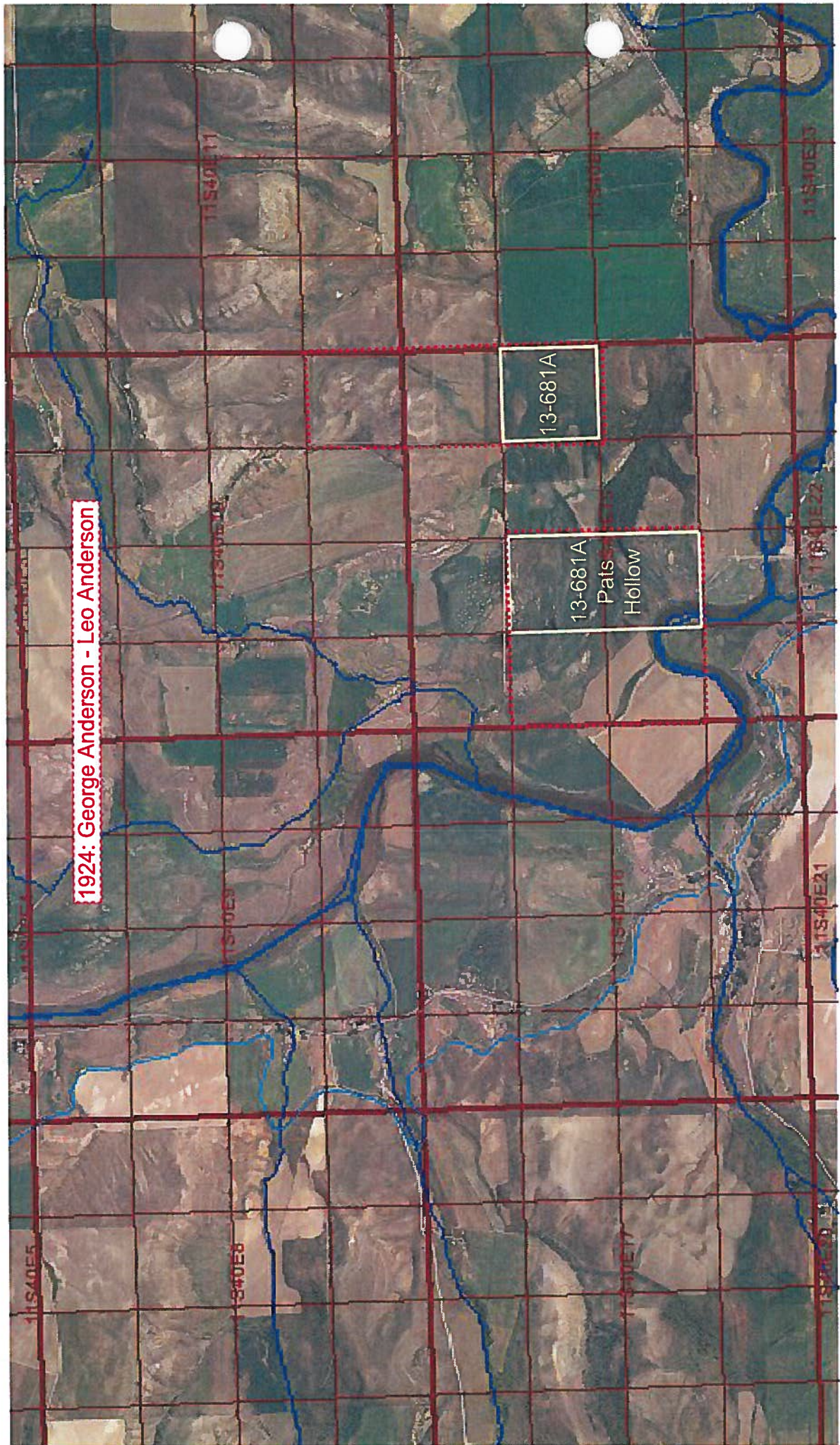
THIS E
five hundred and
State of Idaho, p
banking corporation

WITNESSETH
court of the said
on the 21st day of
the first National
center and June 1.
petition, were del
and decreed that a
should be sold at
viewed by law and
action might be set
affidavit and deed

WITNESSETH
court on the 21st
thence by he was, an
be said and the sa

WITNESSETH
notice had been gi
said court, duly a
judgment or decree
said decree and ex
and hereinafter co
-rees, Idaho, a day
it being the highest

WITNESSETH
burements on said
the judgment obtain



INSTRUMENT NO. 154807

THIS INSTRUMENT, Made this First day of December in the year of our Lord one thousand nine hundred and twenty four between George D. Anderson and Annie Anderson, his wife, of the County of Bannock State of Idaho the parties of the first part, and Lee M. Anderson of Crane 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 Fourteen Thousand DOLLARS, Lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents do grant, bargain, sell convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in County of Bannock State of Idaho, to-wit:

The South half of the North-west quarter and the North half of the South-west quarter of Section Fifteen (15) Township Eleven (11) North Range Forty (40) East of the Boise Meridian containing 160 acres.

Also, The South-east quarter of the North-east quarter of Section Fifteen (15) Township Eleven (11) North Range Forty (40) East of the Boise Meridian containing 40 acres.

Also, the South-east quarter of the South-east quarter of Section Ten (10) and the North-east quarter of the Northwest quarter of Section Fifteen (15) Township Eleven (11) North Range Forty (40) East of the Boise Meridian containing 80 acres.

Together with all water right used upon the said property and decreed to George D. Anderson by decree of Federal court for use thereon.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reveries and reversions, remainder and remainder, 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 1st of the first part.

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

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
J. W. Hays

George D. Anderson (Seal)
Annie Anderson (Seal)

State of Utah)
County of Cache) ss.

On this 31st day of December in the year 1924, before me M. W. Hays a Notary Public in and for said County, Personally appeared George D. Anderson and Annie Anderson, his 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.
M. W. Hays
Notary Public.
My commission expires October 6th, 1925. (Seal)

I hereby certify that this instrument was filed for record at the request of Lee M. Anderson at 8 minutes past 5 o'clock P.M., this 12 day of Dec. A.D. 1924 in my office, and duly recorded in Book 54 of Deeds at page 529.

William Sponberg, Recorder

Gretta Wright, Deputy

Fee \$1.25

INSTRUMENT NO. 154820

DEED OF GIFT

THIS INSTRUMENT, Made the sixth day of December in the year of our Lord One Thousand Nine Hundred and Twenty (1920), between Douglas A. Snow and Anna Snow, husband and wife, of Teton, Blaine County, State of Idaho, the parties of the first part, and Anna Snow, one of the parties of the first part and wife of Douglas A. Snow, of Teton, Blaine County, State of Idaho, the party of the second part, WITNESSETH:

That the said Douglas A. Snow, during the lifetime of the first part, for and in consideration of the love and affection which he bears toward his wife, the said Anna Snow, and for the purpose of making her a part and to provide for her comfort and future support, does hereby give, grant, alien and convey unto his said wife, Anna Snow, the party of the second part, and said Anna Snow joins with him in the conveyance of all that certain property described as follows, to-wit:

The lots nine (9) and ten (10) in Block Seventeen (17) of the Townsite of Hall City, in said Blaine County, State of Idaho, according to the

I hereby
Shadenbough at 10 M
and duly recorded
William Sponberg.

INSTRUMENT NO. 1544

THIS DE
organized and exists
through and by the
five by five dollar
days and warrants
State of Idaho her
situated in the
the recorded plat

The K
TO HAVE
the said C
restrictions of a
the Public Const
ordinances of the
constitutionally
IN THE
have hereunto set
Copy Attest
P

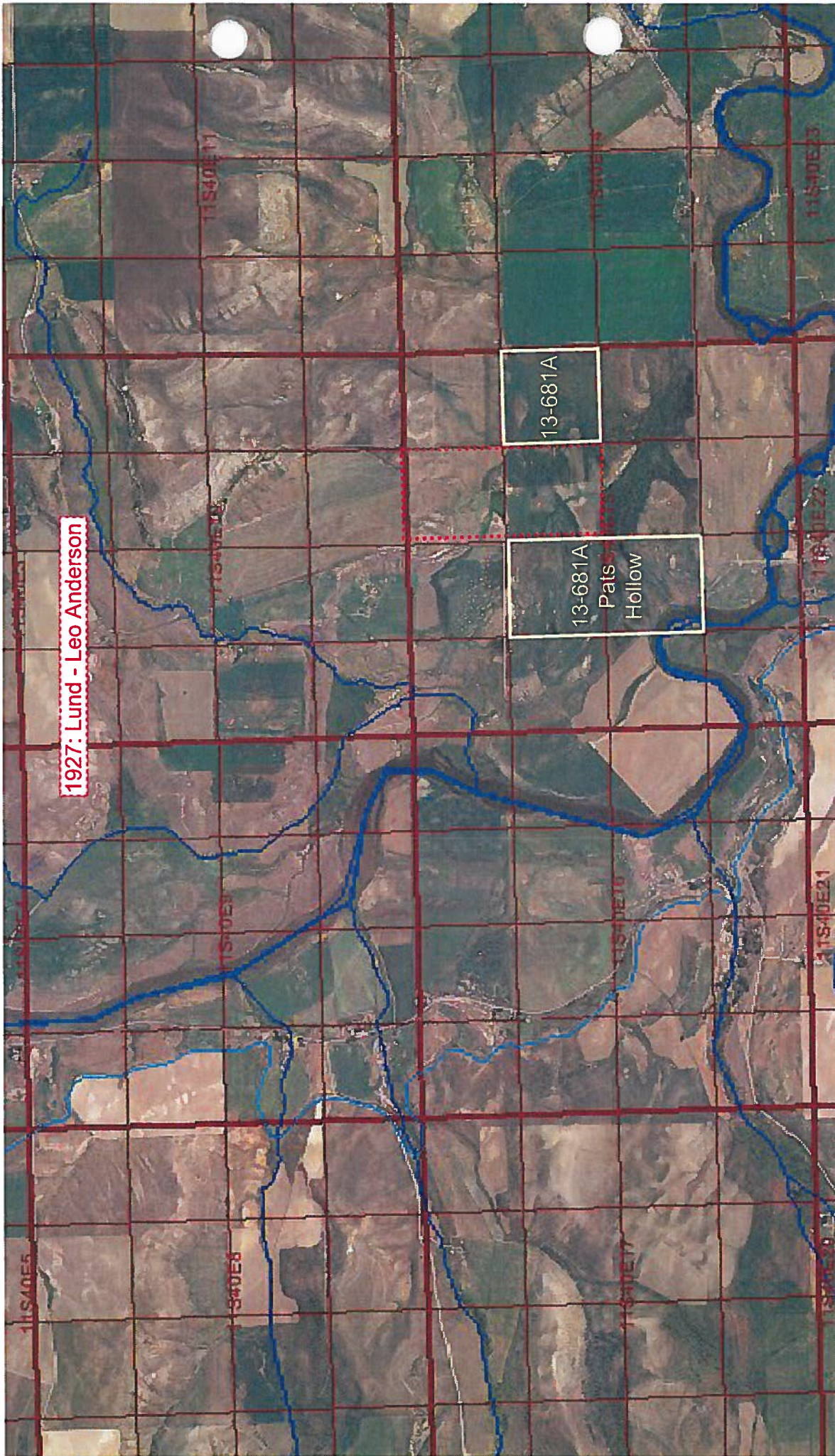
STATE OF IDAHO,
County of Bannock
On the
Public in and f
to be a person
that is a
IN THE
Sealed, the
(Seal)

I her
Date at 25-11-
day, recorded
William Sponberg

INSTRUMENT NO.

THIS
One Hundred a
County of Bann
of the County
WITH
one of One and
paid by the st
by these pres
part, and in
the State of I

h-h
has
Together with
belonging, or
readers, r
TO
ness unto said
IN
hands and con
Signed, seal
Here



STATE OF IDAHO, } ss.
County of Bannock }

On this Ninth day of December in the year 1936, before me A. T. Smith a Notary Public in and for said State, personally appeared Myron Forman and wife, Isabelle Forman and John A. Forman and wife, Elizabeth Forman 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.
A. T. Smith
Notary Public, Residing at Cleveland, Idaho.
Comm. Ex. May 7, 1934. (Seal)

I hereby certify that this instrument was filed for record at request of B T A Co. at 46 minutes past 3 o'clock P.M., this 21 day of Jan. A.D. 1937 in my office, and duly recorded in Book 64 of Deeds at page 807.

Grace L. Hall, Recorder

Fee \$1.00

Anna Kears, Deputy

INSTRUMENT NO. 154768

KNOW ALL MEN BY THESE PRESENTS:

THAT Leo W. Anderson and Emma F. Anderson, man and wife, of the County of Bannock and State of Idaho, for and in consideration of the sum of Five Thousand and no/100 DOLLARS in hand paid to do hereby grant, bargain, sell, convey, and confirm unto Reed Anderson, of the County of Bannock and State of Idaho, the following described real estate situated in Bannock County, and State of Idaho, to-wit:

The Southeast quarter of the North-east quarter of Section Fifteen (15) Township Eleven (11), South Range Forty (40) East of the Boise Meridian, containing 40 acres.

Also the Southeast quarter of the Southeast quarter of Section Ten (10) and the Northeast quarter of the Southeast quarter of Section (15) Township Eleven (11) South of Range Forty; (40) East of the Boise Meridian, containing 90 acres.

Together with all water right used upon the said property and decreed to George D. Anderson by decree of Federal court for use thereon.

Also 110 shares of the Capital stock of The Lost Chance Canal Co. Ltd. as evidenced by certificate number for shares and certificate number for shares.

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Hereditaments and appurtenances thereto in anywise belonging unto the said Reed Anderson and to his heirs and assigns forever. And they do hereby covenant with the said Grantor and with his heirs and assigns, that they lawfully owned of said premises at that they are free from all encumbrances EXCEPT that they have good right and lawful authority to call the same and the, to hereby covenant to warrant and defend the title to said premises against the lawful claims of all persons when asked.

And the said Leo W. Anderson and Emma F. Anderson, man and wife hereby relinquish all their rights, interest, titles and claims, in and to the above described premises.

Signed this 30th day of December, A.D., 1936.

Leo W. Anderson
Emma F. Anderson

In presence of
STATE OF IDAHO }
County of Bannock }

On this 30th day of December, A.D. 1936, before me, the undersigned Alvin Whitehead a Notary Public, duly commissioned and qualified for and residing in said County, personally came Leo W. Anderson and Emma F. Anderson, man and wife, to me known to be the identical persons whose names are affixed to the foregoing instrument as grantors and acknowledged the same to be their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last above written.

(Seal)

Alvin Whitehead, Notary Public
My commission expires the 23 day of May, 1937.

Entered in Numerical Index and filed for record in the office of the Register of Deeds of said County, the 31 day of Jan. 1937, at 4:30 o'clock and minutes P.M., and duly recorded in Book 64 of Deeds on page 808.

Grace L. Hall, Recorder

Fee \$1.00

Gratia Wright, Deputy

INSTRUMENT

and in case
of death of
the said
deceased

next, here
a widow and
grantor and
the said
and the do
lawful also.

and title

in presence

STATE OF IDAHO

County of Bannock

and wife

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

and the

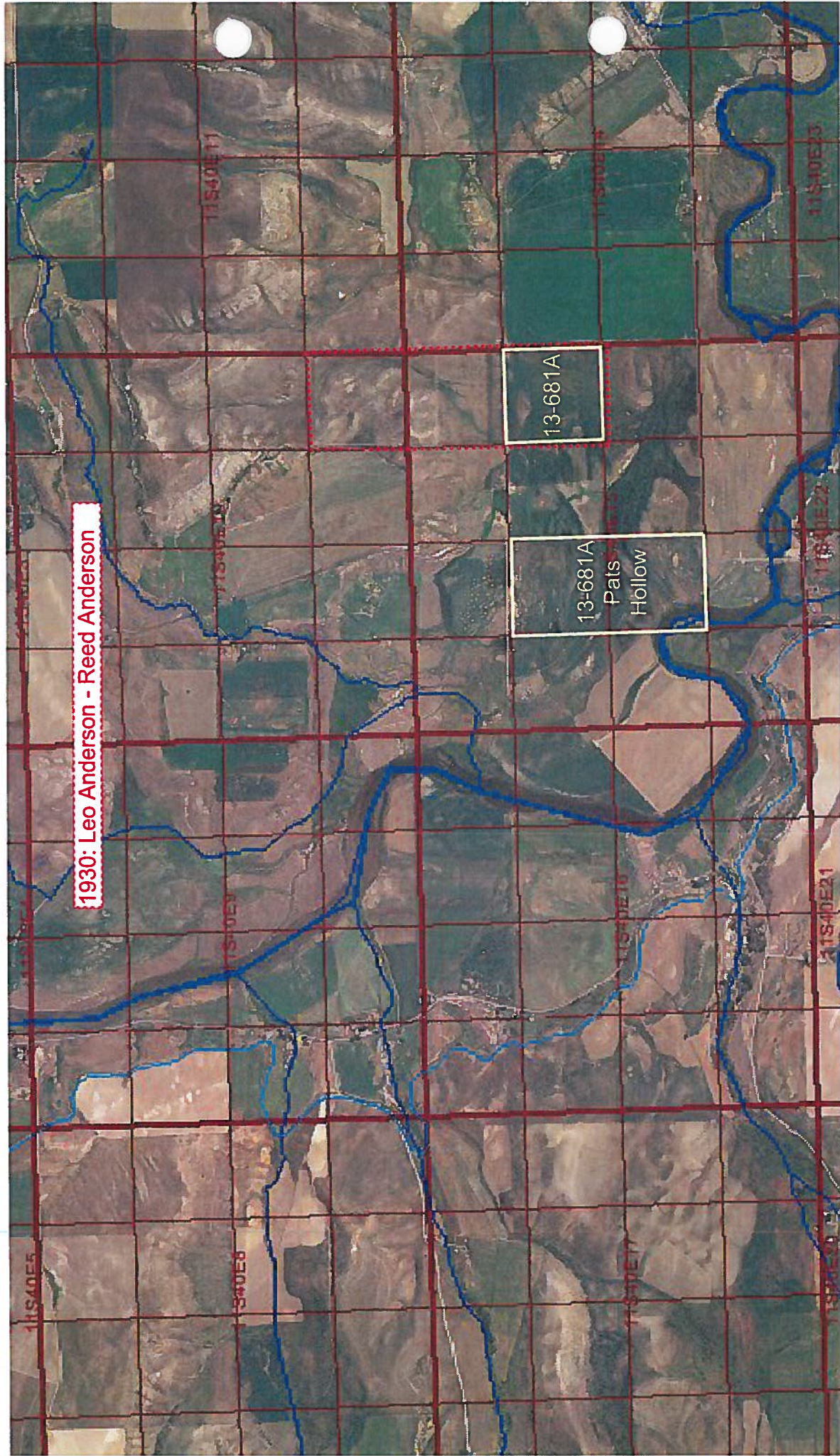
and the

and the

and the

and the

and the



1930: Leo Anderson - Reed Anderson

13-681A

13-681A
Pats
Hollow

against all and every person and persons whomsoever, lawfully claiming or to claim same 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

Leo Hazel (Seal)
Evelle Lay Hazel (Seal)

STATE OF IDAHO,
County of Twin Falls,) ss.

On said 15th day of February in the year 1935 before me the undersigned, a Notary Public in and for said State Personally appeared Leo Hazel and Evelle Lay Hazel, his 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.

W. P. Haney
Notary Public residing at Twin Falls,
Idaho.

I hereby certify that this instrument was filed for record at request of W. P. Haney, Notary at 10 minutes past 1 o'clock P.M., this 15th day of Feb., A.D., 1935 in my office, and duly recorded in Book 64 of Deeds at page 147.

James L. Hall, Recorder

Fee \$1.00

INSTRUMENT NO. 185215

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

In the Matter of the Estate of

Reed Anderson,

Deceased.

DECREE OF SETTLEMENT OF FINAL
ACCOUNT AND FINAL DISTRIBUTION.

The Petition of Ernest Anderson, the Administrator of the Estate of Reed Anderson, deceased, for the settlement of his final account as Administrator of said Estate and for final distribution of the property of said estate, came on regularly for hearing this day, to-wit: J. S. Dunn, Esquire, appearing as attorney for Petitioner; evidence was duly submitted by the Petitioner and said Petition submitted to the Court for decision, and the Court being fully advised in the premises, both as to the law and the facts, now gives its decision, as follows:

That said Reed Anderson died intestate at Logan City, Cache County, Utah, on April 6, 1932, being at the time of his death a resident of Bannock County, State of Idaho and leaving real and personal property in said County.

That Petitioner is the duly appointed, qualified and acting Administrator of the Estate of said deceased.

That said Administrator has given and published due and legal notice to the creditors of said deceased and of his Estate and that more than six months have elapsed since the date of the first publication thereof, and that all of the debts of said deceased are all of the expenses of his last illness and his death and all expenses and costs of the administration of his Estate and all taxes due on the Estate property have all been paid and settled and that no inheritance or transfer tax is due from the said Estate or the heirs at law thereof to the State of Idaho, and that said Estate is now in a condition to be closed, and the property thereof distributed to the heirs at law of said deceased.

That said Administrator has fully complied with the laws of the State of Idaho, in the administration of said Estate, and that said Estate is fully and completely administered and that said Administrator has filed true copies of Petitioners, Orders, Decees and Inventories with the State Auditor of the State of Idaho, and with the County Clerk and Treasurer of Bannock County, Idaho, and with all other persons as required by law, and that all of the property of said Estate is fully and completely discharged from any and all lien from inheritance or transfer tax to the State of Idaho or otherwise, and that no inheritance or transfer tax is due from the said Estate to the State of Idaho.

That said deceased left the following described property, to-wit:

The Southeast quarter of the northeast quarter of section 15, township 11 south of range 40 east of the Boise Meridian, containing 40 acres.

Also the southeast quarter of the southeast quarter of section 15, township 11 south of range 40 east of the Boise Meridian, containing 30 acres.

Together with all water right used upon the said property and decreed to George D. Anderson by decree of Federal Court for use thereon.

Also 116 shares of the capital stock of the Last Chance Coal Company, L.M.

and the sum of \$275.95 in cash, which is ready for and subject to distribution among the

best
prev

file

Post
dist
of

hold

24th
out
by

Acce
by

tate

will
dece
Lore

Stat

Cour

of
of
off

Cour

Trac

ISS

Thou
N. E
mari
stat

the
Stat
wher
unto
place
dece

heirs at law of said deceased, and that all of the said property is and was the separate property of said deceased.

That the final account of said Administrator, as the same has been presented and filed, should be allowed, approved and settled, in every particular.

That said deceased left him surviving the following named heirs at law, to-wit: Pearl A. Hicks, sister; Ernest Anderson, brother; Lee Anderson, brother; Inez A. Banks, sister; and Eva Anderson, sister; and that he left no other heir at law and left no issue of any deceased child, and that all of said heirs are of legal age.

That said property should be divided, distributed and partitioned among said heirs at law, equally, in all respects, share and share alike.

That Alice M. Anderson has presented her claim to the Administrator of said Estate for the payment of \$350.00 annually, payable on November 1st of each year, beginning November 1, 1932, without interest, and payable as long as the said claimant shall live, out of the Estate of said deceased, and that said claim has been duly allowed and is given by the administrator and by the said Court and is a valid and subsisting claim against the said Estate and a lien upon the property thereof.

LET THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that the said final account of said Administrator as the same was presented and filed, be and the same is hereby approved, allowed and settled.

That no inheritance or transfer tax is due to the State of Idaho from said Estate.

It is further ORDERED, ADJUDGED and DECREED that all of said property above described, be and the same is hereby distributed and decreed to the said heirs at law (said deceased, named above herein, in equal undivided parts, share and share alike, "it is" however, to the lien of the said Alice M. Anderson, hereinabove set forth.

Done in open court this 4 day of November, A.D. 1932.

Wm. A. Hyde
Probate Judge.

State of Idaho, ss.
County of Bannock,

This is to Certify that the above and foregoing is a full, true and correct copy of the Original Decree of Settlement of Final Account and final Distribution of the matter of the estate of Ernest Anderson, deceased as the same appears on file and of record in my office.

Dated this 4 day of November 1932.

(Seal)

Wm. A. Hyde, Probate Judge and
Ex-Officio Clerk of said Court.

RECORDED Feb 21 1933 9 34 AM in Book 42 of Deeds page 349, Records of Bannock County, State of Idaho, at request of Ernest Anderson.

Trace L. Hall, Recorder

Fee \$1.00

Anna Knapp, Deputy

INSTRUMENT NO. 163290

QUIT CLAIM DEED

THIS INSTRUMENT, Made this 6th day of February in the year of our Lord One Thousand Nine Hundred and thirty-three between ROSE L. ROYER, formerly ROSE L. INJEN and H. D. ROYER, her husband of Livingston, of the County of Park and State of Montana the parties of the first part, and J. J. INGOLING of Pocatello, of the County of Bannock and State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Dollar and other valuable considerations DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do hereby hereby presents demise, release and forever quit claim unto the said party of the second part, and in his heirs and assigns all those certain lots, pieces or parcels of land situated in Bannock County, of the State of Idaho, particularly described as follows, to-wit:

Commencing at North corner of Lot twelve in Block fifty-one in the City of Pocatello, and running thence in a Southeasterly direction parallel with Landor Street a distance of forty-five feet, thence at right angles in a Southeasterly direction parallel with Fourteenth Avenue a distance of sixty feet to Clark Street, thence at right angles in a Southeasterly direction along line between Lots eleven and Clark Street a distance of forty-five feet to alley, thence at right angles in a Southeasterly direction along line between Lots eleven and twelve and said alley a distance of sixty feet to place of beginning, same being Easterly forty-five feet of foot, according to official plat of survey of said lands returned to General Land Office by Surveyor General.

\$2.00 L. R. S. Attached and Cancelled.

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

INSTRUMENT NO. 191763

WARRANTY DEED

THIS INSTRUMENT, made the 13 day of November, in the year of our Lord One Thousand Nine Hundred and Thirty-six, between SARAH K. FRANCIS, a widow of Idaho, County of Cammock, State of Idaho, the party of the first part, and U. L. Francis, Ella Francis and Fannie Zickler, all of Idaho, Cammock County, Idaho; J. A. Francis, John Q. Francis and Henry M. Francis, all of Jackson, Wyoming and Fred M. Francis of Salt Lake City, Utah; and Warren E. Francis of Pocatello, Idaho, parties of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other considerations, lawful money of the United States of America, to her in hand paid by the said parties of the second part, the receipt whereof, is hereby acknowledged, does 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 Cammock, State of Idaho, bounded and more particularly described as follows, to-wit:

Commencing at the north corner of Lot twenty (20) in Block Five Hundred Three (503) in the City of Pocatello, Cammock County, State of Idaho, thence (503) in the City of Pocatello, Cammock County, State of Idaho, thence in a Southerly direction, along the line between Clark Street and said Lot twenty, forty-six and two-thirds feet; thence at right angles in a Southerly direction parallel with Hayes Avenue, sixty feet to the dividing line between Lots eighteen and nineteen of said block; thence at right angles in a Northerly direction along said dividing line forty-six and two-thirds feet to the alley; thence at right angles in a Northerly direction along the line between said alley and Lots nineteen and twenty of said block, sixty feet to the place of beginning, the area being a rectangular piece of ground having a front of forty-six and two-thirds feet on Clark Street and sixty feet on the alley, and containing twenty-eight hundred square feet, according to the official plat of the survey of the said lands returned to the General Land Office by the surveyor General of Idaho.

together with all and singular the tenements, hereditaments and appurtenances therunto in anywise or otherwise appertaining, unto the rents, issues and profits thereof.

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

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

Sarah K. Francis

Signed, Sealed and delivered in the presence of
H. F. Bassett, Jr.

WITNESSES
County of Cammock

On this 13 day of November, in the year 1936, before me H. F. Bassett, Jr., a Notary Public in and for said County, personally appeared Sarah K. Francis, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

H. F. Bassett, Jr.
Notary Public,
Residing at: Idaho, Idaho.

(SEAL)

RECORDED JUNE 1937 10 15 A M in Book 74 of Deeds page 184, Records of Cammock County, State of Idaho. At Request of Ella Francis.

Anna Keefe, Recorder

Fee \$1.20

INSTRUMENT NO. 191766

4 - 407 a-ty.

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:
Blackfoot 04761.

WHEREAS, ANNIE K. ANDERSON has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the said Office at Blackfoot, Idaho, whereby it appears that full payment has been made by the said Annie K. Anderson according to the provisions of the Act of Congress of the 24th of April, 1890, entitled "An Act making further provision for the sale of the Public lands," and the acts supplemental thereto, for the southeast quarter of

the southeast quarter of Section fifteen containing eight: according to the office by the Surveyor General:

HOW KNOW and in conformity with the rights, privileges, and interests, unto the said vested and accrued and rights to ditto, should the same be voided by law; and for all other causes.

IN TEST: have caused to be hereunto affixed.

GIVEN under our hand and the seal of the State of Idaho, this 13th day of November, 1936.

(GOVERNMENT SEAL)
RECORDED: Patent

RECORDED JUNE 7 1937 of Idaho. At Req Anna Keefe, Recorder

6 INSTRUMENT NO. 19

Desert lands Certificate No. 1

THE GENERAL LAND OFFICE of the United States, at Washington, D.C., has received for record the following Certificate of the Surveyor General of Idaho, to-wit:

The Surveyor General of Idaho, to-wit:

According to the Certificate of the Surveyor General.

HOW KNOW and in conformity with the rights, privileges, and interests, unto the said vested and accrued and rights to ditto, should the same be voided by law; and for all other causes.

IN TEST: have caused to be hereunto affixed.

GIVEN under our hand and the seal of the State of Idaho, this 13th day of November, 1936.

(SEAL)
RECORDED Idaho, Va

the southeast quarter of Section ten and the northeast quarter of the northeast quarter of Section fifteen in Township eleven south of Range forty east of the Boise Meridian, Idaho, containing eighty acres,

according to the Official Plat of the Survey of the said lands, returned to the GENERAL LAND OFFICE by the Surveyor General, which said tract has been purchased by the said Annie M. Anderson.

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO LIVE AND GRANT, unto the said Annie M. Anderson and to her heirs, the said tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto the said Annie M. Anderson and to her heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

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

GIVEN under my hand, at the City of Washington, the SECOND day of JUNE, in the year of our Lord one thousand nine hundred and TEN, and of the Independence of the United States the one hundred and THIRTY-FIRST.

(COMMUNAL SEAL)
RECORDED: Patent Number 123456

By the President: Wm. H. Taft
By I. P. Lacey, Secretary,

H. M. Sanford
Recorder of the General Land Office

RECORDED JUN 7 1907 3 35 P M in Book 75 of Deeds page 124 Records of Bannock County, State of Idaho. At Request of D. T. A. Co.

Ana Keefe, Recorder

Fee \$1.00

INSTRUMENT NO. 191778

4 - 427a.

THE UNITED STATES OF AMERICA,

County of Bannock
Certificate No. 1246

ALL OF THE WHOLE PRESENTS SHALL COME, ORIGINALLY:

THAT George D. Anderson, of Bannock County, Idaho has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Blackfoot, Idaho whereby it appears that full payment has been made by the said George D. Anderson according to the provisions of the Act of Congress of the 24th of April, 1900, entitled "An Act to amend the further provision for the sale of the Public lands," and the acts supplemental thereto, for

the South East quarter of the North East quarter of Section fifteen in Township eleven south of Range forty east of the Boise Meridian in Idaho, containing forty acres

according to the Official Plat of the Survey of the said lands, returned to the General Land Office by the Surveyor General, which said tract has been purchased by the said George D. Anderson.

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

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

GIVEN under my hand, at the City of Washington, the SIXTEENTH day of August, in the year of our Lord one thousand nine hundred and SIX, and of the Independence of the United States the one hundred and THIRTY-FIRST.

(SEAL)
RECORDED Idaho, Vol 64, Page 74

By the President: T. Roosevelt
By T. H. Lacey, Secretary,
G. H. Brown, Recorder of the
General Land Office

RECORDED JUN 7 1907 3 36
of Idaho. At Request of
Ana Keefe, Recorder

INSTRUMENT NO. 191778

THIS INSTRUMENT
M. BRADY, of the town of
of the first part, and D.
party of the second part.

That the said
dollar, lawful money of
of the second part, and
of the second part to be
wired, does by these presents
the second part, and to his
lands situated in the city
cribed as follows, to wit:

An undivided or
in Block four
1/4 of 1/4, contain
of the survey
by the Surveyor

(\$55.00

Together with a
unto belonging, or in any
reservations, rents, issues

To have and to
assign, unto the said party

In witness where
seal, the day and year first

STATE OF IDAHO

County of Bannock

On this the 22nd
County, personally appeared
scribed to the within first

day and year in this certi

(SEAL)
My Commission expires
Oct. 15th 1908.

RECORDED JUN 7 1907 4 28
of Idaho. At Request of

Ana Keefe, Recorder

INSTRUMENT NO. 191778

IN THE
In the Matter of the Estate
FIELD R. WILSON, one and
person and also known as
WILSON.

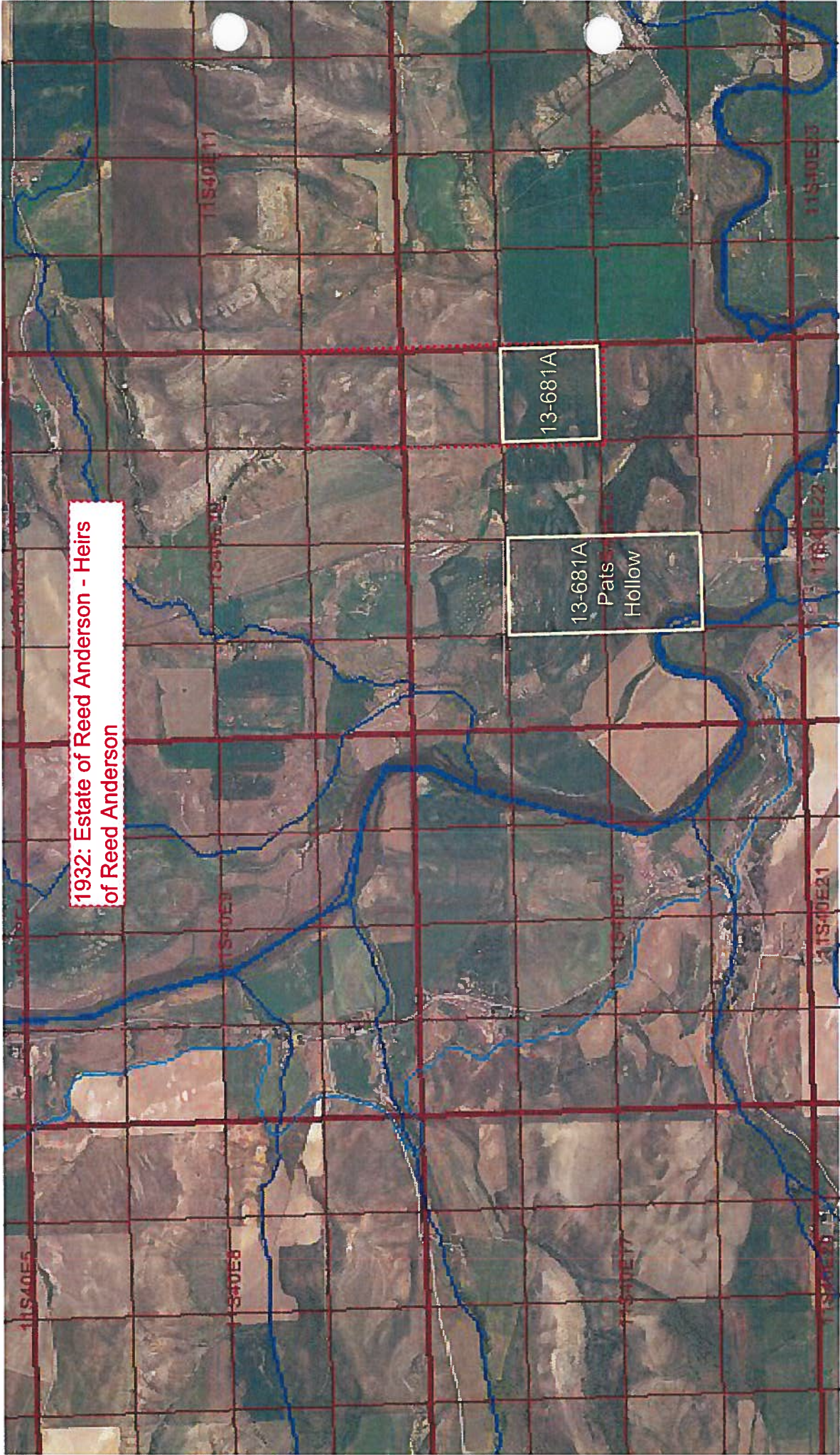
Come now Elias
Frid R. Wilson, one and
S. W. Davis, for attorney,
and petition for distribution
That of the same day the C
A. W. for the settlement a

And the matter
at the hour of ten o'clock
or petition, and no object

1932: Estate of Reed Anderson - Heirs
of Reed Anderson

13-681A

13-681A
Pats
Hollow



REAL ESTATE

Lots four (4) and five (5) of Block Two Hundred Twenty-six (226) in Pocatello Township in Idaho, excepting therefrom the Northwesterly ten feet of Lot 4 in said block more particularly described as follows; beginning at southerly corner of Lot Four in Block 226 of Pocatello Township, Bannock County, and running thence southeasterly along northeasterly line of Lot Four a distance of ten feet, thence running southwesterly parallel with northwesterly line of Lot Four a distance of 140 feet to alley; thence running northeasterly along northeasterly line of alley a distance of ten feet to westerly corner of Lot Four; thence northeasterly along northwesterly line of Lot Four a distance of 140 feet to place of beginning.

IT IS FURTHER ORDERED that the above named heirs constitute all of the heirs at law of the said deceased and said persons last above named are decreed to be all of the heirs of the deceased.

IT IS FURTHER ORDERED that a certified copy of this Decree of Distribution shall be recorded with the County Recorder of Bannock County, Idaho by the Administrator herein mentioned and that a filing and recording of said certified copy of this Decree of Distribution shall be sufficient delivery of said real estate and personal property herein described, and the said real estate and personal property owned by the deceased whether herein described or not, to the heirs of said deceased and upon the filing of said certified copy of this Decree of Distribution as aforesaid and upon the distribution to the persons herein entitled, of the remaining cash balance herein referred to, the said Administrator shall be discharged as Administrator and his bond exonerated.

DATED this 16th day of July, 1938.

Robert S. Callis
Probate Judge.

(SEAL)

IN THE PROBATE COURT OF BANNOCK COUNTY, STATE OF IDAHO

STATE OF IDAHO
County of Bannock

I, Ruth Peterson, Clerk of the Probate Court of and for the County of Bannock, State of Idaho, do hereby certify that the foregoing is a true, full and correct copy of the original DECREE OF DISTRIBUTION AND ORDER SETTLING FINAL ACCOUNT in the matter of the Estate of CARL P. ANDERSON Deceased as on file and a matter of record in the above named Court.

I, RUTH PETERSON, I have hereunto set my hand and affixed my official seal this 16th day of July, 1938.

Ruth Peterson
Clerk of the Probate Court

RECORDED AND INDEXED 12 51 PM. In Book 77 of Deeds page 416 Records of Bannock County State of Idaho. At Request of P. W. Lewis.

Anna Keefe, Recorder

Fee \$2.50

INDEMNITY NO. 198652

THIS INDENTURE, Made this First day of June in the year of our Lord one thousand nine hundred and thirty seven, between Ernest Anderson and Carlisle C. Anderson his wife, Pearl A. Ricks and George A. Ricks, her husband; Inez Banks and Verrell Banks, her husband, and Eva Anderson, the wife of Preston, County of Franklin, State of Idaho, the parties of the first part, and L. A. Anderson of Thatcher, County of Bannock, 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 Two Thousand DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in

An undivided four fifths interest in and to the following described property:

The South-east quarter of the Northwest quarter of Section Fifteen (15) Township Eleven (11) South Range Forty (40) East of the Boise Meridian, containing 40 acres;

Also the Southeast quarter of the southeast quarter of Section Ten (10) and the Northeast quarter of the Northeast quarter of Section Fifteen (15), Township Eleven (11) South of Range Forty (40) East of the Boise Meridian, containing 60 acres;

Together with all the water right used upon the said property and decreed to George L. Anderson by decree of the Federal Court for use thereon;

Also 116 shares of the Capital Stock of the East Chance Canal Company Ltd

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

TO HAVE AND TO ENJOY together with the appurtenances forever, and the heirs, assigns and assigns, against the said every person and person WARRANT and by these presents.

IN WITNESS WHEREOF, hand and seal, the day and year first above written.

SIGNED, SEALED AND DELIVERED

N. C. HARTLEY as

STATE OF UTAH

County of CACHES

On this 1st day of July, 1938, in and for said State, Pearl A. Ricks and Inez Banks known to me to be the parties known to me that they

IN WITNESS WHEREOF, hand and year in this

(SEAL)

State of Idaho
County of Fremont

On this 3 day of July, 1938, I, Anna Keefe, Notary Public in and for said State, do hereby certify that the foregoing is a true and correct copy of the original DECREE OF DISTRIBUTION AND ORDER SETTLING FINAL ACCOUNT in the matter of the Estate of CARL P. ANDERSON Deceased as on file and a matter of record in the above named Court.

In Witness Whereof, hand and year in this

(SEAL)

I hereby certify that I was met at 3 o'clock P.M. Book 77 of Deeds at page 416.

Anna Keefe, Recorder

INDEMNITY NO. 198653

THIS INDENTURE, Made this First day of June in the year of our Lord one thousand nine hundred and thirty seven, between Ernest Anderson and Carlisle C. Anderson his wife, Pearl A. Ricks and George A. Ricks, her husband; Inez Banks and Verrell Banks, her husband, and Eva Anderson, the wife of Preston, County of Franklin, State of Idaho, the parties of the first part, and L. A. Anderson of Thatcher, County of Bannock, 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 Two Thousand DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in

The Southeast quarter of the Southeast quarter of Section Ten (10) and the Northeast quarter of the Northeast quarter of Section Fifteen (15), Township Eleven (11) South of Range Forty (40) East of the Boise Meridian, containing 60 acres;

Also, the Southeast quarter of the Southeast quarter of Section Ten (10) and the Northeast quarter of the Northeast quarter of Section Fifteen (15), Township Eleven (11) South of Range Forty (40) East of the Boise Meridian, containing 60 acres;

Together with all the water right used upon the said property and decreed to George L. Anderson by decree of the Federal Court for use thereon;

Also 116 shares of the Capital Stock of the East Chance Canal Company Ltd

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

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever; and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claim; or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

M. C. Harris as to all grantors
except George Hicks

Ernest Anderson	(Seal)
Marjorie Anderson	(Seal)
Pearl Hicks	(Seal)
Geo. Hicks	(Seal)
Inez Banks	(Seal)
Merrill Banks	(Seal)
Eva Anderson	(Seal)

STATE OF UTAH } ss.
County of CACHE

On this 1st day of June in the year 1937, before me M. C. Harris, a Notary Public in and for said State, personally appeared Ernest Anderson and Marjorie C. Anderson, his wife, Pearl A. Hicks and Inez Banks and Merrill Banks, her husband, and Eva Anderson, unmarried 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.

M. C. Harris
Notary Public for the State of
Utah
Residing at Logan, Utah.

(SEAL)
State of Idaho } ss.
County of Fremont

On this 8 day of June, 1937, personally appeared before me A. E. Archibald, a Notary Public in and for the State of Idaho, George Hicks, one of the persons whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

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

A. E. Archibald Notary Public
Residing at St. Anthony, Idaho.

I hereby certify that this instrument was filed for record at request of B T A Co at 45 minutes past 5 o'clock P.M., this 8 day of Aug. A. D. 1938 in my office, and duly recorded in Book 77 of Deeds at page 421.

Anna Keefe, Recorder

Fee \$1.40

INSTRUMENT NO. 198425

COUNT CLAIM DEED.

THIS INSTRUMENT, Made this 12th day of January, 1938 between Augustus M. Brown of Rex, Weber County, Utah; F. V. Brown of Bountiful, Davis County, Utah; J. T. Brown and Willis D. Brown of Rexburg, Madison County, State of Idaho; Fremont Brown of Rigby, Jefferson County, Idaho; Eva Helen Burns of Culver City, Los Angeles County, California, and being all over the age of 21 years and being the sole and only heirs at law of Allice E. Anderson, Deceased; the parties of the first part, and Lee E. Anderson of Thatcher, Bannock County, State of Idaho, the party of the second part. WITNESSETH:

That the said parties 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 party of the second part, the receipt whereof is hereby acknowledged, does by these presents release, release and forever WARRANT unto the party of the second part, and to his heirs and assigns, all those parcels of land, situate, being and being in Bannock County, State of Idaho, bounded and particularly described as follows, to-wit:

The Southeast quarter of the Northeast quarter of Section Fifteen (15) Township Eleven (11) South Range Party (40) East of the Boise Meridian, containing 40 acres;

Also, the Southeast quarter of the Southeast quarter of Section Ten (10) and the Northeast quarter of the Northeast quarter of Section Fifteen (15), Township Eleven (11) South Range Party (40) East of the Boise Meridian, containing 60 acres;

Together with all the water right used upon the said property and conveyed to George D. Anderson by decree of the Federal Court for use thereon;

Also 116 shares of the Capital Stock of the Lost Chance Canal Company Ltd.

This deed is in standing of record in favor of the matters of the Estate of George D. Anderson of Bannock County

Together with a note belonging or in any manner, rents, issues and

TO HAVE ALL IT unto the party of

IN WITNESS WHEREOF and seals the day and year

signed, sealed and delivered in presence of:

Robert C. Eys
John Stable Jr.
J. W. Smith
T. W. Smith
T. E. Cooper

STATE OF UTAH } ss.
COUNTY OF KANE

On this 12th day of said State, personally appeared and subscribed to the within

IN WITNESS WHEREOF and year in this certificate

(SEAL) By commission expires

STATE OF UTAH } ss.
COUNTY OF KANE

On this 12 day of said State, personally appeared and subscribed to the within

IN WITNESS WHEREOF and year in this certificate

(SEAL) By commission expires

STATE OF IDAHO } ss.
COUNTY OF MADISON

In this 20th day of said State, personally appeared the persons whose names they executed the same.

IN WITNESS WHEREOF and year in this certificate

(SEAL)

STATE OF IDAHO } ss.
COUNTY OF FREMONT

On this 12th day of said State, personally appeared and subscribed to the within instrument

IN WITNESS WHEREOF and year in this certificate

(SEAL)

1937: Heirs of Reed Anderson - Leo Anderson

13-681A

13-681A
Pats
Hollow



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

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

SIGNED, SIGNED AND DELIVERED IN PRESENCE OF

M. C. Harris as to all grantors
Robert George Hicks

Ernest Anderson (Seal)
Marjorie Anderson (Seal)
Pearl Hicks (Seal)
Geo. Hicks (Seal)
Inez Banks (Seal)
Merrill Banks (Seal)
Lva Anderson (Seal)

STATE OF UTAH } ss.
County of CACHE

On this 1st day of June in the year 1937, before me M. C. Harris, a Notary Public in and for said State, personally appeared Ernest Anderson and Marjorie C. Anderson, his wife, Pearl A. Hicks and Inez Banks and Merrill Banks, her husband, and Lva Anderson, unmarried, 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.

M. C. Harris
Notary Public for the State of
Utah
Residing at Logan, Utah.

(SEAL)

State of Idaho } ss.
County of Fremont

On this 8 day of June, 1937, personally appeared before me A. E. Archibald a Notary Public in and for the State of Idaho, George Hicks, one of the persons whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

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

(SEAL)

A. E. Archibald Notary Public
Residing at St. Anthony, Idaho.

I hereby certify that this instrument was filed for record at request of B. T. A. Co at 4:40 p.m. on 3 o'clock P.M., this 8 day of Aug. A. D. 1937 in my office, and duly recorded in Book 77 of Deeds at page 421.

Anna Keefe, Recorder

File 61.40

INSTRUMENT NO. 198685

QUIT CLAIM DEED.

THIS INSTRUMENT, made this 15th day of January, 1936 between Augustus M. Brown of Ray, Weber County, Utah; E. T. Brown of Bountiful, Davis County, Utah; J. L. Brown and Willis D. Brown of Rexburg, Madison County, State of Idaho; Fremont Brown of High, Jefferson County, Idaho; Eric Helen Evans of Culver City, Los Angeles County, California, and being all over the age of 21 years and being the sole and only heirs at law of Alice K. Anderson, Deceased; the parties of the first part, and Leo K. Anderson of Thatcher, Blaine County, State of Idaho, the party of the second part. WITNESSETH:

That the said parties 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 party of the second part, the receipt whereof is hereby acknowledged, do hereby present, release and forever QUITCLAIM unto the party of the second part, and to his heirs and assigns, all those parcels of land, situate, lying and being in Blaine County, State of Idaho, bounded and particularly described as follows, to-wit:

The Southeast quarter of the Northeast quarter of Section Fifteen (15) Township Eleven (11) South Range Forty (40) East of the Boise Meridian, containing 40 acres;

Also, the Southeast quarter of the Southeast quarter of Section Ten (10) and the Northeast quarter of the Northeast quarter of Section Fifteen (15), Township Eleven (11) South of Range Forty (40) East of the Boise Meridian, containing 80 acres;

Together with all the water right used upon the said property and decreed to George D. Anderson by decree of the Federal Court for use thereon;

Also 116 shares of the Capital Stock of the Lost Chance Canal Company Ltd.

This deed standing of record the matters of the Recorder of Blaine County

Together with belonging or 1 minutes, 10 seconds, is

TO HAVE A more, unto the per

IN WITNESS and seals the day signed, sealed or presence

Robert C. John Stahl
J. S. Smith
J. K. Smith
J. E. Cooy

STATE OF UTAH } ss.
COUNTY OF KANE

On this for said State, re: is subscribed to t

IN WITNESS day and year in t

(SEAL)

My commissio

STATE OF UTAH } ss.
COUNTY OF KANE

On this for said State, re: is subscribed to t

IN WITNESS day and year in t

(SEAL)

My commissio

STATE OF IDAHO } ss.
COUNTY OF MADISON

On this for said State, re: is subscribed to t

IN WITNESS day and year in t

(SEAL)

My commissio

STATE OF IDAHO } ss.
COUNTY OF FREMONT

On this for said State, re: is subscribed to t

IN WITNESS day and year in t

(SEAL)

My commissio

This deed is intended to release any apparent lien on the above described property appearing of record in favor of Alice E. Anderson by reason of the decree of distribution in the matters of the Estate of Reed E. Anderson, deceased, recorded in the office of the County Recorder of Bannock County, State of Idaho, in book 68 at page 346.

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

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

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in presence of:

Robert C. Fye
John Stahl Jr.
T. W. Smith
E. E. Cooper

Augustus M. Brown (SEAL)
F. W. Brown (SEAL)
Willis D. Brown (SEAL)
J. P. Brown (SEAL)
Frederick Brown (SEAL)
Mrs. Helen Evans (SEAL)

STATE OF UTAH
COUNTY OF KANE

On this 15th day of January, 1938, before me Robert C. Fye, a Notary Public in and for said State, personally appeared Augustus M. Brown 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.

Robert C. Fye
Notary Public for the State of Utah,
Residing at Cedar, Utah.

(SEAL) My commission expires April 19, 1940

STATE OF UTAH
COUNTY OF DAVIS

On this 15 day of January, 1938, before me John Stahl Jr. a Notary Public in and for said State, personally appeared before me K. W. Brown and 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.

John Stahl Jr.
Notary Public for the State of Utah,
Residing at Bountiful, Utah.

(SEAL) My commission expires January 21, 1940.

STATE OF IDAHO
COUNTY OF MADISON

On this 20th day of January, 1938 before me F. W. Smith a Notary Public in and for said State, personally appeared J. P. Brown and Willis D. Brown of Rexburg, 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.

F. W. Smith
Notary Public for the State of Idaho
Residing at Rexburg, Idaho.

(SEAL)

STATE OF IDAHO
COUNTY OF FREMONT

On this 12th day of February, 1938, before me F. L. Soule a Notary Public in and for said State, personally appeared Frederick Brown, 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.

F. L. Soule
Notary Public for the State of Idaho
Residing at St. Anthony, Idaho.

(SEAL)

STATE OF CALIFORNIA
County of Los Angeles.

On this 29 said State, person whose name is executed the same.

IN WITNESS day and year in this

(SEAL)

RECORDED AND 8 1938
Idaho. At Request of
Anne Keefe, Recorder

INSTRUMENT NO. 190444

THIS INSTRUMENT
Wend Woodard and third
of Foothill County of
Dickerson of Los Angeles
the second part:

WITNESSETH, I
sum of ONE and no. 100
paid by the said party
which is hereby acknowledged
the said party of the
or parcel of land with
as follows, to-wit:

All of Lot 3,
State of Idaho
County record

together with all
belonging or
thereof.

Together with all and
belonging, or in anywise
rents, issues and

TO HAVE AND

unto said party

IN WITNESS W

and seals the day and

Signed, sealed and the

Presence of

E. Popkins

STATE OF IDAHO

County of Bannock

On this 6th

and for said state, p

known to me to be the

edged to me that they

IN WITNESS W

day and year in this

(SEAL)

Notary Pu

My commis

Filed for record at U

in Record of Deeds, v

Anne Keefe, Recorder

STATE OF CALIFORNIA ss
County of Los Angeles.

On this 29 day of March, 1938 before me Pay L. Cabins a Notary Public in and for said State, personally appeared V. B. Cooper and Mrs Helen Evans, known to me to be the person whose name is subscribed to the within instrument, and who acknowledged to me that she executed the same.

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

Pay L. Cabins
Notary Public for the State of California
Residing at Los Angeles, Calif.

(SEAL)

RECORDED AUG 8 1938 3 46PM, in Book 77 of Deeds page 422 Records of Hancock County State of Idaho. At Request of E T A Co.

Anne Koefe, Recorder

Fee \$1.50

INS-RECORD NO. 188884

QUIT CLAIM DEED

"THIS INSTRUMENT, made the 27th day of April, in the year of our Lord, One thousand Nine Hundred and thirty-eight, between W. O. Werryman and Lou L. Werryman, husband and wife, of Pocatello County, of Hancock and State of Idaho the parties of the first part, and Emma F. Dickerson of Los Angeles, of the County of Los Angeles and State of California the part, of the second part:

WITNESSETH that the said parties of the first part, for and in consideration of the sum of ONE and 00/100 DOLLARS lawful money of the United States of America to them in hand paid by the said party of the second part, and other valuable consideration, the receipt of which is hereby acknowledged, do by these presents demise, release and forever quitclaim unto the said party of the second part, and to his heirs and assigns, all that certain lot, piece, or parcel of land situated in Hancock County of the State of Idaho, particularly described as follows, to-wit:

All of Lot 34, in Block 1, of West Pocatello Townsite, Hancock County, State of Idaho, according to the replated plat thereof on file in the county recorder's office of Hancock County, State of Idaho.

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

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

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

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered in the presence of
E. Hopkins

W. O. Werryman
Lou L. Werryman

(SEAL)
(SEAL)

STATE OF IDAHO
County of Hancock

On this 6th day of May in the year 1938, before me, E. Hopkins, a Notary Public in and for said State, personally appeared W. O. Werryman and Lou L. Werryman, 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)

Notary Public residing at Pocatello, Idaho
My commission expires Aug. 19, 1939.

E. Hopkins
Notary Public
Residing at Pocatello, Idaho

Filed for record at the request of E T A Co. Aug 10, 1938 at 40 minutes past 7 o'clock P. M. in Record of Deeds, Book 77, page 424.

Anne Koefe, Recorder

Fee 60c

TO HA
members and
to its succe
heirs or their
of the sector
and their he
or to claim

IT
made and se

STATE OF IDA
COUNTY OF HA

Public in an
inland and
instrument, an

IN
day and year

(SEAL)

RECORDED IN
OF IDAHO.

Anne Koefe,

(REMARKS)

of Hancock
County

and entered
and for 1.4
in said sur-
vise, as pl
Johnson, J

receiving 1.4
July, 1938,
recorder - is
and rec'd in
and writ ne

Lo
L.

To
be

in the name
of said judge
date 6.4.1938

will
book of 2 e
e-book in 1
Pocatello, I
in the said
tar, Sheriff
in said writ
signs, as set
therefor in

and
hidden by H.
thereupon H.
directed in
office of the
reception of

13-681A

13-681A
Pats
Hollow

This deed is intended to convey the above described property to the party of the second part as his sole and separate estate.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto 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 party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever, and the said party of the first part, and her heirs, the said parties in the quiet and peaceable possession of the said part of the second part his heirs and assigns, against the said party of the first part and heirs, and against all and every person and persons whatsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF —

STATE OF IDAHO }
County of Franklin }

Edna P. Anderson

(Seal)

On this 7th day of August in the year 1946, before me Ted Larson a Notary Public in and for said State, personally appeared Edna P. Anderson, wife of Leo W. Anderson known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(SEAL)

Ted Larson
Notary Public, Residing at Preston, Idaho

I hereby certify that this instrument was filed for record at request of Leo W. Anderson, / 14 Minutes past 1 PM, this 5 day of Sept. A. D. 1946, in Book 98 of Deeds, page 122

Anna Keefe, Recorder

Fee \$1.60

INSTRUMENT NO. 348261

SPECIAL WARRANTY DEED

THIS INSTRUMENT, Made this 27th day of June, in the year of our Lord One Thousand Nine Hundred and Forty-Six, between CORPORATION OF THE METHODIST CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, organized under the laws of the State of Utah and duly authorized to do business in the State of Idaho, party of the first part, and PATRICK GRAY COOK, a corporation organized under the laws of the State of Utah and duly authorized to do business as a foreign corporation in the State of Idaho, party of the second part, WITNESSETH:

That the party of the first part, for and in consideration of the sum of TWELVE THOUSAND AND NO/100 DOLLARS (\$12,000.00), lawful money of the United States of America, to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and confirm, unto the said party of the second part and to its successors and assigns forever, all those certain lots, pieces, or parcels of land, situate, lying, and being in the County of Benewah, State of Idaho, and more particularly described as follows, to-wit:

Commencing at Corner Number 1, from which the closing corner of the line between Sections 1 and 12, in T. 9 S. R. 7 E. S. 14 N. in Idaho lies North 27° 30' East 1156 feet to the left bank of the northern branch of a running ditch 42 1/2 feet to corner Number 2; then a South 22° 30' East 47 1/2 feet to Corner Number 3; then a South 22° 30' East 47 1/2 feet to Corner Number 4; thence South 22° 30' East 220 feet to Corner Number 5; then a North 67° 30' East 216.1 feet to Corner Number 6; then a North 27° 30' East 115.1 feet to place of commencement, containing in all one acre more or less.

SAVE AND EXCEPT, nevertheless, from the above described land the following:

Commencing at the closing corner of the line between Sections 1 and 12, T. 9 S. R. 7 E. S. 14 N., thence South 27° 30' East 1156 feet to Corner Number 1 of the McCammon Mill property, formerly known as Union Grain & Elevator tract; thence South 64° 45' West 37.5 feet to Corner Number 2 of said tract; thence South 22° 30' East 47.5 feet to Corner Number 3; thence South 67° West 36.5 feet to Corner Number 4; then a South 6° 30' West 25.0 feet to Corner Number 5 of said tract, which is far the point of beginning.

Thence following the boundary of said tract South 22° 30' East 220 feet, then a North 67° 30' East 220 feet; thence North 22° 30' West 220.6 feet to intersect course between Corner Number 4 and Corner Number 5; thence South 9° 30' West 11.32 feet to Corner Number 5, being the point of beginning, containing 0.031 acres more or less and is the tract conveyed to Morlin Christensen for road purposes.

THE INSTRUMENT NO. 240

of Grace, Idaho
That Whereas, by an
instrument on the
trust or parcel of land be
and that the same should
the 18th day of
WHEREAS, pursuant
notice given by public sale
the price of which was
\$1000.00, the said
and entered by the Clerk
of said County, 1946
duly and regularly filed
of the proceedings of the
WHEREAS, the pr
the said parcel of land
newspaper published in
County of Benewah
WHEREAS, at last
NOW, THEREFORE
such deed made and for
the second part, by her
Idaho, and more parties

Lot

Together with a
to be and hold the
IN WITNESS
and subscribed to at
this at Preston

ATTENT: (SE)

Anna Keefe

STATE OF IDAHO,

County of Benewah

On this 12th
in and for said coun
known to me to be
instrument, and sub
IN WITNESS
written

(SEAL)

Recorded at th
at 35 minutes

Fee, \$ 1.00

Book 98 of De



1946: Byrne Anderson - Leo Anderson

13-681A

13-681A
Pats
Hollow

WARRANTY DEED

For Value Received, Leo H. Anderson and Myrna H. Anderson, husband and wife,

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

Milton R. Smith and Alice L. Smith, husband and wife,

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

The Southeast Quarter of the Southeast Quarter of Section 20, and the Northeast Quarter of Section 25, Township 11 South, Range 40 East of the Boise Meridian.

Also, 2 cubic feet of water per second, from Pate Hollow or Sand Springs, originally decreed to George P. Anderson, and with priority of May 2, 1904.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, 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: April 4, 1940.

Leo H. Anderson

Myrna H. Anderson

STATE OF IDAHO, COUNTY OF CARIBOU

On this 4th day of April, 1940, before me, a Notary Public in and for said State, personally appeared Leo H. Anderson and Myrna H. Anderson, husband and wife,

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

Richard C. Thompson
Notary Public

Residing at Soda Springs, Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of Milton R. Smith

at 55 minutes past 3 o'clock P. M.

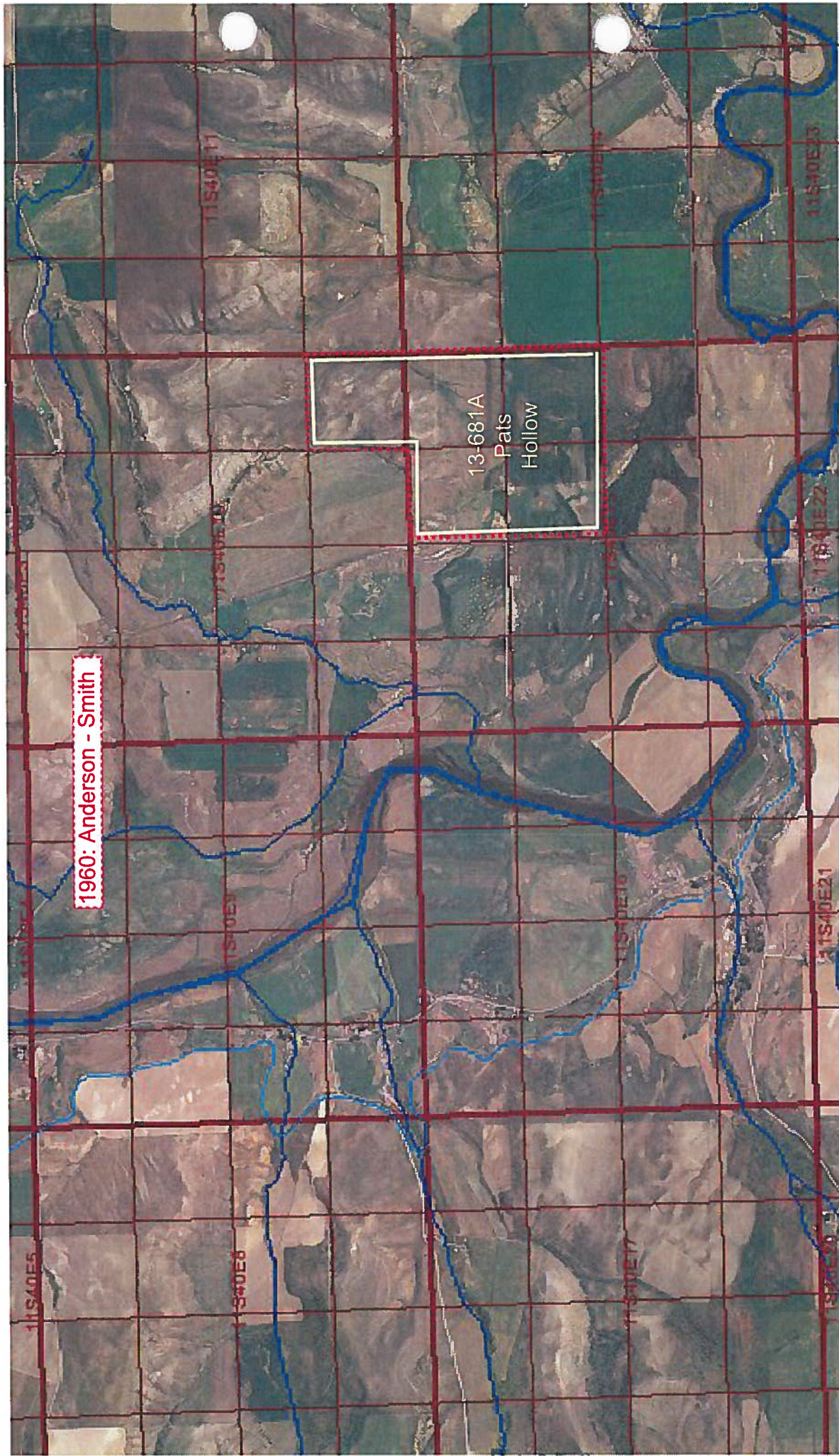
this 14th day of October, 1940, in my office and duly recorded in book

of 140 at page 1100.
Francis M. Smith
County Recorder

By 120 Deputy.

Filed at 120 Mail to:

INSTRUMENT NO. 64859



RECORDED

QUIT-CLAIM DEED

MILTON SMITH and ALICE L. SMITH, husband and wife, Grantors of Grace, County of Bannock, State of Idaho, hereby QUIT-CLAIM to MILTON SMITH and ALICE L. SMITH, or their successors in Trust as Trustees of the Milton Smith Family Revocable Trust Agreement dated the 2 day of March, 1979, and signed by MILTON SMITH and ALICE L. SMITH, as Grantors and Trustees, of Grace, County of Bannock, State of Idaho, Grantees for the sum of TEN DOLLARS the following described tracts of land in Caribou County, State of Idaho, subject to the encumbrances owed thereon, to-wit:

- A. The Southeast Quarter of the Southeast Quarter of Section 10, and the Northeast Quarter of Section 15, Township 11 South, Range 40 East of the Boise Meridian.

Also, 2 cubic feet of water per second, from Pats Hollow or Sand Springs, originally decreed to George D. Anderson, and with priority of May 2, 1884. Caribou County, State of Idaho.

- B. N1/2NW1/4 Section 15; SW1/4 SW1/4 Section 10; and SE1/4 SE1/4 Section 9, Township 11 South of Range 40 East Boise Meridian, in Idaho, containing 160 acres.

TOGETHER with all of the waters of Cole or Cold Springs, situate on the NE1/4 NW1/4 Section 11, Township 11 South of Range 40 East Boise Meridian.

TOGETHER with all water and water rights, ditch or ditch rights used in connection with said lands or thereunto appertaining. Caribou County, State of Idaho.

THE SURVIVIN
SELL OR ENCUI
WITNESS the 1
1979.

STATE OF IDAHO }
County of Caribou } 130609
I hereby certify that this instrument was filed
at the request of Milton Smith
at 3:00 o'clock P M this 12 day of
January, 1979. In my office and duly
recorded in Microfilm Records
Mona W. Archibald
Ex-Officio Recorder 6.00 Deputy

REAR

- 2 -

Grantors of
HIT-CLAIM to
as in Trust as
Agreement
igned by MILTON
, of Grace,
a sum of TEN
Caribou County,
hereon, to-wit:

East Quarter
Quarter of
Range 40 East of

Section 10; and
South of
Idaho, containing

Cole or Cold
Section 11,
Boise Meridian.

rights, ditch or
th said lands or
County, State of

- C. Lots Three and Four, the West half of the Southeast quarter, and the Southwest Quarter (comprises all of the South half) of Section Twelve; Lots One and Two and the West half of the Northeast quarter of Section Thirteen (comprises the Northeast quarter of Section 13); all in Township Eleven South, Range Thirty-nine East of the Boise Meridian; and also Lot Two of Section Eighteen, in Township Eleven South, Range Forty East of the Boise Meridian; and also

The Northeast quarter of the Northeast quarter of Section Eight; the West half of the Northwest quarter of Section Nine; and all that portion of the Southeast quarter of the Northwest quarter of Section Nine lying and being WEST of the County Road, as the same now exists; all in Township Eleven South, Range Forty East of the Boise Meridian. Subject to Patent Reservations; rights-of-way and easements as the same now exist, whether evidenced of record or otherwise; to any mortgaged indebtedness now against said premises, the unpaid balance of which the second party agrees to assume and pay; and subject to taxes for the year 1957 and subsequent years. Caribou County, State of Idaho.

- D. A tract of land located in the S2 SW4 Sec. 9, T11S, R40E, B.M., Caribou County, Idaho described as follows: Beginning at a point 1623.6 feet, more or less, South and 1268.9 feet, more or less, East of the NW corner of the SW4 of said Sec. 9; thence S 13° 47' E, (considering the section line between Sec. 8 & 9 as due South) along the Easterly right-of-way of the Gentile Valley County Road, 330 feet; thence N76° 13' E 220 feet; thence N 13° 47' W 330 feet; thence S 76° 13' West 220 feet to the point of beginning; Containing 1.67 acres, more or less. Caribou County, State of Idaho.

THE SURVIVING TRUSTEE AND SUCCESSOR TRUSTEES HAVE FULL RIGHTS TO
SELL OR ENCUMBER THE PROPERTY HEREIN SET FORTH.

WITNESS the hands of said Grantors this 2 day of March,
1979.

Milton Smith
Milton Smith
Alice L. Smith
Alice L. Smith

STATE OF UTAH

COUNTY OF SALT LAKE

On this day
appeared before me
the signers
they executed

My Commission:

9-13

130609

Notary Public
Walter
day of
my office and duty
Walter
Deputy

74659

of the
t Quarter
f Section
st half of the
en (comprises
); all in
-nine East of
o of Section
Range Forty

rest quarter
the Northwest
at portion
thwest quarter
IT of the County
n Township Eleven
e Meridian.
hts-of-way and
ether evidenced
gaged indebtedness
id balance of
sume and pay;
1957 and
State of Idaho.

744 Sec. 9, T11S,
described as
3.6 feet, more or
or less, East of
oc. 9; thence S
a line between
Easterly right-
y Road, 330 feet;
N 13° 47' W
3 feet to the
7 acres, more or
sho.

FULL RIGHTS TO

March

Smith

with

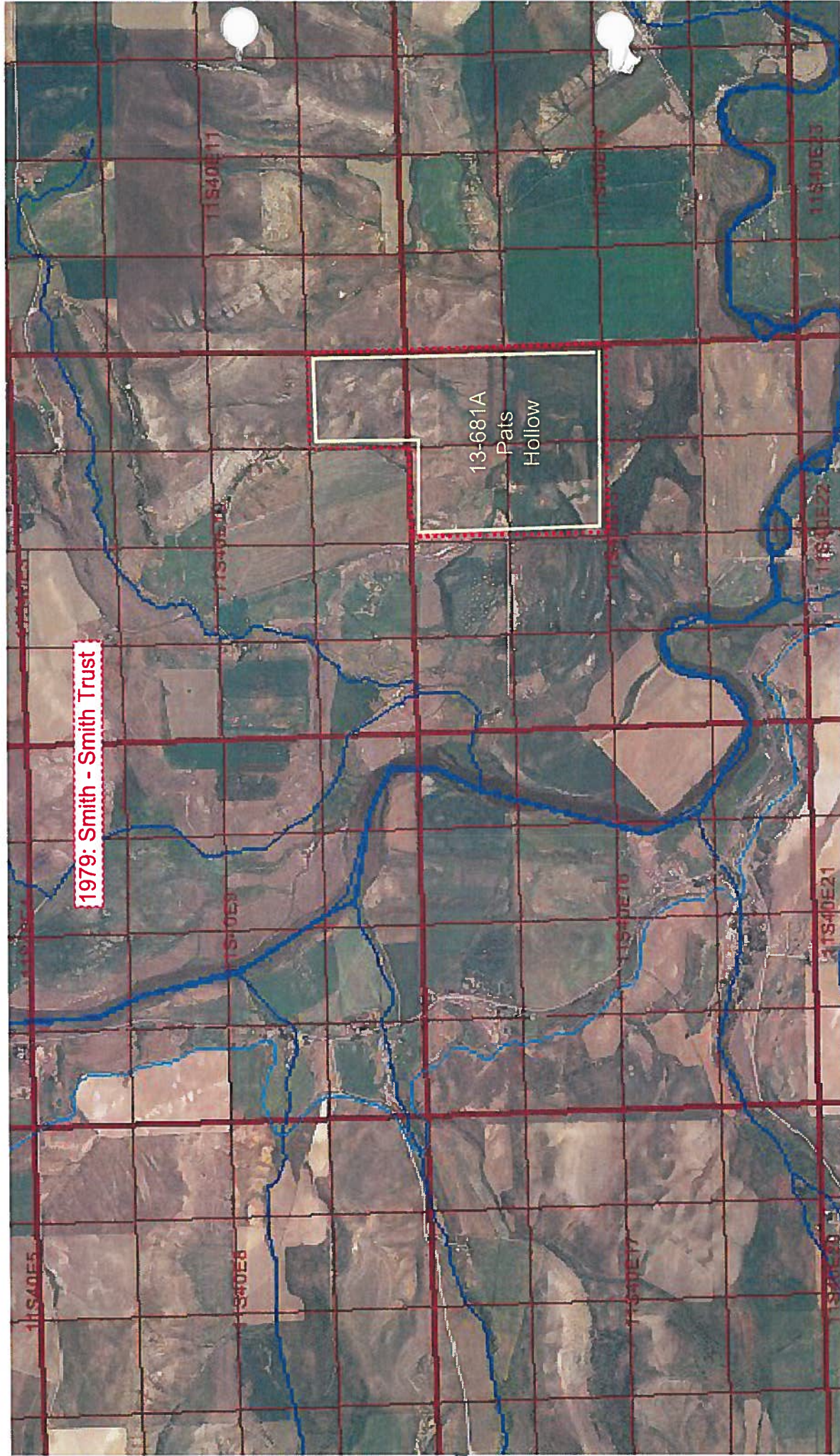
STATE OF UTAH)
COUNTY OF SALT LAKE) ss,

On this 2 day of March, 1979, personally
appeared before me MILTON SMITH and ALICE L. SMITH, husband and wife,
the signers of the within instrument who duly acknowledged to me that
they executed the same.

My Commission expires:

9-13-82

Andrew J. Rineer
Notary Public
Residing at: Lot C, etc.



**WARRANTY DEED
(GIFT)**

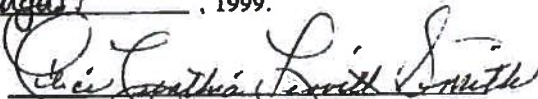
For love and affection, **ALICE CYNTHIA LEAVITT SMITH**, a widow, hereinafter Grantor, does hereby grant, give and convey unto **BRADLEY MILTON SMITH**, a married man, as his sole and separate property, whose address is 412 River Road, Grace, Idaho 83241, hereinafter referred to as Grantee, Grantor's undivided one-half community property interest in the following described real property located in Caribou County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED BY REFERENCE.

SUBJECT TO A LIFE ESTATE RESERVED IN FAVOR OF
GRANTOR ENTITLING HER TO THE USE AND
POSSESSION OF THE DESCRIBED PROPERTY FOR LIFE.

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

DATED this 25th day of August, 1999.


ALICE CYNTHIA LEAVITT SMITH

STATE OF IDAHO)

County of Bannock) : ss

On this 25th day of August, 1999, before me, the undersigned, a notary public in and for said State, personally appeared Alice Cynthia Leavitt Smith, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that she executed the same.



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

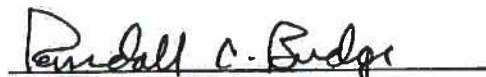

NOTARY PUBLIC FOR IDAHO.
Residing at: Bozeman, Id.
My Commission Expires: 10/11/2000

EXHIBIT "A"

- A. The East half of the Northwest quarter, and the South half of the Northeast quarter of Section Eight in Township Eleven South of Range Forty East of the Boise Meridian, Idaho, containing one hundred and sixty acres, according to the official plat of the survey of said lands, returned to the General Land Office by the Surveyor General. Caribou County, State of Idaho.

- B. The Southeast Quarter of the Southeast Quarter of Section 10, and the Northeast Quarter of Section 15, Township 11 South, Range 40 East of the Boise Meridian.

Also, 2 cubic feet of water per second, from Pats Hollow or Sand Springs, originally decreed to George D. Anderson, and with priority of May 2, 1884. Caribou County, State of Idaho.

- C. N1/2NW1/4 Section 15; SW1/4SW1/4 Section 10; and SE1/4SE1/4 Section 9, Township 11 South of Range 40 East Boise Meridian, in Idaho, containing 160 acres.

TOGETHER with all of the waters of Cole or Cold Springs, situate on the NE1/4NW1/4 Section 11, Township 11 South of Range 40 East Boise Meridian.

TOGETHER with all water and water rights, ditch or ditch rights used in connection with said lands or thereunto appertaining. Caribou County, State of Idaho.

- D. Lots Three and Four, the West half of the Southeast quarter, and the Southwest Quarter (comprises all of the South half) of Section Twelve; Lots One and Two and the West half of the Northeast quarter of Section Thirteen (comprises the Northeast quarter of Section 13); all in Township Eleven South, Range Thirty-nine East of the Boise Meridian; and also Lot Two of Section Eighteen, in Township Eleven South, Range Forty East of the Boise Meridian; and also

The Northeast quarter of the Northeast quarter of Section Eight; the West half of the

*W.P.
M.R.*

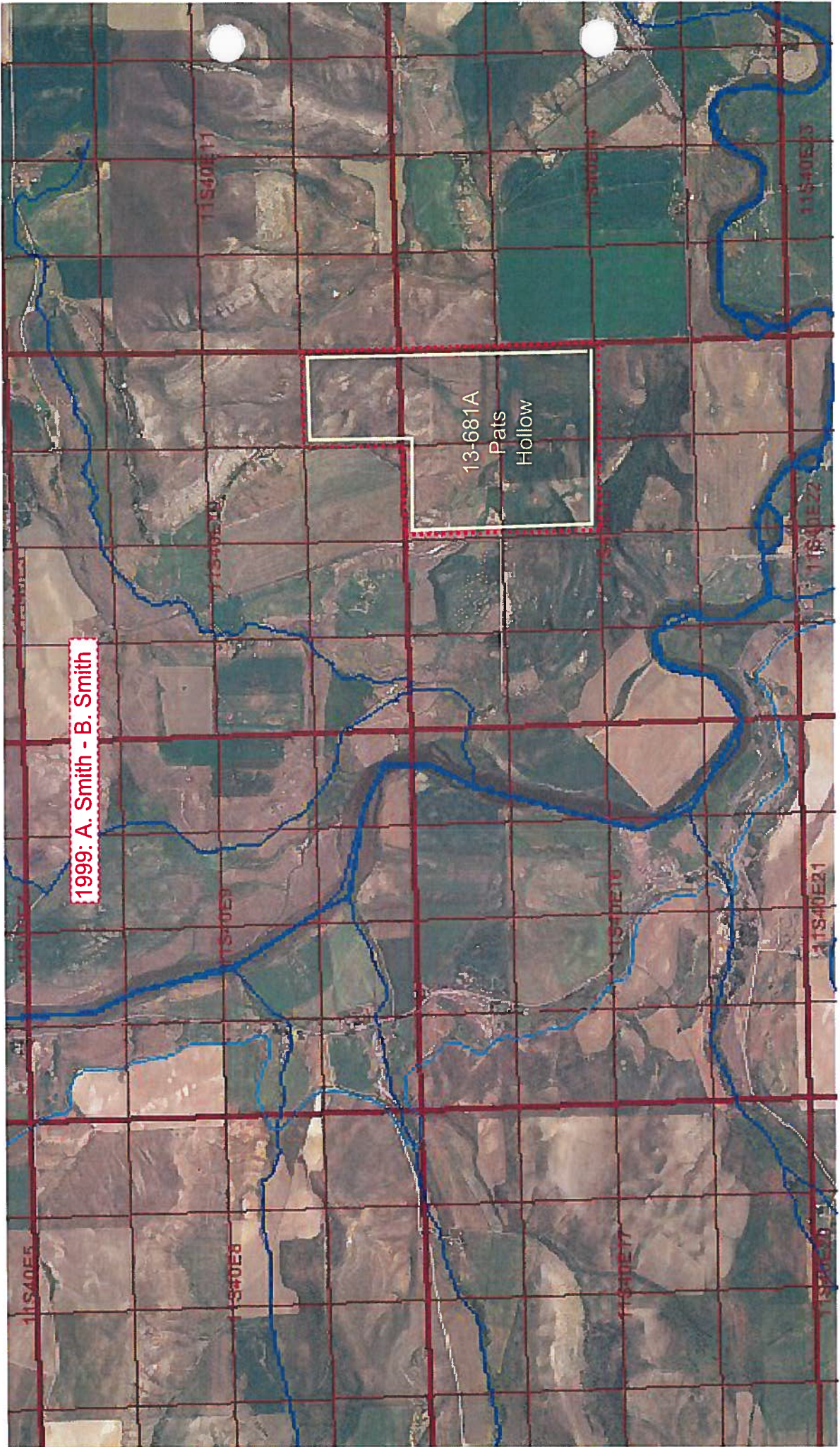
TW

Northwest quarter of Section Nine; and all that portion of the Southeast quarter of the Northwest quarter of Section Nine lying and being WEST of the County Road, as the same now exists; all in Township Eleven South, Range Forty East of the Boise Meridian. Subject to Patent Reservations; rights-of-way and easements as the same now exist, whether evidenced of record or otherwise; to any mortgaged indebtedness now against said premises, the unpaid balance of which the second party agrees to assume and pay; and subject to taxes for the year 1957 and subsequent years. Caribou County, State of Idaho.

- E. A tract of land located in the S2 SW4 Sec. 9, T11S, R40E, B.M., Caribou County, Idaho described as follows: Beginning at a point 1623.6 feet, more or less, South and 1268.9 feet, more or less, East of the NW corner of the SW4 of said Sec. 9; thence S 130°47' E, (considering the section line between Sec. 8 & 9 as due South) along the Easterly right-of-way of the Gentile Valley County Road, 330 feet; thence N 76° 13' E 220 feet; thence N 130° 47' W 330 feet; thence S 76° 13' West 220 feet to the point of beginning; Containing 1.67 acres, more or less. Caribou County, State of Idaho.
- F. Two lots in Thatcher Cemetery.

STATE OF IDAHO }
County of Caribou } ss 159747
I hereby certify that this instrument was filed at the request
of Randall C. Rudge
at 9:00 o'clock A on this 30 day of
August, 1999 in my office and duly
recorded official Records
Recorder, Edie Izatt
Signature Sandra Morley Deputy 900

Mr. R. L.
lf
TV



TRANSFER NO. 74659

ATTACHMENT 3

APR-10-2007 TUE 11:42 AM RACINE LAW OFFICE

FAX NO. 208 232 6109

P. 02

04/10/07 TUE 09:10 FAX

SINCLAIR OIL CORP

001

APR-09-2007 MON 03:40 PM RACINE LAW OFFICE

FAX NO. 208 232 6109

P. 07

FIRST ADDENDUM**TO****PURCHASE AND SALE AGREEMENT**

ADDENDUM AGREEMENT effective this ____ day of April, 2007, by and between BRADLEY M. SMITH and LELA DIANE SMITH, husband and wife, whose address is 412 River Road, Grace, Idaho 83241 ("Seller"), LAGO RANCH, LLC, in care of Managers Mike Tingey and Charles Barlow, whose address is 2114 Lago-Liberty Road, Grace, Idaho 83241 ("Buyer"), and CHARLES BARLOW, whose address is 1130 Manchester Drive, Kaysville, Utah 84037 ("Assignee"), collectively referred to herein as the "parties."

Recitals

WHEREAS, Seller and Buyer entered into a Purchase and Sale Agreement dated December 2006, pursuant to which Seller agreed to sell to Buyer and Buyer agreed to purchase from Seller a two hundred-acre parcel of real property located in Sections 10 and 15, Township 11 South, Range 40 East, B.M., Caribou County, Idaho, together with certain water rights; and

WHEREAS, the parties desire to change the closing date designated in the Purchase and Sale Agreement; and

WHEREAS, the parties desire that Assignee shall replace Buyer in the Purchase and Sale Agreement; and

WHEREAS, the water rights transferred by the Purchase and Sale Agreement have been applied to the real property transferred by said Agreement for in excess of 50 years; however, the records of the Idaho Department of Water Resources ("IDWR") do not reflect the subject real property within the authorized place of use of the subject water rights; and

WHEREAS, Seller has agreed to file at their sole expense an Application for Transfer of Water Right with the Idaho Department of Water Resources for the purpose of amending the record place of use of the subject water rights to reflect the actual historic use of said rights on the subject real property; and

WHEREAS, Assignee desires additional security for IDWR approval Application for Transfer of Water Right;

ADDENDUM TO PURCHASE AND SALE AGREEMENT - 1

APR-10-2007 TUE 11:42 AM RACINE LAW OFFICE

FAX NO. 208-832 8109

P. 03

04/10/07 TUE 09:10 FAX

SINCLAIR OIL CORP

002

APR-08-2007 MON 03:40 PM RACINE LAW OFFICE

FAX NO. 208 232 8109

P. 08

Agreement

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Buyer assigns to Assignee all of its right, title and interest in and to that certain Purchase and Sale Agreement dated December 2006 entered into between Seller and Buyer. Seller hereby consents to said Assignment.
2. Assignee, whose address is 1130 Manchester Drive, Kaysville, Utah 84037 shall replace Buyer, whose address is 2114 Lago-Liberty Road, Grace, Idaho 83241, as "Buyer" in the aforementioned Purchase and Sale Agreement.
3. Paragraph 1.2 of the Purchase and Sale Agreement shall be amended to read as follows:
Farm Machinery and Equipment: No farm machinery and equipment shall be included within this Agreement excepting irrigation lines and equipment currently utilized to irrigate the real property transferred by this Agreement.
4. Paragraph 9 of the Purchase and Sale Agreement shall be amended to read as follows:
CLOSING: Closing shall occur at Alliance Title Company, located in Soda Springs, Idaho, within five business days of the date Western Ag Credit approves Buyer's financing but under no circumstances later than April 20, 2007. On or prior to the closing date, the following shall occur:
5. The parties agree to the following additional terms to the Purchase and Sale Agreement:
 - A. Following the closing of this transaction as provided for in Paragraph 9 of this Agreement, an Application for Transfer of Water Right will be filed with the Idaho Department of Water Resources for the purpose of amending the designated points of diversion and place of use of the subject water rights identified in Paragraph 1.3 of this Agreement to include the real property identified in Paragraph 1.1 of this Agreement within the authorized place of use of said water rights and to reflect the correct points of diversion of said water rights. Because of the close proximity of the proposed transfer, objections are not anticipated during the course of the Idaho Department of Water Resources' administrative process, which normally takes between six months and one year to complete.
 - B. A \$10,000 portion of the purchase price identified in Paragraph 2.2 of this Agreement shall be withheld by Alliance Title Company pending the Idaho Department of Water Resources' approval of the above-described Application for Transfer of water rights.

ADDENDUM TO PURCHASE AND SALE AGREEMENT - 2

Apr 10 07 01:24p

JAYDEE COLE

208-852-2357

P. 3

APR-10-2007 TUE 11:43 AM RACINE LAW OFFICE

04/10/07 TUE 09:11 FAX

APR-08-2007 MON 03:41 PM RACINE LAW OFFICE

FAX NO. 208 232 6109

SINCLAIR OIL CORP

FAX NO. 208 232 6109

P. 04

@003

P. 09

Upon IDWR approval of said transfer Alliance Title shall distribute the \$10,000 to Seller. In the event the Application for Transfer is denied, Alliance Title shall return the \$10,000 to Buyer as liquidated damages and as Buyer's sole and exclusive remedy relative to the above-described Application for Transfer of Water Rights.

6 As hereby amended, the said Purchase and Sale Agreement between the parties is hereby ratified and affirmed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the date first above written.

SELLER:

BUYER:

LAGO RANCH, LLC:

BRADLEY M. SMITH

Bradley M Smith

MIKE TINGEY, Manager

Mike Tinge

LELA DIANE SMITH

Lela Diane Smith

CHARLES BARLOW, Manager

Charles Barlow

ASSIGNEE:

CHARLES BARLOW

Charles Barlow

ADDENDUM TO PURCHASE AND SALE AGREEMENT - 3

74659

TRANSFER NO. 74658

ATTACHMENT 2A AND 2B

DEED RECORD

Instrument No. 69249

This Indenture, Made the 16th day of May in the year of our Lord One Thousand Nine Hundred and nineteen between John W. Harrington, and Ella Christina Harrington, his wife of The Toher County of Bannock State of Idaho the party of the first part, and Wale R. Johnson, and Minnie A. Johnson, of Witer County of Bannock 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 Seven Thousand Dollars (\$7000.00) DOLLARS, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do as by these presents grant, bargain, sell and convey and confirm unto said party of the second part and to his heirs and assigns forever: All that certain lot, piece or parcel of land, situate, lying and being in the County of Bannock, and State of Idaho, bounded and more particularly described as follows, to-wit:

North $\frac{1}{2}$ of the North West $\frac{1}{4}$ of Sec. 15, The South West $\frac{1}{4}$ of the South West $\frac{1}{4}$ of Section 20, and the South East $\frac{1}{4}$ of the South East $\frac{1}{4}$ Sec. nine in Township Eleven South of Range 40 E.B.M. Containing One Hundred and Sixty acres.

Also all of the water of the Cole Spring situated on the NE $\frac{1}{4}$ of the E $\frac{1}{2}$ of Sec. 11 township 11 R. 40 E.B.M.

\$7.00 IRS attached and cancelled

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any way 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 thereto incident, unto the said party of the second part, and to his heirs and assigns forever. And the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said party of the first part, and his heirs, and against all and every person or persons whomsoever lawfully claiming or to claim the same, shall and will warrant, and to these presents forever defend.

In Witness Whereof, The said party of the first part has hereunto set their hand and seal, the day and year first above written.

Signed, Sealed and Delivered in the Presence of

H. K. Thatcher

Core L. Thatcher

John W. Harrington [Seal]

Christens Harrington [Seal]

[Seal]

State of Idaho.

County of Bannock

On this 16th day of May in the year 1919, before me, H. K. Thatcher a Notary Public in and for said County, personally appeared John W. Harrington and his wife, Ella Christina Harrington known to me to be the person 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.

H. K. Thatcher, Notary Public

My residence is Thotcher, Id

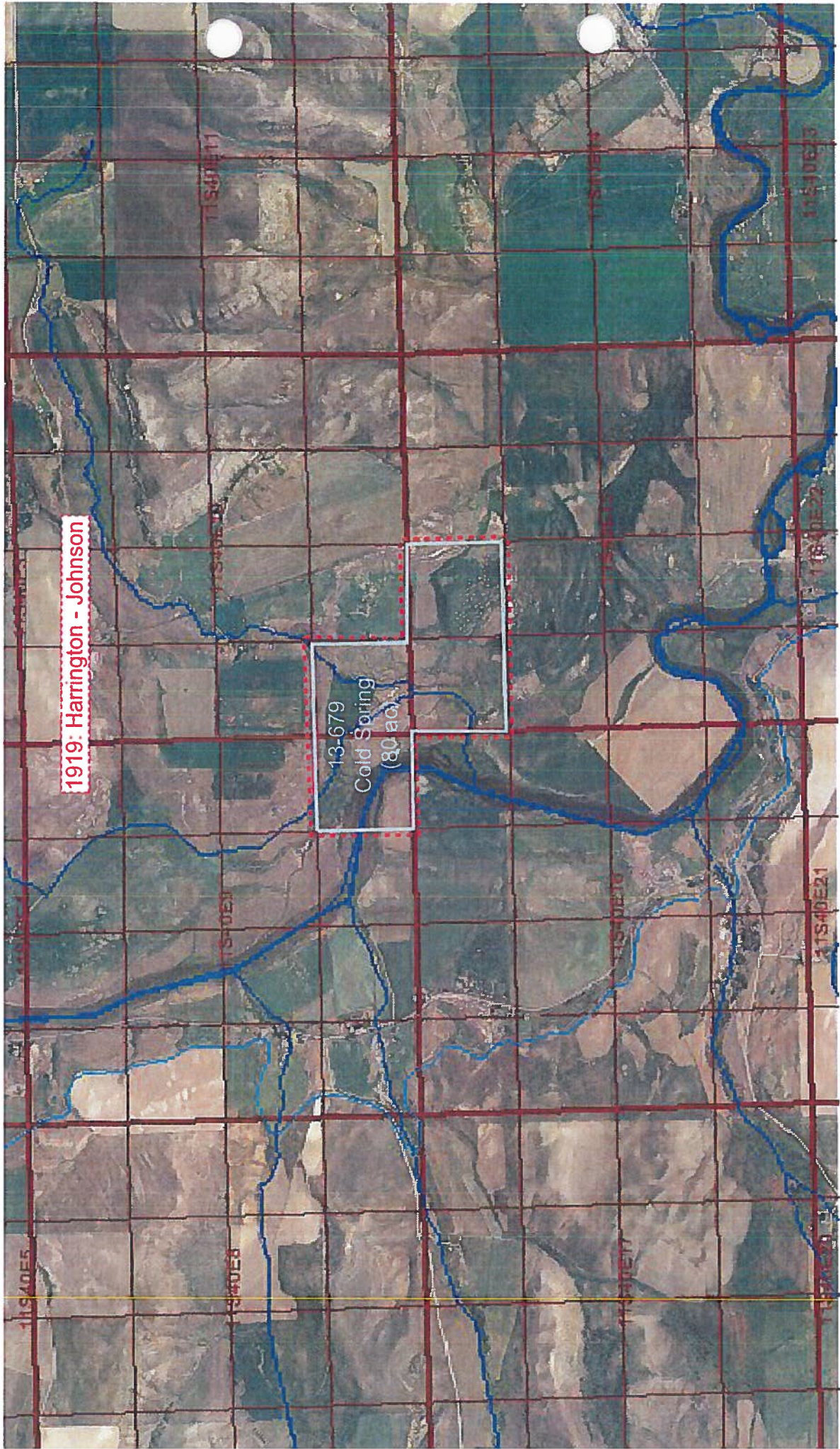
[SEAL]

Recorded at the request of R. R. Wilson, at 2:36 P.M., May 22, 1919.

By Lillian Sponberg Deputy. Fee \$ 1.00

C. J. Pomeroy,

Recorder



At request of Carlhou Abstract
November 30, 1950 at 9:18 a.m.
Fee \$1.40

Seal

S.M. Matthews Notary Public
Residence Soda Springs, Idaho
My Commission Expires: 7-28-52

Recorder

Instrument #28018

THIS INDENTURE, made this 20th day of December in the year of our Lord, One Thousand Nine Hundred and Forty between NELS P. JOHNSON, a widower of Grace, County of Bannock, State of Idaho, the party of the first part, and FRANK WILLIAM JOHNSON and GRACE JOHNSON, his wife of Grace, County of Bannock, State of Idaho, the parties of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATIONS, lawful money of the United States of America, to him in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged so 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, and more particularly described as follows, to-wit:

Section 15; SW 1/4 Section 10, and SW 1/4 Section 9, Township 11 South of Range 40 East Boise Meridian, in Idaho, containing 160 acres.

TOGETHER with all of the waters of Cole or Cold Spring, situate in the Section 11, Township 11 South of Range 40 East Boise Meridian.

TOGETHER with all water and water rights, ditch or ditch rights used in connection with said lands, or appertaining thereto.

SUBJECT to any and all incumbrances placed against the above described property by reason of the acts or omissions of said grantees herein.

(4.15 I.R. Stamps)

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

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

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

Signed, Sealed and Delivered
in the Presence of _____

Nels P. Johnson (Seal)

STATE OF IDAHO)
) ss.
County of Bannock)

On this 20th day of December in the year 1940, before me the undersigned, Roy L. Black, a Notary Public in and for said County and State, personally appeared NELS P. JOHNSON a widower 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.

At request of Frank Wm. Johnson
December 1, 1950 at 2:20 p.m.
Fee: \$1.40

Seal

Recorder

Roy L. Black Notary Public
Residence Pocatello, Idaho
Com. Exp. 6-2-44

At request of Marvin S. Stoor
December 2, 1950 at 10:30 a.m.
Fee \$1.40

Melen Peterson Notary Public
Residence Milton, Oregon
My Commission Expires: Oct. 20, 1952

Seal
Colin Chester
Recorder
- - - O O - - -

Instrument #28034

WARRANTY DEED

THIS INSTRUMENT, Made this First day of December, in the year of our Lord, One Thousand Nine Hundred and Fifty, between Frank William Johnson and Grace Johnson, his wife, of Grace, County of Caribou, State of Idaho, the parties of the first part, and MILTON SMITH, of Grace, County of Caribou, State of Idaho, the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of ONE AND NO/100THS 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 together with other good and valuable considerations, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to his heirs and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Caribou, State of Idaho, bounded and more particularly described as follows, to-wit:

NENW $\frac{1}{4}$ Section 15; SW $\frac{1}{4}$ Section 10; and SE $\frac{1}{4}$ Section 9, Township 11 South of Range 40 East Boise Meridian, in Idaho, containing 160 acres.

TOGETHER with all of the waters of Cole or Cold Springs, situate on the NE $\frac{1}{4}$ Section 11, Township 11 South of Range 40 East Boise Meridian.

TOGETHER with all water and water rights, ditch or ditch rights used in connection with said lands or thereunto appertaining.

Subject to any and all visible and/or recorded rights-of-way or easements, if any, lying over, across, or through, under or along above described premises, and to taxes for the year 1951 and subsequent years.

(\$4.40 I.R. Stamps)

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

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and against all and every person 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 D.L. Beck

Frank William Johnson (Seal)
Grace Johnson (Seal)

STATE OF IDAHO)
) ss.
County of Caribou)

On this first day of December in the year 1950, before me, Colin Chester, a Clerk of the District Court, in and for said County, personally appeared Frank William Johnson and Grace Johnson, his 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.

At request of Milton Smith
Dec. 2, 1950 at 10:55 a.m.
Fee \$1.40

Seal
Colin Chester Clerk of District Court
Caribou County, State of Idaho
Residence Soda Springs, Idaho

Colin Chester
Recorder
- - - O O - - -



PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by ALICE CYNTHIA LEAVITT SMITH, as Personal Representative of the Estate of Milton Robbins Smith, Deceased, Grantor, to BRADLEY MILTON SMITH, a married man, as his sole and separate property, Grantee, whose address is 412 River Road, Grace, Idaho 83241.

RECITALS

WHEREAS, Grantor is the qualified Personal Representative of the Estate of Milton Robbins Smith, filed as Probate Case No. SP-99-1438 in Caribou County, Idaho; and

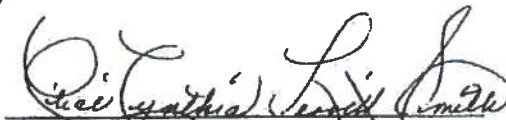
WHEREAS, Letters of Personal Representative were issued on the 14th day of June, 1999, evidencing the appointment and qualification of Alice Cynthia Leavitt Smith as Personal Representative, copy of which is attached hereto; and

WHEREAS, Grantee is entitled to distribution and conveyance of real property owned by the Decedent.

THEREFORE, pursuant to the foregoing, Grantor hereby transfers and conveys to Grantee the Decedent Milton Robbins Smith's undivided one-half interest in the following-described real property located in Caribou County, Idaho, together with all appurtenances, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED BY REFERENCE.

DATED this 25th day of August, 1999.


ALICE CYNTHIA LEAVITT SMITH
Personal Representative

STATE OF IDAHO } ss 159746
County of Caribou }
I hereby certify that this instrument was filed at the request
of Randall C. Budag
at 9:00 o'clock A in this 30 day of
August, 1999 in my office and duly
recorded official Records
Recorder Edie Izett
Denise Morsley Deputy
Signature Deputy

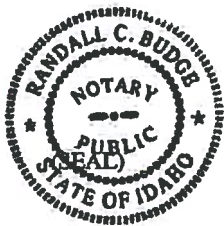
PERSONAL REPRESENTATIVE'S DEED - 1

159746

STATE OF IDAHO)
 : ss
County of Bannock)

On this 25th day of August, 1999, before me, the undersigned Notary Public in and for said State, personally appeared Alice Cynthia Leavitt Smith, Personal Representative of the Estate of Milton Robbins Smith, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she signed the same.

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



Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Residing at: Beaumont, La.
My Commission Expires: 10/11/2000

PERSONAL REPRESENTATIVE'S DEED - 2

74659

EXHIBIT "A"

- A. The East half of the Northwest quarter, and the South half of the Northeast quarter of Section Eight in Township Eleven South of Range Forty East of the Boise Meridian, Idaho, containing one hundred and sixty acres, according to the official plat of the survey of said lands, returned to the General Land Office by the Surveyor General. Caribou County, State of Idaho.

- B. The Southeast Quarter of the Southeast Quarter of Section 10, and the Northeast Quarter of Section 15, Township 11 South, Range 40 East of the Boise Meridian.

Also, 2 cubic feet of water per second, from Pats Hollow or Sand Springs, originally decreed to George D. Anderson, and with priority of May 2, 1884. Caribou County, State of Idaho.

- C. N1/2NW1/4 Section 15; SW1/4SW1/4 Section 10; and SE1/4SE1/4 Section 9, Township 11 South of Range 40 East Boise Meridian, in Idaho, containing 160 acres.

TOGETHER with all of the waters of Cole or Cold Springs, situate on the NE1/4NW1/4 Section 11, Township 11 South of Range 40 East Boise Meridian.

TOGETHER with all water and water rights, ditch or ditch rights used in connection with said lands or thereunto appertaining. Caribou County, State of Idaho.

- D. Lots Three and Four, the West half of the Southeast quarter, and the Southwest Quarter (comprises all of the South half) of Section Twelve; Lots One and Two and the West half of the Northeast quarter of Section Thirteen (comprises the Northeast quarter of Section 13); all in Township Eleven South, Range Thirty-nine East of the Boise Meridian; and also Lot Two of Section Eighteen, in Township Eleven South, Range Forty East of the Boise Meridian; and also

The Northeast quarter of the Northeast quarter of Section Eight; the West half of the

UP
M.R. S.

TW

Northwest quarter of Section Nine; and all that portion of the Southeast quarter of the Northwest quarter of Section Nine lying and being WEST of the County Road, as the same now exists; all in Township Eleven South, Range Forty East of the Boise Meridian. Subject to Patent Reservations; rights-of-way and easements as the same now exist, whether evidenced of record or otherwise; to any mortgaged indebtedness now against said premises, the unpaid balance of which the second party agrees to assume and pay; and subject to taxes for the year 1957 and subsequent years. Caribou County, State of Idaho.

- E. A tract of land located in the S2 SW4 Sec. 9, T11S, R40E, B.M., Caribou County, Idaho described as follows: Beginning at a point 1623.6 feet, more or less, South and 1268.9 feet, more or less, East of the NW corner of the SW4 of said Sec. 9; thence S 130°47' E, (considering the section line between Sec. 8 & 9 as due South) along the Easterly right-of-way of the Gentile Valley County Road, 330 feet; thence N 76° 13' E 220 feet; thence N 130° 47' W 330 feet; thence S 76° 13' West 220 feet to the point of beginning; Containing 1.67 acres, more or less. Caribou County, State of Idaho.
- F. Two lots in Thatcher Cemetery.

M. A. L.
J. F.
TV



1999: Milton Smith - Brad Smith

13-679
Cold Spring
(80 ac)

WARRANTY DEED
(GIFT)

For love and affection, ALICE CYNTHIA LEAVITT SMITH, a widow, hereinafter Grantor, does hereby grant, give and convey unto BRADLEY MILTON SMITH, a married man, as his sole and separate property, whose address is 412 River Road, Grace, Idaho 83241, hereinafter referred to as Grantee, Grantor's undivided one-half community property interest in the following described real property located in Caribou County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED BY REFERENCE.

SUBJECT TO A LIFE ESTATE RESERVED IN FAVOR OF
GRANTOR ENTITLING HER TO THE USE AND
POSSESSION OF THE DESCRIBED PROPERTY FOR LIFE.

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

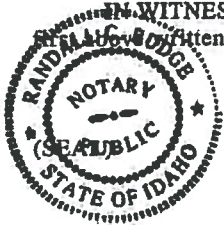
DATED this 25th day of August, 1999.

Alice Cynthia Leavitt Smith
ALICE CYNTHIA LEAVITT SMITH

STATE OF IDAHO)
County of Bannock) : ss

On this 25th day of August, 1999, before me, the undersigned, a notary public in and for said State, personally appeared Alice Cynthia Leavitt Smith, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that she executed the same.

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



Randall C. Budge
NOTARY PUBLIC FOR IDAHO,
Residing at: Pocatello, Id.
My Commission Expires: 10/14/2000

EXHIBIT "A"

- A. The East half of the Northwest quarter, and the South half of the Northeast quarter of Section Eight in Township Eleven South of Range Forty East of the Boise Meridian, Idaho, containing one hundred and sixty acres, according to the official plat of the survey of said lands, returned to the General Land Office by the Surveyor General. Caribou County, State of Idaho.
- B. The Southeast Quarter of the Southeast Quarter of Section 10, and the Northeast Quarter of Section 15, Township 11 South, Range 40 East of the Boise Meridian.

Also, 2 cubic feet of water per second, from Pats Hollow or Sand Springs, originally decreed to George D. Anderson, and with priority of May 2, 1884. Caribou County, State of Idaho.

- C. N1/2NW1/4 Section 15; SW1/4SW1/4 Section 10; and SE1/4SE1/4 Section 9, Township 11 South of Range 40 East Boise Meridian, in Idaho, containing 160 acres.

TOGETHER with all of the waters of Cole or Cold Springs, situate on the NE1/4NW1/4 Section 11, Township 11 South of Range 40 East Boise Meridian.

TOGETHER with all water and water rights, ditch or ditch rights used in connection with said lands or thereunto appertaining. Caribou County, State of Idaho.

- D. Lots Three and Four, the West half of the Southeast quarter, and the Southwest Quarter (comprises all of the South half) of Section Twelve; Lots One and Two and the West half of the Northeast quarter of Section Thirteen (comprises the Northeast quarter of Section 13); all in Township Eleven South, Range Thirty-nine East of the Boise Meridian; and also Lot Two of Section Eighteen, in Township Eleven South, Range Forty East of the Boise Meridian; and also

The Northeast quarter of the Northeast quarter of Section Eight; the West half of the

UP
M.R. &

TW

Northwest quarter of Section Nine; and all that portion of the Southeast quarter of the Northwest quarter of Section Nine lying and being WEST of the County Road, as the same now exists; all in Township Eleven South, Range Forty East of the Boise Meridian. Subject to Patent Reservations; rights-of-way and easements as the same now exist, whether evidenced of record or otherwise; to any mortgaged indebtedness now against said premises, the unpaid balance of which the second party agrees to assume and pay; and subject to taxes for the year 1957 and subsequent years. Caribou County, State of Idaho.

- E. A tract of land located in the S2 SW4 Sec. 9, T11S, R40E, B.M., Caribou County, Idaho described as follows: Beginning at a point 1623.6 feet, more or less, South and 1268.9 feet, more or less, East of the NW corner of the SW4 of said Sec. 9; thence S 13047' E, (considering the section line between Sec. 8 & 9 as due South) along the Easterly right-of-way of the Gentile Valley County Road, 330 feet; thence N 76° 13' E 220 feet; thence N 130 47' W 330 feet; thence S 76° 13' West 220 feet to the point of beginning; Containing 1.67 acres, more or less. Caribou County, State of Idaho.
- F. Two lots in Thatcher Cemetery.

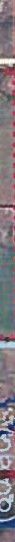
STATE OF IDAHO } ss 159747
County of Caribou }
I hereby certify that this instrument was filed at the request
of Randall C. Budge
at 9:00 o'clock A in this 30 day of
August 1959 in my office and duly
recorded Official Records
Recorder, Edie Izatt
Edie Izatt
Signature Deputy

77.1.1
15-
TU

1999: Alice Smith - Brad Smith

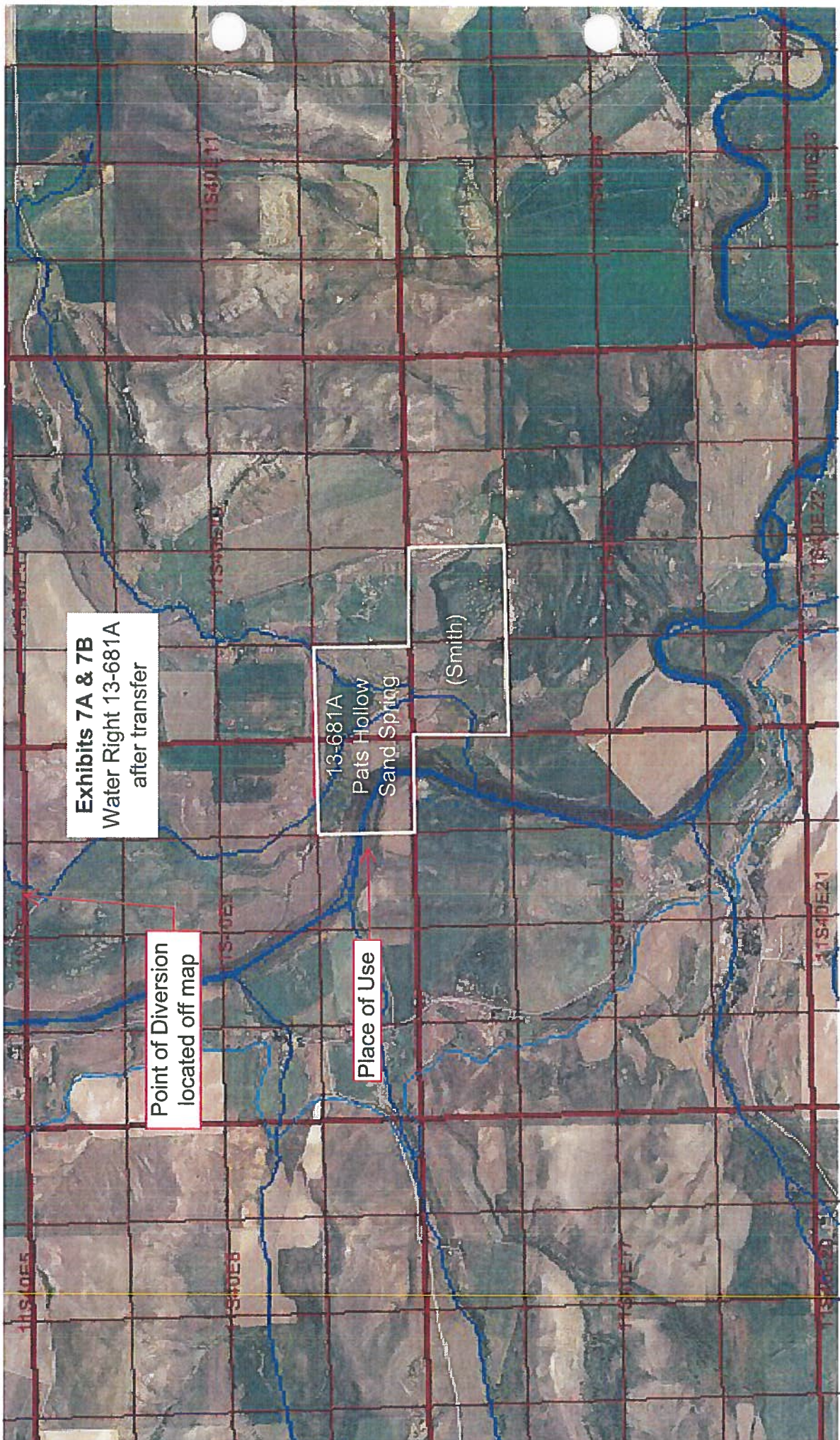
13-679
Cold Spring
(80 ac)

13-681A
Pats
Hollow



13-679
Cold Spring
(80 ac)

13-681A
Pats
Hollow



RECEIVED

JAN 19 2011

Department of Water Resources
Eastern Region

LAW OFFICES OF

**RACINE OLSON NYE BUDGE & BAILEY
CHARTERED**

201 EAST CENTER STREET
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

www.racinelaw.net

SENDER'S E-MAIL ADDRESS: tjb@racinelaw.net

January 15, 2011

W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
ERIC L. OLSEN
CONRAD J. AIKEN
RICHARD A. HEARN, M.D.
LANE V. ERICKSON
FREDERICK J. HAHN, III
DAVID E. ALEXANDER
PATRICK N. GEORGE
SCOTT J. SMITH
JOSHUA D. JOHNSON
STEPHEN J. MUHONEN
CANDICE M. MCHUGH
CAROL TIPPI VOLYN
BRENT L. WHITING
JONATHAN S. BYINGTON
DAVE BAGLEY
THOMAS J. BUDGE
JONATHAN M. VOLYN
MARK A. SHAFFER
JASON E. FLAIG
FERRELL S. RYAN, III

BOISE OFFICE
101 SOUTH CAPITOL
BOULEVARD, SUITE 208
BOISE, IDAHO 83702
TELEPHONE: (208) 395-0011
FACSIMILE: (208) 433-0167

IDAHO FALLS OFFICE
477 SHOUP AVENUE
SUITE 107
POST OFFICE BOX 50698
IDAHO FALLS, ID 83405
TELEPHONE: (208) 528-6101
FACSIMILE: (208) 528-6109

ALL OFFICES TOLL FREE
(877) 232-6101

LOUIS F. RACINE (1917-2005)
WILLIAM D. OLSON, OF COUNSEL

James Cefalo
Idaho Dept. of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

RE: *Withdrawal of Statutory Claim No. 13-7710*
Amended Application for Transfer No. 74658
Amended Application for Transfer No. 74659

Dear James:

I am writing in regard to pending water right transfer nos. 74658 and 74659. These transfers were filed as part of a land and water right transaction between Brad Smith and Charles Barlow.

Transfer nos. 74658 and 74659 are companion transfers. They were designed to swap water right no. 13-679 with water claim no. 13-7710. However, upon reviewing the chain of title for lands owned by Smith, I discovered that claim no. 13-7710 need not exist and that water right no. 13-679 should instead be swapped with water right no. 13-681A. Therefore, this letter is a formal request to withdraw statutory claim no. 13-7710 and to amend transfer nos. 74658 and 74659.

Since the Department's form *Application for Transfer of Water Right* has been overhauled since transfer nos. 74658 and 74659 were first submitted, I have used the Department's new transfer form to amend transfer nos. 74658 and 74659. The original and one copy of each amended transfer application is enclosed. Please process the originals and conform stamp and return the copies in the enclosed envelope. The enclosed applications are intended to supersede and replace the applications filed previously.

74 65 9

James Cefalo
January 15, 2011
Page 2

Water right 13-681 was decreed to George Anderson and water right 13-679 was decreed to John Harrington in the case of *Utah Power & Light Co. v. Last Chance Canal Co.* (commonly known as the "Dietrich Decree). Water right 13-681 was subsequently split into water right numbers 13-681A (owned by Smith) and 13-681B (owned by Wheeler).

Attachment #2A and 2B to transfer no. 74658 is the chain of title tracing ownership of water right 13-681A from Anderson to Smith. *Attachment # 2A and 2B* to transfer no. 74659 is the chain of title tracing ownership of water right 13-679 from Harrington to Smith. Attached to this letter as is a map showing the places of use of water rights 13-681A and 13-679 as of 1999 at which time Brad Smith became the owner of both rights. In 2007, Smith conveyed water right 13-679 to Barlow while reserving water right 13-681A unto himself. A copy of that deed is also attached to this letter.

The purpose of the transfer nos. 74658 and 74659 is to accomplish the conveyance and retention of water right nos. 13-681A and 13-679 as specified in the deed from Smith to Barlow. Transfer no. 74659 seeks to change the place of use of water right 13-679 to the property that Barlow purchased from Smith. Transfer no. 74658 seeks to change the place of use of water right 13-681A from the property purchased by Barlow to the property retained by Smith that is being vacated by the transfer of water right 13-679. Thus, transfer nos. 74658 and 74659 seek to swap water right 13-679 with water right 13-681A.

I understand the fee to file these amended transfer applications is \$50; therefore, I have enclosed a check in that amount. Thanks for your attention to this matter. Please call me if you have any questions.

Best regards,



T. J. BUDGE

cc: Brad Smith

TJB:cr
Enclosures



74659

RE-RECORDED TO CORRECT GRANTEE'S NAME

RECORDATION REQUESTED BY:

Randall C. Budge
Racine, Olson, Nye, Budge & Bailey
P.O. Box 1391
Pocatello, Idaho 83204-1391

Instrument # 178005

CARBON COUNTY

2007-04-20

01:02:13 No. of Pages: 2

Recorded for : ALLIANCE TITLE

VEDA MASCARENAS

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Fee: 2.00

BA Strickman

WHEN RECORDED MAIL TO:

Charles Barlow
1130 Manchester Drive
Kaysville, Utah 84037

Instrument # 178483

CARBON COUNTY

2007-11-13

03:24:46 No. of Pages: 2

Recorded for : ALLIANCE TITLE

VEDA MASCARENAS

Ex-Officio Recorder Deputy

Index to: CORRECTED WARRANTY DEED

Fee: 2.00

S. Barlow

WARRANTY DEED

MSB
Sub
2080140595

Grantor	Grantee
Bradley Milton Smith, aka Bradley Smith, a married person as his sole and separate property 412 River Road Grace, Idaho 83241	Charles E. Barlow and Laurel W. Barlow, husband and wife 1130 Manchester Drive Kaysville, Utah 84037

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, the Grantors hereby sell and forever transfer the following parcels of real property located in Carbon County, Idaho, to the Grantee, including the Grantors= right, title and interest therein:

Township 11 South, Range 40 East, B.M.:

Section 15: NE1/4

Section 10: SB1/4 SE1/4

TOGETHER WITH all appurtenant water rights which include the first 1.6 cfs of water arising from Cold Springs Creek, Idaho Department of Water Resources Water Right Number 13-679, but excluding all water rights in Pats Hollow or Sams Springs which were originally decreed to George D. Anderson on May 2, 1884, and are specifically reserved to grantors.

TOGETHER WITH AND INCLUDING any and all fixtures and improvements, any and all appurtenances, tenements, and hereditaments, and any and all rents, issues, and profits that relate or otherwise pertain to the foregoing parcels of real property.

TO HAVE AND TO HOLD the foregoing parcels of real property unto the Grantee and its successors and assigns forever.

The Grantors hereby covenant that the Grantors are the owners in fee simple of the foregoing parcels

WARRANTY DEED - 1

of real property, that the foregoing parcels of real property are free and clear of any and all mortgages, liens, or other encumbrances, except those of record in the records of Caribou County, Idaho, current taxes, ordinances and federal and state rights and reservations, including, without limitation, patents, oil, gas and minerals; and that the Grantors will warrant and defend the same from any and all lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantors hereunto set their hands this ____ day of April, 2007.

Bradley Milton Smith
BRADLEY MILTON SMITH

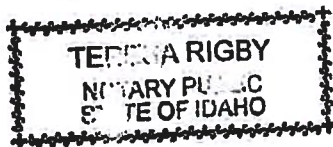
Lela Diane Smith
LELA DIANE SMITH

STATE OF IDAHO)

: ss

County of Caribou)

On the 17th day of April, 2007, before me, a Notary Public, personally appeared Bradley Milton Smith and Lela Diane Smith, known or identified to me to be the persons who executed the Warranty Deed, and duly acknowledged to me that they executed this Warranty Deed.



Teresa Rigby
NOTARY PUBLIC FOR IDAHO,
Residing at Soda Springs
My Commission Expires: 6/21/08

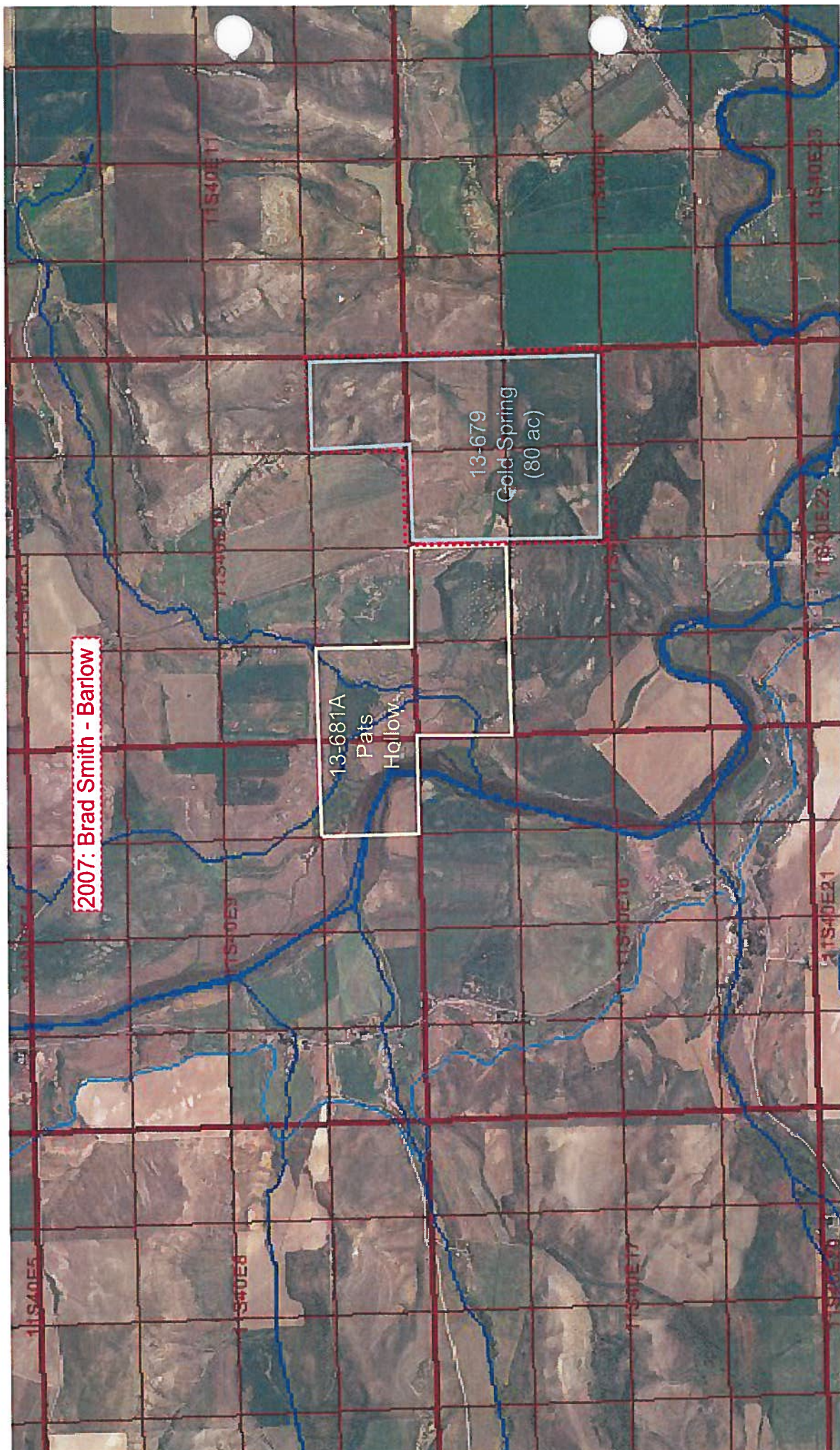
STATE OF IDAHO }
COUNTY OF CARIBOU } ss

Senise Thibault
I, Senise Thibault, Clerk, Auditor and Recorder of Caribou County, Idaho, do hereby certify that the within and foregoing is a full, true and correct copy of the original Warranty Deed as the same is recorded in my office at Soda Springs in my book Official Records of Caribou County, Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of my office at Soda Springs, Idaho, this 17 day of April, 2007.

Senise Thibault
Clerk, Auditor & Recorder,
Caribou County, Idaho

WARRANTY DEED - 2



74659