

Entry No. 121

Sheet No. 170

Instrument No. 76998.

William W. Cooper and Delania Cooper, husband and wife,

MORTGAGE.

Dated May 8, 1920.

to

Filed May 10, 1920 at 2:45 P.M.

James M. Ingersoll, a single man,

Recorded Book 37 Mtgs. page 75.

Consideration. \$5000.00.

Acknowledged in Bannock County, State of Idaho on May 10, 1920 by William W. Cooper and Delania Cooper, husband and wife, before F.E. Tydeman, Notary Public, Bannock County, Idaho, residence, Pocatello, Idaho. (Notarial Seal)

Granting Words: Grant, bargain, sell and convey.

Description: The Southwest quarter of the Southeast quarter, and the lots one (1), two (2), three (3) and four (4) of section twenty-two (22); Lot three (3) of Section Fifteen (15), all in township Nine (9) South of Range Thirty-eight (38) East of the Boise Meridian, excepting therefrom that portion of the said Lot Four (4) in Section twenty-two (22), described as follows: Beginning at a point on the West boundary line of Lot Four (4), Section twenty-two (22), Township Nine (9) South, Range thirty-eight (38) East of the Boise Meridian, in Idaho, where said line is intersected by the South boundary line of the County Public Road running Easterly and Westerly through said section twenty-two, run thence Easterly following said South boundary line of said Public Road to the Northwest corner of the garden plat of the grantors a distance of thirty (30) rods, more or less, run thence Southerly following the fence enclosing such garden plat on the West to the center of the channel of Fish Creek, thence northwesterly following the center line of the channel of Fish Creek to the point where it intersects the West boundary line of said Lot Four (4), run thence Northeasterly following the said West boundary line of said Lot Four (4) to the point of beginning, said exception containing five (5) acres, more or less, and the whole tract hereby conveyed containing two hundred eight and seventy-two one-hundredths acres (208.82 A) more or less.

Also conveying any and all water, water rights, privileges, or franchises belonging to or with, or used upon or in connection with the said lands or any part or parcel thereof, for the irrigation of the same, or for domestic or culinary purposes thereon, and all dams, ditches, flumes, reservoirs, aqueducts or other works, used for the storage, diversion or distribution of such waters, or in conveying the same to, upon or over the said lands, or any part or parcel thereof, and particularly a right to the use of seventy-five (75) inches of the waters of Fish Creek, as of the date of March 1, 1889, and sixty (60) inches of the waters of Fish Creek, as of date of March 1, 1893, the use of the waters of said Fish Creek was decreed under and by virtue of the decree of the District Court of the Fifth Judicial District of the State of Idaho, in and for Bannock County, on the 10th day of March, 1902; and forty-nine (49) shares of stock in Dempsey Irrigating Company, being certificate Number 102.

Given to secure a note of \$5000.00 of even date herewith, due one year after date with interest at the rate of eight per cent per annum, payable semi-annually.

Signed: William W. Cooper,
Delania Cooper.

Witness: H. J. Swanson.