



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

April 25, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RAO HYMAS, ROGER HYMAS,
BENJAMIN HYMAS, SCOTTY JOSEPH HYMAS,
AARON SKINNER HYMAS
4709 LANARK RD
OVID ID 83254

RE: Change in Ownership for Water Right No. 11-46

Dear Interested Parties:

Our letter of November 22, 2005 (copy enclosed) explaining reasons why the department was unable to process your ownership change request, and giving you the possibility of options so that an ownership change could be accomplished remains unanswered.

Therefore, I am returning the notice of change in water right ownership request. Issuance of a refund in the amount of \$25.00 for fees paid is in process. A copy of your ownership change request information will be kept in our files for reference.

If you have any questions regarding this matter, please call me at 208-287-4945.

Sincerely,

A handwritten signature in cursive script that reads "Darla Block".

Darla Block
Technical Records Specialist

Enclosure(s)

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

NOV - 4 2003

DEPARTMENT OF WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List **just** the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
11-46					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a **USDA Farm Service Agency AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

D m King

(DECEASED)

4. New Owner/Claimant(s)

RAD HYMAS, ROGER HYMAS, BENTAHN HYMAS, SCOTTY JOSEPH HYMAS,
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or AND AARON SKINNER HYMAS.

New Mailing Address

4709 LAWARK ROAD

City, State and ZIP Code

OMI, IDAHO 83254

New Telephone Number

(208) 945-2659

5. Date you acquired the property

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Rogers

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by

Received by

Processed by

Man Date *11/4/03*
Man Date *11/4/03*
AJ Date _____

Fee

Receipt No.

WR

\$12500
0071476
Date _____

THIS INDENTURE Made the 22 day of March, in the year of Our Lord, One Thousand Nine Hundred and Ninety-Six, between CAROLE S. HYMAS, of Bloomington, Idaho, the party of the first part, and BENJAMIN HYMAS, SCOTTY JOSEPH HYMAS, AND AARON SKINNER HYMAS, of 4709 Lanark Road, Ovid, Idaho, the parties of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, lawful money of the United States of America, to her in hand paid by the said parties of the second part, the receipt of which is hereby acknowledged, do by these presents demise, release and forever quitclaim unto the said parties of the second part as tenants in common, and to their heirs and assigns, all that certain lot of land lying and being in Bear Lake County, and more particularly described as follows:

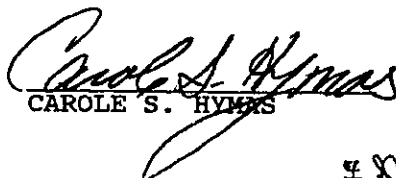
SEE EXHIBIT "A"

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

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

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

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

 (SEAL)
CAROLE S. HYMAS

96 MAR 22 PM 9 18
RECEIVED
FEE

BEAR LAKE COUNTY RECORDS

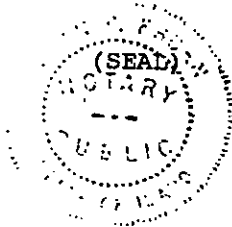
163602

3/24/1996

STATE OF IDAHO)
County of) ss.

On this 22nd day of March, 1996, before me, a Notary Public in and for the State of Idaho, personally appeared CAROLE S. HYMAS, known or identified 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 set my hand and affixed my official seal the day and year first above written.



James P. Larn
NOTARY PUBLIC FOR IDAHO
Residing at: PAID
My commission expires: 2-6-99

163802

EXHIBIT "A"

PARCEI #1

Commencing at a point in the middle of East Liberty Irrigation Ditch, said point being 2.27 chains East from the Northwest Corner of the Northeast Quarter of the Southeast Quarter of Section 32, Township 12 South, Range 43 East Boise Meridian, and running thence West 2.27 chains; thence South 19.62 chains; thence North 63 degrees 30 minutes East 11.52 chains, to the middle of said irrigation ditch; thence following the windings of said ditch to the place of beginning.

ALSO: The South half of the North half of the Northwest Quarter of Section 32, Township 12 South of Range 43 East of Boise Meridian.

PARCEI #2

Commencing at a point 10.00 chains South and 2.00 chains East from the Northwest Corner of the Northeast Quarter of Section 31, Township 12 South, Range 43 East Boise Meridian, and running East 18.00 chains; thence North 6.74 chains; thence West 13.00 chains, more or less, to the middle of the Sharon Irrigation Ditch; thence up said ditch to its intersection with North line of said Section 31; thence West 27.68 chains, to the Sharon-Liberty Road; thence Southeasterly to the point of beginning. EXCEPT THEREFROM a strip deeded to Bear Lake County and recorded in Deed Book 28, on page 642.

PARCEI #3

The Southeast Quarter of the Southwest Quarter of Section 29, Township 12 South, Range 43 East Boise Meridian.

AN UNDIVIDED ONE-HALF INTEREST IN THE FOLLOWING:

PARCEI #1:

lots 4 & 5 as platted in Bear lake County Plat Book B, Page 79, and further described as follows, to-wit: Commencing at the Southwest corner of the Southeast Quarter of Section 5, Township 13 South of Range 43 East of the Boise Meridian, in Idaho, and running thence North 22 minutes West 8 chains and 28 links; thence East 10 chains; thence South 6 chains and 56 links; thence South 79 degrees East 9 chains and 47 links; thence South 89 degrees 38 minutes East 48 links; thence South 1 degree 36 minutes West 9 links; thence South 79 degrees 00 minutes East 8 chains and 60 links; thence South 6 chains and 21 links; thence North 78 degrees West 9 chains and 97 links; thence North 01 degrees 36 minutes East 5 chains and 97 links; thence North 79 degrees West 49 links; thence North 89 degrees 30 minutes West 19 chains and 29 links, to the place of beginning.

ALSO: Commencing at the Southwest corner of the Southeast Quarter of Section 5, Township 13 South, Range 43 East of Boise Meridian, and running thence North 00 degrees 22 minutes West 8.26 chains; thence South 89 degrees West 2.08 chains; thence North 47 degrees West 1.19 chains; thence North 69 degrees 35 minutes West 6.50 chains; thence South 28 degrees West 11.25 chains; thence North 69 degrees 35 minutes West 6.50 chains; thence South 28 degrees West 11.25 chains; thence North 65 degrees West 6.25 chains; thence South 24.00 chains; thence East 20 chains; thence North 20 chains to the place of beginning.

ALSO: The Northwest Quarter of the Northeast Quarter of Section 8, Township 13 South, Range 43 East of Boise Meridian, SAVE AND EXCEPT THEREFROM the following portion thereof, to-wit: Commencing at a point 1310 feet West and thence South 409.5 feet from the corner of Section 4, 5, 8 and 9, Township 13 South Range 43 East of the Boise Meridian, in Idaho, and running thence South 855 feet; thence North 29 degrees West 422 feet; thence North 19 degrees West 595 feet; thence South 79 degrees 15 minutes East 415 feet to place of beginning.

PARCEI #2

The Southwest Quarter of the Southwest Quarter of Section 29,
Township 12 South, Range 43 East of the Boise Meridian.

PARCEI #3

The Northeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northeast Quarter of Section 7, Township 13 South, Range 43 East of the Boise Meridian.

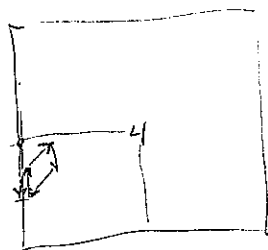
PARCEI #4

Commencing at a point in the East side of the Sharon-Ovid Road, said point being 9.12 chains West from the Northeast Corner of the Southeast Quarter of Section 32 in Township 12 South of Range 43 East, Boise Meridian, and running thence East 9.12 chains; thence South 9.62 chains; thence South 61 degrees 30 minutes West 7.32 chains to the East side of said road; thence North 12 degrees 30 minutes West 13.20 chains to place of beginning.

→ PARCEL #5

Commencing at a point in the middle of "North Creek", said point being 1342 feet South from the Northwest Corner of the Southwest Quarter of Section 4 in Township 13 South, Range 43 East Boise Meridian, and running thence North 591 feet, to the middle of road; thence North 75 degrees East 788 feet to intersection with Sharon-Ovid Road; thence South 14 degrees East 515 feet; thence South 62 degrees West 672 feet, to Creek; thence up creek to the place of beginning.

ALSO: Commencing at a point in the middle of "North Creek" and the center of the road, 11.38 chains South and 7.24 chains South 75 degrees West from the Northwest Corner of the Southwest Quarter of Section 4, in Township 13 South of Range 43 East Boise Meridian, and running thence North 75 degrees East 7.24 chains; thence South 9.00 chains, to the middle of said creek; thence up creek to place of beginning.



DEPUTY FEE

19327 FEB 11 30

BEAR LAKE COUNTY RECORDER
JOHN P. EDORN

149892

MEMORANDUM OF REAL ESTATE SALES CONTRACT

THIS MEMORANDUM made and entered into this 29th day of January, 1990, by and between EVANGELINE HYMAS, a widow, hereinafter referred to as Seller, and ROGER HYMAS and CAROLE HYMAS, husband and wife, ~~and RAO D. HYMAS, a single man,~~ hereinafter referred to as Buyers;

RH
CH
EH

W I T N E S S E T H:

1. That the Seller have agreed to sell and convey to the Buyers, and the Buyers have agreed to purchase certain real property located in Bear Lake County, State of Idaho, and more particularly described as follows:

PARCEL #1

Commencing at a point in the middle of East Liberty Irrigation Ditch, said point being 2.27 chains East from the Northwest Corner of the Northeast Quarter of the Southeast Quarter of Section 32, Township 12 South, Range 43 East Boise Meridian, and running thence West 2.27 chains; thence South 19.62 chains; thence North 63 degrees 30 minutes East 11.52 chains, to the middle of said irrigation ditch; thence following the windings of said ditch to the place of beginning.

ALSO: The South half of the North half of the Northwest Quarter of Section 32, Township 12 South of Range 43 East of Boise Meridian.

PARCEL #2

Commencing at a point 10.00 chains South and 2.00 chains East from the Northwest Corner of the Northeast Quarter of Section 31, Township 12 South, Range 43 East Boise Meridian, and running East 18.00 chains; thence North 6.74 chains; thence West 13.00 chains, more or less, to the middle of the Sharon Irrigation Ditch; thence up said ditch to its intersection with North line of said Section 31; thence West 27.68 chains, to the Sharon-Liberty Road; thence Southeasterly to the point of beginning. EXCEPT THEREFROM a strip deeded to Bear Lake County and recorded in Deed Book 28, on page 642.

PARCEL #3

The Southeast Quarter of the Southwest Quarter of Section 29, Township 12 South, Range 43 East Boise Meridian.

AN UNDIVIDED ONE-HALF INTEREST IN THE FOLLOWING:

PARCEL #1:

lots 4 & 5 as platted in Bear Lake County Plat Book B, Page 79, and further described as follows, to-wit: Commencing at the Southwest corner of the Southeast Quarter of Section 5, Township 13 South of Range 43 East of the Boise Meridian, in Idaho, and running thence North 22 minutes West 8 chains and 28 links; thence East 10 chains; thence South 6 chains and 56 links; thence South 79 degrees East 9 chains and 47 links; thence South 89 degrees 38 minutes East 48 links; thence South 1 degree 36 minutes West 9 links; thence South 79 degrees 00 minutes East 8 chains and 60 links; thence South 6 chains and 21 links; thence North 78 degrees West 9 chains and 97 links; thence North 01 degrees 36 minutes East 5 chains and 97 links; thence North 79 degrees West 49 links; thence North 89 degrees 30 minutes West 19 chains and 29 links, to the place of beginning.

ALSO: Commencing at the Southwest corner of the Southeast Quarter of Section 5, Township 13 South, Range 43 East of Boise Meridian, and running thence North 00 degrees 22 minutes West 8.26 chains; thence South 89 degrees West 2.08 chains; thence North 47 degrees West 1.19 chains; thence North 69 degrees 35 minutes West 6.50 chains; thence South 28 degrees West 11.25 chains; thence North 69 degrees 35 minutes West 6.50 chains; thence South 28 degrees West 11.25 chains; thence North 65 degrees West 6.25 chains; thence South 24.00 chains; thence East 20 chains; thence North 20 chains to the place of beginning.

ALSO: The Northwest Quarter of the Northeast Quarter of Section 8, Township 13 South, Range 43 East of Boise Meridian, SAVE AND EXCEPT THEREFROM the following portion thereof, to-wit: Commencing at a point 1310 feet West and thence South 409.5 feet from the corner of Section 4, 5, 8 and 9, Township 13 South Range 43 East of the Boise Meridian, in Idaho, and running thence South 855 feet; thence North 29 degrees West 422 feet; thence North 19 degrees West 595 feet; thence South 79 degrees 15 minutes East 415 feet to place of beginning.

PARCEL #2

The Southwest Quarter of the Southwest Quarter of Section 29, Township 12 South, Range 43 East of the Boise Meridian.

PARCEL #3

The Northeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northeast Quarter of Section 7, Township 13 South, Range 43 East of the Boise Meridian.

PARCEL #4

Commencing at a point in the East side of the Sharon-Ovid Road, said point being 9.12 chains West from the Northeast Corner of the Southeast Quarter of Section 32 in Township 12 South of Range 43 East, Boise Meridian, and running thence East 9.12 chains; thence South 9.62 chains; thence South 61 degrees 30 minutes West 7.32 chains to the East side of said road; thence North 12 degrees 30 minutes West 13.20 chains to place of beginning.

PARCEL #5

Commencing at a point in the middle of "North Creek", said point being 1342 feet South from the Northwest

149 2
Corner of the Southwest Quarter of Section 4 in Township 13 South, Range 43 East Boise Meridian, and running thence North 591 feet, to the middle of road; thence North 75 degrees East 788 feet to intersection with Sharon-Ovid Road; thence South 14 degrees East 515 feet; thence South 62 degrees West 672 feet, to Creek; thence up creek to the place of beginning.

5
ALSO: Commencing at a point in the middle of "North Creek" and the center of the road, 11.38 chains South and 7.24 chains South 75 degrees West from the Northwest Corner of the Southwest Quarter of Section 4, in Township 13 South of Range 43 East Boise Meridian, and running thence North 75 degrees East 7.24 chains; thence South 9.00 chains, to the middle of said creek; thence up creek to place of beginning.

Grantor reserves all mineral rights on said property.

2. The parties hereby acknowledge that they entered into a certain Real Estate Sales Contract dated ^{January} ~~December~~ 29th, 1992, ¹⁹⁹² ~~1989~~, pertaining to the above described real property and that said Agreement together with a Warranty Deed conveying said property has been placed in escrow with First Idaho Title Company, Montpelier, Idaho, as Escrow Agent.

3. The parties acknowledge and agree that this instrument has been made and executed for the purpose of recording with the Bear Lake County Recorder's Office and for the specific purpose of giving notice of this transaction to all persons who may now or later become interested in said real property.

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

Evangelina Hyman
EVANGELINE HYMAS

Roger Hyman
ROGER HYMAS

Carol Hyman
CAROLE HYMAS

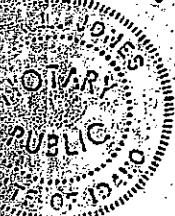
RAO B. HYMAS

STATE OF IDAHO
County of Bear Lake

ss.

149 2
Or this 29th day of January, 1990, before me, a Notary Public in and for said State, personally appeared EVANGELINE HYMAS, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me she executed the same.

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



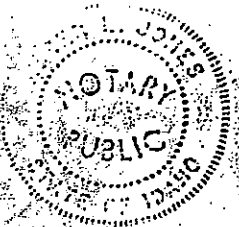
[Signature]
Notary Public for State of Idaho
Residing at Montpelier
My Commission Expires: 9/13/95

STATE OF IDAHO
County of Bear Lake

ss.

On this 29th day of January, 1990, before me, a Notary Public in and for said State, personally appeared ROGER HYMAS and CAROLE HYMAS, 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 hereunto set my hand and seal the day and year in this certificate first above written.



[Signature]
Notary Public for State of Idaho
Residing at Montpelier
My Commission Expires: 9/13/95

STATE OF IDAHO)
County of Bear Lake) ss.

On this _____ day of _____, 1989, before me, a Notary Public in and for said State, personally appeared RAO D. HYMAS, a single man, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me he executed the same.

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

Notary Public for State of Idaho
Residing at _____
My Commission Expires: _____

BEAR LAKE COUNTY RECORDER
JOAN F. LUDORN

85 FEB 8 PM 2 46

85 FEB 25 PM 1 21

LYNN BROWER
Attorney at Law
469 Washington Street
Montpelier, ID 83254
Telephone: 208-847-2499

Joan Ludorn 14.00
DEPUTY FEE

Marshall Bolton FEE

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BEAR LAKE

IN THE MATTER OF THE
ESTATE OF

ELDON D. HYMAS,
deceased.

PROBATE CASE NO. 1001

DECREE VESTING ESTATE
IN SURVIVING SPOUSE

THE PETITION of EVANGELINE HYMAS for a Decree vesting an estate in her, as a surviving spouse having come before the Court for hearing, and the Court having heard the evidence and being fully advised in the premises, the Court makes the following findings:

I.

ELDON D. HYMAS died on the 13th day of October, 1983, at Liberty, Bear Lake County, Idaho. At the time of his death, said decedent was domiciled in Bear Lake County, Idaho.

II.

The decedent died intestate.

1/25/1985

III.
The decedent was survived by the heirs named in Exhibit "A" attached hereto and incorporated herein by reference thereto.

IV.

The decedent, ELDON D. HYMAS, and the petitioner, EVANGELINE HYMAS, intermarried on the 28th day of September, 1942, at Logan, Cache County, Utah, and ever since that date until the date of decedent's death, were husband and wife.

V.

The decedent left an estate, as described in petitioner's Petition, consisting solely of community property of the decedent and his surviving spouse, EVANGELINE HYMAS, and that as the surviving spouse of the decedent, the petitioner is entitled to the Decree of this Court declaring and establishing that all of said community property became fully vested on the 25th day of January, 1985, in the petitioner as the sole heir of the decedent.

VI.

All notices have been given as required by law.

VII.

No inheritance tax is due and payable to the State of Idaho.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the petitioner, EVANGELINE HYMAS is the surviving spouse of the said decedent, and that the following described real

and personal property is now and hereby vested in, and quieted in, and distributed, to EVANGELINE HYMAS as of the 25th day of January, 1985, free and clear of all right, title, estate, claim or demand of any person or persons claiming or attempting to claim under the said ELDON D. HYMAS, deceased, as heir or otherwise, except as a proper creditor.

The real and personal property so decreed and distributed is more particularly described in Exhibit "B" attached hereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that any other community property not now known or discovered which may belong to said decedent or said estate and the petitioner, or in which the said decedent and petitioner may have an interest, be, and the same hereby is distributed and vested in EVANGELINE HYMAS absolutely.

DATED this 25th day of January, 1985.


WALLACE M. TRANSTRUM
Lawyer Magistrate

EXHIBIT A

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>ADDRESS</u>
EVANGELINE HYMAS	Spouse	Box 46 Ovmd, ID 83260
LINDA FIRTH	Daughter	1357 Rosa Circle Sandy, UT 84092
JANET WILLDEN	Daughter	11203 Londonberry Drive Sandy, UT 84092
CONNIE ANN OLSON	Daughter	5404 Pilot Peak Road Laramie, WY 82070
LANA JEAN STONE	Daughter	4410 Driftwood Cedar City, UT 84720
ELLEN SKINNER	Daughter	Box 19 Dingle, ID 83233

Parcel #4

The Southeast Quarter of the Southwest Quarter of Section 29, Township 12 South, Range 43 East Boise Meridian.

VALUE \$ 6,383.00

AN UNDIVIDED ONE-HALF INTEREST IN THE FOLLOWING:

Parcel #1:

Lots 4 and 5 as platted in Bear Lake County Plat Book B, page 79, and further described as follows to-wit: Commencing at the Southwest corner of the Southeast Quarter of Section 5, Township 13 South of Range 43 East of the Boise Meridian, in Idaho, and running thence North 22 minutes West 8 chains and 28 links; thence East 10 chains; thence South 6 chains and 56 links; thence South 79 degrees East 9 chains and 47 links; thence South 89 degrees 38 minutes East 48 links; thence South 1 degree 36 minutes West 9 links; thence South 79 degrees 00 minutes East 8 chains and 60 links; thence South 6 chains and 21 links; thence North 78 degrees West 9 chains and 97 links; thence North 01 degrees 36 minutes East 5 chains and 97 links; thence North 79 degrees West 49 links; thence North 89 degrees 30 minutes West 19 chains and 29 links, to the place of beginning.

ALSO: Commencing at the Southwest corner of the Southeast Quarter of Section 5, Township 13 South, Range 43 East of Boise Meridian, and running thence North 00 degrees 22 minutes West 8.26 chains; thence South 89 degrees West 2.08 chains; thence North 47 degrees West 1.19 chains; thence North 69 degrees 35 minutes West 6.50 chains; thence South 28 degrees West 11.25 chains; thence North 69 degrees 35 minutes West 6.50 chains; thence South 28 degrees West 11.25 chains; thence North 65 degrees West 6.25 chains; thence South 24.00 chains; thence East 20 chains; thence North 20 chains to the place of beginning.

ALSO: The Northwest Quarter of the Northeast Quarter of Section 8, Township 13 South, Range 43 East of Boise Meridian, SAVE AND EXCEPT THEREFROM the following portion thereof to-wit: Commencing at a point 1310 feet West and thence South 409.5 feet from the corner of Sections 4, 5, 8 and 9, Township 13 South, Range 43 East of the Boise Meridian, in Idaho, and running thence South 855 feet; thence North 29 degrees West 422 feet; thence North 19 degrees West 595 feet; thence South 79 degrees 15 minutes East 415 feet to place of beginning.

VALUE \$22,710.00

Parcel #2

The Southwest Quarter of the Southwest Quarter of Section 29, Township 12 South, Range 43 East of the Boise Meridian.

VALUE \$ 6,285.00

Parcel #3

Parcel #3
The Northeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northeast Quarter of Section 7, Township 13 South, Range 43 East of the Boise Meridian.

VAT 11%	\$ 2,660.00
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Parcel #4

Commencing at a point in the East side of the Sharon-O'rd Road, said point being 9.12 chains West from the Northeast Corner of the Southeast Quarter of Section 32 in Township 12 South of Range 43 East, Boise Meridian, and running thence East 9.12 chains; thence South 9.62 chains; thence South 61 degrees 30 minutes West 7.32 chains to the East side of said road; thence North 12 degrees 30 minutes West 13.20 chains to place of beginning.

VALUE \$ 1,160.00

Parcel #5

Commencing at a point in the middle of "North Creek", said point being 1342 feet South from the Northwest Corner of the Southwest Quarter of Section 4 in Township 13 South, Range 43 East Boise Meridian, and running thence North 591 feet, to the middle of road; thence North 75 degrees East 738 feet to intersection with Sharon-Ovid Road; thence South 14 degrees East 515 feet, thence South 62 degrees West 672 feet, to Creek; thence up creek to the place of beginning.

ALSO: Commencing at a point in the middle of "North Creek" and the center of the Road, 11.38 chains South and 7.24 chains South 75 degrees West from the Northwest Corner of the Southwest Quarter of Section 4, in Township 13 South of Range 43 East Boise Meridian, and running thence North 75 degrees East 7.24 chains; thence South 9.00 chains, to the middle of said creek; thence up creek to place of beginning.

VALUE \$ 2,070.00

PERSONAL PROPERTY

Automobiles	\$ 10,000.00
Household Furniture and Furnishings	\$ 5,000.00
Personal Goods and Effects	\$ 1,000.00
Miscellaneous Property	\$ 1,000.00
Livestock	\$ 7,000.00
Farm Equipment and Machinery	\$ 15,000.00

TOTAL VALUE OF PROPERTY \$122,057.00

DECREE VESTING ESTATE IN SURVIVING SPOUSE
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WITNESSETH that the said part Y of the first part, for and in consideration of the sum of One dollar and as a gift lawful money of the United States of America to her in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY, and CONFIRM unto the said part Y of the second part, and to his heirs and assigns forever, all that certain piece or parcel of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit: Commencing at a point 5.76 chains West from the SE Corner of Blk. 9 as platted in Bear Lake Co. Plat Book B on page 89, and running thence West 5.38 chains; thence North 10.00 chains; thence East 5.87 chains; thence South 5.00 chains; thence West 50/100 chains; thence South 5.00 chains to the place of beginning and containing 5.63 acres more or less.

ALSO: Commencing at a point 7.14 chains West from the NE Corner of Block 5 as platted in Bear Lake County Plat Book B on page 89, and running thence West 4.00 chains; thence South 7.43 chains; thence 4.70 chains; thence North 6.13 chains; thence West 70/100 chains; thence North 1.30 chains to the place of beginning and containing 3.40 acres more or less.

ALSO: Commencing at a point in the middle of "East Liberty Irr. Ditch", said point being 2.27 chains East from the NW Corner of the NE 1/4 of the SE 1/4 of Section 32 in Tp. 12 South of Range 43 East, and running thence 7.73 chains, to the west side of the Sharon-Ovid Road, thence S. 12° 30' E. 13.50 chains; thence S. 63° 30' W. 2.48 chains to the middle of Irr. Ditch thence up said ditch to place of beginning and containing 9.00 acres of land.

ALSO: An undivided one-half of, Commencing at a point in the East side of the Sharon Ovid Road, said point being 9.12 chains West from the NE Corner of the SE 1/4 of Section 32 in Tp. 12 South of Range 43 East, and running thence East 9.12 chains; thence South 9.62 chain thence S. 63° 30' W. 7.32 chains to east side of road; thence N. 12° 30' W. 13.20 chains to beginning and containing 8.91 acres more or less.

ALSO: An undivided one-half of, Commencing at a point in the middle of "North Creek" said point being 1342 feet South from the NW Corner of the SW 1/4 of Section 4 in Tp. 13 South of Range 43 East, and running thence North 591 feet, to the middle of the road; thence N. 7 E. 788 feet to its intersection with the Sharon-Ovid thence S. 14° E. 515 feet; thence S. 62° W. 672 feet to beginning, cont. 11.35 acres more or less.

ALSO: An undivided one-half of, Commencing at a point in the middle of North Creek and the center of the bridge being 11.3° chains South and 7.24 chains S. 75° W. from the NW Corner of the SW 1/4 of section 4, Tp 13 South of Range 43 East and running thence N. 75° E. 7.24 chains; thence South 9.00 chains to middle of Creek; thence up Creek to beginning, cont. 2.60 acres.

ALSO: Commencing at the NE Corner of the NW 1/4 of the NE 1/4 of Section 31, in Tp. 12 South of Range 43 East and running thence South 3.26 chains; thence West 13.00 chains, to the middle of the Sharon Irr. Ditch; thence up said ditch 3.50 chains to where said ditch intersects the North line of said Section 31; thence East 12.32 chains to beginning and containing 4.45 acres more or less.

ALSO: The SE 1/4 of the NW 1/4 of Section 32, Tp. 12 South of Range 43 East.
ALSO: An undivided one-fourth of the SE 1/4 of the SE 1/4 of Section 6 and the NE 1/4 of the NW 1/4 and the NW 1/4 of the NW 1/4 of Section 7 all in Tp. 13 South of Range 43 East P.M.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate right, title, interest, property possession, claim and demand whatsoever, as well in laws as in equity of the said part Y of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said part Y of the second part, and to his heirs and assigns forever, and said part Y of the first part, and her heirs, the said premises, in the quiet and peaceable possession of the said part Y of the second part, his heirs and assigns against the said party of the first part, and her heirs and against any and all persons whosoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

5/15/1956

1.44 chains, thence South 7.07 chains to corner of creek, thence up creek to beginning, cont. 2.60 acres.

ALSO: Commencing at the NE Corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 31, in Tp. 12 S. of Range 43 East and running thence South 3.26 chains; thence West 13.00 chains, to the middle of the Sharon Irr. Ditch; thence up said ditch 3.50 chains to where said ditch intersects the North line of said Section 31; thence East 12.32 chains to beginning and containing 4.45 acres more or less.

ALSO: The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, Tp. 12 South of Range 43 East.

ALSO: An undivided one-fourth of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 6 and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7 all in Tp. 13 South of Range 43 East B.M.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate right, title, interest, property possession, claim and demand what soever, as well in laws as in equity of the said part Y of the first part, of, in or to said premises, and every part and parcel thereof with the appurtenances.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said part Y of the second part, and to his heirs and assigns forever, and said part Y of the first part, and her heirs, the said premises, in the quiet and peaceable possession of the said part Y of the second part, his heir and assigns against the said part Y of the first part, and her heirs and against any and all persons whosoever lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said part Y 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

Martha A. Hymas (SEAL)

(SEAL)

STATE OF IDAHO,
COUNTY OF BEAR LAKE } ss.

UNITED STATES OF AMERICA

On this 15th day of May in the year of our Lord one thousand nine hundred and 56 before L. Hugh Shepherd a Notary Public within and for said County and State personally appeared Martha A. Hymas personally known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that she executed the same.

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

(SEAL)

My Commission Expires
Oct. 10, 1958

L. Hugh Shepherd
Notary Public
Paris, Idaho.

Recorded at request of Rao Hymas
at 2:35 o'clock P. M., this 15 day of May, A.D. 1956

Fees, \$25

Sam V. Tunks

County Recorder.

Deputy

15th day of May, in the year of our Lord, 1956, between Martha A. Hyman, a widow, of Liberty, County of Bear Lake, State of Idaho, and Eldon Hyman, of Bear Lake, County of Bear Lake, State of Idaho, of the first part, and _____ of the second part.

WITNESSETH, That the said party _____ of the first part, for and in consideration of the sum of One Dollar and as a gift _____ of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY, and CONFIRM unto the said party _____ of the second part, and to his heirs and assigns forever, all that certain piece or parcel of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit: Commencing at the SE Corner of Block 9, as platted in Bear Lake Co. Plat Book B on page 89, and running thence West 5.76 chains; thence North 5.00 chains; thence East 50/100 chains; thence North 5.00 chains; thence East 5.27 chains; thence South 5.00 chains to place of beg. and containing 5.52 acres more or less.

Also: Commencing at the NE Corner of Block 5, as platted in Bear Lake Co. Plat Book B on page 89, and running thence West 7.14 chains (to the middle line of large dairy barn; thence South 1.30 chains; thence East 70/100 chains; thence South 6.13 chains; thence East 1.20 chains; thence North 2.23 chs. thence East 5.24 chains; thence North 5.20 chains to beg. and cont. 3.52 acres more or less.

Also: Commencing at a point in the middle of East Liberty Irr. Ditch, said point being 2.27 chains East from the NW Corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 32 in Tp. 12 South of Range 43 East, and running thence West 2.27 chains; thence South 19.62 chains; thence N. 63°30' E. 11.52 chains, to the middle of the said Irr. ditch; thence following the winding of said ditch to beginning and containing 10.00 acres more or less.

Also: An undivided one-half of:

Commencing at a point in the East side of the Sharon-Ovid road, said point being 9.12 chains West from the NE Corner of the SE $\frac{1}{4}$ of Section 32 in Tp. 12 South of Range 43 East, and running thence East 9.12 chains; thence South 9.62 chains; thence S. 61°30' W. 7.32 chains, to the East side of said road; thence North 12°30' W. 13.20 chains to beg. and cont. 8.91 acres of land.

Also: An undivided one-half of. Commencing at a point in the middle of "North Creek," said point being 1342 feet South from the NW Corner of the SW $\frac{1}{4}$ of Section 4 in Tp. 13 South of Range 43 East, and running thence North 591 feet, to the middle of Road; thence N. 75° E. 788 feet to intersection with Sharon-Ovid Road; thence S. 14° E. 515 feet; thence S. 62° W. 672 feet, to Creek; thence up Creek to the place of beginning and containing 11.35 acres more or less.

Also: An undivided one-half of. Commencing at a point in the middle of "North Creek" and the center of the Road, 11.38 chains South and 7.24 chains S. 75° W. from the NW Corner of the SW $\frac{1}{4}$ of Section 4 in Tp. 13 South of Range 43 East, and running thence North 75° East 7.24 chains; thence South 9.00 chains, to the middle of said Creek; thence up creek to beginning and containing 2.60 acres of land.

Also: Commencing at a point 10.00 chains South and 2.00 chains East from the NW Corner of the NE $\frac{1}{4}$ of Section 31 in Tp. 12 South of Range 43 East, and running East 10.00 chains; thence North 6.74 chains; thence West 13.00 chains more or less to the middle of the Sharon Irr. Ditch; thence up said ditch to its intersection with North line of said Section 31; thence West 27.68 chains, to the Sharon-Liberty Road; thence southeasterly to the point of beginning and containing 17.04 acres more or less. (Except therefrom a strip deeded to Bear Lake Co. and recorded in Deed Book 20 On page 642).

Also: An undivided one-fourth of, the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 6, and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7 in Tp. 13 South Range 43 East.

Also: The SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, Tp. 12 South of Range 43 East.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate right, title, interest, property possession, claim and demand whatsoever, as well in laws as in equity of the said party _____ of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said party _____ of the second part, and to his heirs and assigns forever, and said party _____ of the first part, and her 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 her heirs and against any and all persons whosoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

5/15/1956

and running thence East 9.12 chains; thence South 9.0 chains; thence S. 81° 30' W. 1.36 chains, to the East side of said road; thence North 12° 30' 13.20 chains to beg. and cont. 8.91 acres of land.

Also: An undivided one-half of, Commencing at a point in the middle of "North Creek," said point being 1342 feet South from the NW Corner of the SW $\frac{1}{4}$ of Section 4 in Tp. 13 South of Range 43 East, and running thence North 591 feet, to the middle of said Road; thence N. 75° E. 788 feet to intersection with Sharon-Ovid Road; thence S. 14° E. 515 feet; thence S. 62° W. 672 feet, to Creek; thence up Creek to the place of beginning and containing 11.35 acres more or less.

Also: An undivided one-half of, Commencing at a point in the middle of "North Creek" and the center of the Road, 11.38 chains South and 7.24 chains S. 75° W. from the NW Corner of the SW $\frac{1}{4}$ of Section 4 in Tp. 13 South of Range 43 East, and running thence North 75° East 7.24 chains; thence South 9.00 chains, to the middle of said Creek; thence up creek to beginning and containing 2.60 acres of land.

Also: Commencing at a point 10.00 chains South and 2.00 chains East from the NW Corner of the NE $\frac{1}{4}$ of Section 31 in Tp. 12 South of Range 43 East, and running East 12.00 chains; thence North 6.74 chains; thence West 13.00 chains more or less to the middle of the Sharon Irr. Ditch; thence up said ditch to its intersection with North line of said Section 31; thence West 27.68 chains, to the Sharon-Liberty Road; thence southeasterly to the point of beginning and containing 17.0 acres more or less. (Except therefrom a strip deeded to Bear Lake Co. and recorded in Deed Book 2^d On page 642).

Also: An undivided one-fourth of, the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 6, and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7 in Tp. 13 South Range 43 East.

Also: The SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, Tp. 12 South of Range 43 East.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate right, title, interest, property possession, claim and demand whatsoever, as well in laws as in equity of the said part...Y... of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said part...Y... of the second part, and to his heirs and assigns forever, and said part...Y... of the first part, and her heirs, the said premises, in the quiet and peaceable possession of the said part...Y... of the second part, his heirs and assigns against the said part...Y... of the first part, and her heirs and against any and all persons whosoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Martha A. Hymas (SEAL)

(SEAL)

STATE OF IDAHO, } ss.
COUNTY OF BEAR LAKE

UNITED STATES OF AMERICA

On this 15th day of May in the year of our Lord one thousand nine hundred and 1956 before L. Hugh Shepherd a Notary Public within and for said County and State personally appeared Martha A. Hymas personally known to me to be the person... whose name is subscribed to the within instrument, and duly acknowledged to me that she executed the same.

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

(SEAL)

My Commission Expires
Oct. 10, 1958

L. Hugh Shepherd
Notary Public
Paris, Idaho

Recorded at request of Rao Hymas at 2:30 o'clock P. M., this 15 day of May, A.D. 1956

Fees, \$2.50

Sam V. Tunks

County Recorder.

Deputy.

1924. day of December, A. D.

(Seal) Countersigned:
F. A. Jeter, Secretary of State
Countersigned:
I. H. Nash, State Land Commissioner.

C. C. MOORE, Governor

State of Idaho)
County of Ada) ss

On this 16th day of December, A.D., 1924, before me, a Notary Public in and for said State, personally appeared C. C. Moore, known to me to be the Governor, and F. A. Jeter, known to me to be the Secretary of State, and I. H. Nash, known to me to be the Land Commissioner, of the State of Idaho, and acknowledged to me that they, as such Governor, Secretary of State, and State Land Commissioner, of the State of Idaho, and the State of Idaho executed the foregoing deed.

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

JEANNE L. ANDERSON
Notary Public, residing at
Boise, Idaho.

(Seal)

Recorded at the request of John Minnig at 9:15 A.M. July 7, 1941.
Recorded in Book 37 of Deeds at page 311.

By Mavis Clington Deputy
Fee \$1.00

Sam V. Tunks, Recorder

No. 50554 ✓

IN THE PROBATE COURT OF BEAR LAKE COUNTY
STATE OF IDAHO.

IN THE MATTER OF THE ESTATE)
of)
BENJAMIN P. HYMAS, also known)
as B. P. Hymas, deceased.)

DECREE OF SETTLEMENT OF FIRST
AND FINAL ACCOUNT AND OF
DISTRIBUTION OF ESTATE.

MARTHA A. Hymas and Eldon D. Hymas, the executors of the Last Will and Testament of Benjamin P. Hymas, also known as B. P. Hymas, deceased, having on the 19th day of June, 1941, rendered and filed herein an account and report of their administration of said estate, which account was for a final settlement, and having with said account filed a petition for the final distribution of the residue of said estate among those entitled thereto, and said account and petition coming on regularly this day for hearing, proof having been made to the satisfaction of the court that notice has been given of the settlement of said account and the hearing of said petition, in the manner and for the time in such cases provided by law, and the order of this court, and no objections or exceptions to said account or to said petition having been made or filed by any person or persons interested in said estate, and it appearing to the court to its satisfaction, from the evidence adduced at such hearing that the said account is in all respects just, true and correct and should be settled as rendered, and that all and singular the allegations and statements contained in said petition for distribution is and are true, and the court hereby finds them to be true, that all state, county and other taxes levied against the property of said estate have been paid in full, that no inheritance tax is due or payable by said estate nor any of the heirs, legatees or devisees under the Last Will and Testament of said deceased, and that all claims and debts against said decedent, and all costs, charges and expenses of administration have been fully paid and discharged;

And it further appearing that the said Benjamin P. Hymas, also known as B. P. Hymas died on the 27th day of September 1940, in Bear Lake County, State of Idaho, and leaving estate in said county and state consisting of the property described in the Inventory and Appraisal Inventory and appraisement of after discovered property and supplemental Inventory of after discovered property (consisting of money) filed herein.

7/5/1941

That said deceased left a Last Will and Testament, duly admitted to Probate herein and of which Martha A. Hymas and Eldon D. Hymas were duly appointed executors and that they are still the duly appointed, qualified and acting executors thereof.

That by the terms of said last Will and Testament said decedent gave and devised to his son Russell Hymas forty acres of land described as follows:

The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29 of Township 12 South of Range 43 East of the Boise Meridian.

And that he likewise devised to his two sons, Eldon D. Hymas and Rao Hymas 80 acres of land lying South of the 40 acres devised to Russell Hymas, to be equally divided between them, said 80 acres of land being described as follows:

The N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 32, in Township 12 South of Range 43 East of the Boise Meridian.

And that he bequeathed to his son Delbert Hymas and to his daughters, Bertha Laker, June Loveland, Blanche Eborn, Ruth Beck, Myrtle Beck, Edna Eborn, and Ruby Hymas the sum of \$200.00 each, in cash, from things to be sold from the farm as soon as possible, and that all of the rest, residue and remainder of the property of said estate was by the terms of said Last Will and Testament devised and bequeathed to his surviving widow, Martha A. Hymas,

And it appearing that heretofore to-wit on or about the 3rd day of May 1941, the said Delbert Hymas, Bertha Laker, June Loveland, Blanche Eborn, Ruth Beck, Myrtle Beck, Edna Eborn and Ruby Hymas, in consideration of the receipt by each of them of the sum of \$200.00 each, paid to them by said Martha A. Hymas, duly assigned all the right, title, estate and interest which they had in and to said estate to the said Martha A. Hymas, and that the said Martha A. Hymas is entitled to receive on final distribution all of the estate which the above named children would otherwise have received from decedent's estate

And it further appearing that a portion of the property devised by said decedent by the terms of said Last Will and Testament is the community property of said decedent and his said widow, Martha A. Hymas, but that said Martha A. Hymas has filed herein an election to take under said Last Will and Testament and not to take any property as survivor of said marital community;

And it further appearing that notice to creditors to present their claims against said estate has been duly published; that more than six months elapsed, prior to filing said first and final account, since the first publication of notice to creditors was made. That no claims were presented against said estate except those in said first and final account listed, all of which have been fully paid and discharged.

That all costs, charges and expenses of administration have been paid and that no inheritance tax is due from said estate or any portion or devise under said last will and Testament to the state of Idaho;

And it further appearing that no real or other property has been received by said executors and that no assets have been made by them since the rendition of said first and final account and that said estate is now in a condition to be closed and the residue

And it appearing that retore to-wit on or about the 1st day of May 1911, the said Delbert Hymas, Bertha Hymas, June Loveland, Blanche Eber, Ruth Beck, Myrtle Beck, Edna Eborn and Ruby Hymas, in consideration of the receipt by each of them of the sum of \$200.00 each, paid to them by said Martha A. Hymas, duly assigned all the right, title, estate and interest which they had in and to said estate to the said Martha A. Hymas, and that the said Martha A. Hymas is entitled to receive on final distribution all of the estate which the above named children would otherwise have received from decedent's estate;

And it further appearing that a portion of the property devised by said decedent by the terms of said Last Will and Testament is the community property of said decedent and his said widow, Martha A. Hymas, but that said Martha A. Hymas has filed herein an election to take under said Last Will and Testament and not to take any property as survivor of said martial community;

And it further appearing that notice to creditors to present their claims against said estate has been duly published; that more than six months elapsed, prior to filing said first and final account, since the first publication of notice to creditors was made. That no claims were presented against said estate except those in said first and final account listed, all of which have been fully paid and discharged.

That all costs, charges and expenses of administration have been paid and that no inheritance tax is due from said estate or any legatee or devisee under said last Will and Testament to the state of Idaho;

And it further appearing that no money or other property has been received by said executors and no disbursements made by them since the rendition of said first and final account and that said estate is now in a condition to be closed and the residue of the property thereof distributed to the persons entitled thereto, and all and singular the law and the premises being by the court fully seen, heard and considered;

IT IS ORDERED, ADJUDGED AND DECREED:

1. That due and legal notice of the hearing of said first and final account and petition for distribution has been given.
2. That said first and final account be, and the same is hereby settled, allowed and approved as rendered.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the rest, residue and remainder of the property of said estate be and the same is hereby decreed and distributed in accordance with the terms of the Last Will and Testament of said decedent, Benjamin P. Hymas, also known as B. P. Hymas, that is to say as follows:

To Russell Hymas, the following described real property to-wit:

The Southwest Quarter of the Southwest quarter of Section 29 of Township 12 South of range 43 East of the Boise Meridian.

To Eldon D. Hymas and Rao Hymas the following described real property, to be equally divided between them, each to have forty acres thereof, to-wit:

The North half of the Northwest quarter of Section 32, in Township 12 South of Range 43 East of the Boise Meridian.

To Martha A. Hymas, widow of deceased, all the rest, residue and remainder of the property of said estate, the same being described as follows, to-wit:

REAL ESTATE

Lots 6 and 7 of Block 9, as platted in Bear Lake County Plat Book "B" on page 89, and further described as follows: To-wit: Commencing at a point 34 chains and 78 links N. 22' W. and 10 chains and 36 links N. 88 degrees 20' W. from the SW corner of the SE¹ of Section 5, Township 13 South of Range 43 East of Boise Meridian, in Idaho, and running thence North 88 degrees 20' W. 3 chains and 25 links; thence N. 45' E. 5 hains; thence S. 88 degrees 20' E. 5 chains and 75 links; thence South 45' W. 5 chains; thence N. 88 degrees 20' W. 2 chains and 50 links to the place of beginning and containing 2 acres and 140 square rods of ground more or less, embracing one-half of the adjacent street.

Also, Lot 3 of Block 5 as Platted in Bear Lake County Plat Book "B" on page 89, further described as follows: Commencing at a point 22 chains and 84 links N. 22' W. and 5 chains and 40 links N. 89 degrees 28' W. from the SW corner of the SE $\frac{1}{4}$ of Section 5 in Township 13 South of Range 43 East of Boise Meridian, and running thence N. 89 degrees 28' W. 2 chains and 50 links; thence N. 45' East 6 chains; thence S. 89 degrees 28' E. 2 chains and 50 links; thence S. 45' W. 6 chains to place of beginning and containing 1 $\frac{1}{2}$ acres of ground, more or less, embracing one-half of adjacent street.

Also Lot 5 Block 9 as Platted in Bear Lake County Plat Book "B" on page 89 further described as follows: Commencing at a point 28 chains and 84 links N. 22' W. and 7 chains and 86 links N. 88 degrees 20' W. from the SW corner of the SE $\frac{1}{4}$ of Section 5 in Township 13 South of Range 43 East of Boise Meridian and running thence N. 88 degrees 20' W. 2 chains and 50 links; thence N. 45' E. 6 chains; thence S. 88 degrees 20' E. 2 chains and 50 links; thence S. 45' W. 6 chains to place of beginning, and containing 1 $\frac{1}{2}$ acres, more or less, and embracing one-half of adjacent street.

Also, Lots 1, 2, 3 and 4 of Block 9 as Platted in Bear Lake County Plat Book "B" on page 89 and further described as follows: Commencing at a point 28 chains and 78 links N. 22' W. 1 chain and 86 links N. 88 degrees 20' W. from the SW corner of the SE $\frac{1}{4}$ of Section 5 Township 13 South of Range 43 East of Boise Meridian and running thence N. 45' E. 11 chains; thence N. 88 degrees 20' W. 6 chains; thence S. 45' W. 11 chains; thence S. 88 degrees 20' E. 6 chains to place of beginning, and containing 6 acres and 96 square rods of ground, more or less, embracing one-half of adjacent street.

Also, Lot 8 of Block 9 as Platted in Bear Lake County Plat Book "B" on page 89 and further described as follows: Commencing at a point 28 chains and 78 links N. 22' W. and 10 chains and 36 links N. 88 degrees 20' W. from the SW corner of the SE $\frac{1}{4}$ of Section 5 in Township 13 South of Range 43 East of the Boise Meridian, and running thence N. 88 degrees 20' W. 3 chains and 25 links; thence N. 45' E. 6 chains; thence S. 88 degrees 20' E. 3 chains and 25 links; thence S. 45' W. 6 chains to place of beginning and containing one acre and 152 square rods of ground more or less, embracing one-half of adjacent street.

Also, commencing at the SW corner of Lot 4 Block 9 as Platted in Bear Lake County Plat Book "B" on page 89 and run thence North 40 rods; thence East 8 rods 9 feet and 7 inches; thence South 40 rods; thence West 8 rods 9 feet and 7 inches to the place of beginning and containing 2 acres and 23 square rods of ground, more or less.

SEE NEXT PAGE
Also Lot 2 Block 5 as Platted in Bear Lake County Plat Book "B" on page 89 and further described as follows: Commencing at a point 22 chains and 84 links North 22' West and 1 chain and 90 links North 89 degrees 28' West from the SW corner of the SE $\frac{1}{4}$ of Section 5 in Township 13 South of Range 43 East of Boise Meridian and running thence North 89 degrees 28' West 3 chains and 50 links; thence North 45' East 6 chains; thence South 89 degrees 28' East 3 chains and 50 links; thence South 45' West 6 chains to place of beginning and containing 2 and 16/100 acres of ground, more or less, embracing one-half of adjacent street.

Also, Lots 6 and 7 in Block 5 as Platted in Bear Lake County Plat Book "B" on page 89, in Liberty, Bear Lake County, Idaho.

Also Lots 5 and 8 of Block 5 of Liberty Townsite Survey, in Bear Lake County, Idaho, comprising two acres of land, more or less.

Also, Commencing at a point in the middle of North creek 1342 feet South of the NW Corner of the SW $\frac{1}{4}$ of Section 4, Township 13 South of Range 43 East of Boise Meridian, and running thence North 591 feet to middle of County road; thence along said road N. 75 degrees East 788 feet to junction of Sharron-Civil road; thence along last named road S. 14 degrees East 515 feet; thence S. 62 degrees West 672 feet to Creek; thence up North Creek to beginning, and containing 11.35 acres.

Also: Commencing at a point in the Middle of North Creek and Liberty road 11.38 chains South and 7.24 chains S. 75 degrees West from the NW corner of the SW $\frac{1}{4}$ of Section 4 in Township 13 South of Range 43 East of Boise Meridian, and running thence N. 75 degrees East 7.24 chains; thence South 9.00 chains to middle of creek; thence up said creek to beginning and containing 2.60 acres.

Also, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$

Also Lot 2 Block 5 as Platted in Bear Lake County Plat Book "B" on page 89 and further described as follows: Commencing at a point 22 chains and 84 links North 22' West and 1 chain and 90 links North 89 degrees 28' West from the SW corner of the SE $\frac{1}{4}$ of Section 5 in Township 13 South of Range 43 East of Boise Meridian and running thence North 89 degrees 28' West 3 chains and 50 links; thence North 45' East 6 chains; thence South 89 degrees 28' East 3 chains and 50 links; thence South 45' West 6 chains to place of beginning and containing 2 and 16/100 acres of ground, more or less, embracing one-half of adjacent street.

Also, Lots 6 and 7 in Block 5 as Platted in Bear Lake County Plat Book "B" on page 89, in Liberty, Bear Lake County, Idaho.

Also Lots 5 and 8 of Block 5 of Liberty Townsite Survey, in Bear Lake County, Idaho, comprising two acres of land, more or less.

Also, Commencing at a point in the middle of North creek 1342 feet South of the NW Corner of the SW $\frac{1}{4}$ of Section 4, Township 13 South of Range 43 East of Boise Meridian, and running thence North 591 feet to middle of County road; thence along said road N. 75 degrees East 788 feet to junction of Sharon-Ovid road; thence along last named road S. 14 degrees East 515 feet; thence S. 62 degrees West 672 feet to Creek; thence up North Creek to beginning, and containing 11.35 acres.

Also: Commencing at a point in the Middle of North Creek and Liberty road 11.38 chains South and 7.24 chains S. 75 degrees West from the NW corner of the SW $\frac{1}{4}$ of Section 4 in Township 13 South of Range 43 East of Boise Meridian, and running thence N. 75 degrees East 7.24 chains; thence South 9.00 chains to middle of creek; thence up said creek to beginning and containing 2.60 acres.

Also, the S $\frac{1}{2}$ of the SE $\frac{1}{2}$ of Section 6, and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7 in Township 13 South of range 43 East of Boise Meridian, containing 160 acres.

Also, commencing at the Northeast corner of the Southeast quarter of Section 32, Township 12 South of Range 43 East of the Boise Meridian, and run thence South 89 degrees 36' West 20 chains; thence South 19.62 chains; thence North 61 degrees 38' East 22.75 chains; thence North 9.62 chains to the place of beginning, containing 28 acres, more or less.

Also, The Southeast quarter of the Northwest quarter of Section 32 in Township 12 South of Range 43 East of the Boise Meridian, containing 40 acres.

Also, The Southeast quarter of the Southwest quarter of Section 29, in Township 12 South of Range 43 East of Boise Meridian, containing 40 acres, and the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 31, same township and range.

Also, Commencing at a point 40 rods South and 8 rods East from the NW corner of the NE $\frac{1}{4}$ of Section 31, Township 12 South of Range 43 East of Boise Meridian, and running thence East 72 rods; thence North 40 rods; thence West 120 rods to the county road; thence in a Southeasterly direction along said county road to place of beginning and containing 21 $\frac{1}{2}$ acres, more or less, except that portion deeded to Bear Lake County as a road as shown in deed recorded in Book 28 of deeds page 642 of the records of Bear Lake County, Idaho.

Also the Northeast quarter of the Southwest quarter and the Northwest quarter of the Southwest quarter of Section 33, Township 12 South of Range 43 East of Boise Meridian, in the State of Idaho, containing 80 acres of land.

Also, Commencing at a point 40 rods South and 69 rods West of the Northeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 31, Township 12 South of Range 43 East of Boise Meridian, and running thence West 91 rods; thence South 60 rods; thence East 128 rods; thence in a Northwesterly direction to the place of beginning, containing 41.07 acres, more or less.

...the same is shown in deed recorded in Book
28 of Deeds page 342 of the records of Bear Lake County, Idaho.

PERSONAL PROPERTY.

Five head of cattle, four calves, two horses, ten head of sheep and cash in
Montpelier Branch of First Security Bank in sum of \$5628.89.

Done in open court this 5th day of July, 1941.

State of Idaho)
County of Bear Lake) ss

DON C. HADDOCK
Probate Judge of Bear Lake
County, Idaho.

I, Don C. Haddock, Probate Judge and Ex-Officio clerk of the Probate Court of
Bear Lake County, State of Idaho, hereby certify the above and foregoing to be a full,
true and correct copy of Decree of settlement of first and final account and of distribution
of estate, entered in the matter of the estate of Benjamin P. Hymas, also known as B. P.
Hymas, and duly filed in my office the 5th day of July 1941.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this
5th day of July 1941.

DON C. HADDOCK
Probate Judge and Ex-Officio
Clerk of the Probate Court
of Bear Lake County, Idaho.

(Seal)

Recorded at the request of D. E. Haddock at 9:35 A.M. July 7, 1941.
Recorded in Book 37 of Deeds at page 311.

By Marie Clayton Deputy

Sam V. Tunks, Recorder

Fee \$4.40

No. 50562

QUITCLAIM DEED

THIS INDENTURE, Made the 30th day of June, in the year of our Lord one thousand
nine hundred and forty-one, between Zenia Rawson Chugg, a single woman, of Weber County,
Utah; Orley J. Chugg and Margaret Russel Chugg, his wife, of Weber County, Utah; Myrtle
Chugg Leatham and George Leatham, husband and wife, of Price, Carbon County, Utah; Fay
R. Chugg and Esther Taylor Chug, his wife, of Weber County, Utah; Nathan G. Chugg, a
single man, of Weber County, Utah; Mabel Chugg Powelson and Loran G. Powelson, husband
and wife, of Salt Lake City, Salt Lake County, Utah; Maud Chugg Foster and Franklin D.
Foster, husband and wife, of Park City, Wasatch County, Utah; Vera Chugg Payton and
James Payton, husband and wife of Los Angeles, County of Los Angeles and State of
California and Iva Chugg Bown and Noel Bown, husband and wife, of Los Angeles, County
of Los Angeles, and State of California, all of the heirs of Gerald R. Chugg, deceased,
and all being past the age of their majority, the parties of the first part, and Robert
Ludwig of the County of Bear Lake, 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 Five Hundred Fifty Dollars lawful money of the United States of America, to us
in hand paid by the said party of the second part, the receipt whereof is hereby
acknowledged, do by these presents, Remise, Release and forever Quit Claim unto the
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 _____
and State of Idaho, and bounded and described as follows, to-wit:

The Southwest Quarter of the Southeast Quarter and the South half of the Southwest Quarter
of Section thirty-two (32) in Township Eleven (11) South, and the Lots Three (3) and Two
(2) of Section Five (5) in Township Twelve (12) South all in Range Forty-three (43)
East of the Boise Meridian, Idaho, containing one hundred ninety-seven and seven-hundredth
acres.

THIS INDENTURE, Made the 7th day of December, in the year of our Lord one thousand nine hundred and thirty-five, between Thomas C. King and Ruella Pearl King, husband and wife, of Montpelier, County of Bear Lake, State of Idaho, part 1st. of the first part, and Benjamin P. Hyman, of Liberty, County of Bear Lake, State of Idaho, part y. of the second part:

WITNESSETH, That the part 1st. of the first part, for and in consideration of the sum of FOURTEEN HUNDRED FORTY AND 34/100 - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said part y. of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM, unto the said part y. of the second part, and to his heirs and assigns forever, all that certain piece or parcel of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit:

→ Commencing at a point in the middle of North Creek 1342 feet South of the Northwest corner of the Southwest quarter of Section 4, Township 13 South of Range 43 East, Boise Meridian, and running thence North 591 feet to middle of County Road, thence along said Road N. 75° East 788 feet to junction of Sharon-Ovid Road; thence along last named road S. 14° East 515 feet; thence S. 62° West 672 feet to Creek, thence up North Creek to beginning, and containing 11.35 acres.

Also: Commencing at a point in the middle of North Creek and Liberty Road 11.38 chains South and 7.24 chains S. 75° West from Northwest corner of Southwest Quarter of Section 4, Township 13 South, Range 43 East, Boise Meridian, and running thence N. 75° East 7.24 chains; thence South 9.00 chains to middle of Creek, thence up said Creek to beginning, and containing 2.60 acres.

(ONE DOLLAR FIFTY CENTS CANCELLED DOCUMENTARY STAMPS ATTACHED)

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possessions, claim and demand whatsoever as well in law as in equity, of the said part 1st. of the first part, of, in or to said premises, and every part and parcel thereof, with the

12/7/1935

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possessions, claim and demand whatsoever, as well in law as in equity, of the said part.ies of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

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

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

Signed, Sealed and Delivered in the Presence of

Thomas C. King (SEAL)

W. Smith Hoge

Ruella Pearl King (SEAL)

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

UNITED STATES OF AMERICA

On this 7th day of December, in the year of our Lord one thousand nine hundred and thirty-five, before me, W. Smith Hoge, a Notary Public within and for said County and State, personally appeared Thomas C. King and Ruella Pearl King, personally known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

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

(SEAL)

My commission expires:
Nov. 22nd, 1939.

W. Smith Hoge
Notary Public

Recorded at request of First Security Bank
at 11 o'clock A. M., this 6th day of

August, A. D. 1936.

Fee, \$ 1.00

Sam V. Tunks
County Recorder.

Elaine Shepherd, Deputy.

BK 32-Pg 527

No. 40598

STATE OF IDAHO
County of Bear Lake,) ss

J. J. Sarbach being first duly sworn deposes and says: That he is well acquainted with David R. Sarbach, he being my brother. That the person named as David Sarbach, in that certain deed of record on page 5050 of the Book of Deeds No. 31, of the records of Bear Lake County, Idaho, is the same person as said David R. Sarbach, also sometimes known as D. R. Sarbach.

John J. Sarbach

Subscribed and sworn to before me this 17th day of October, 1934.

(SEAL)

Chas. E. Harris
Notary Public

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

Sam V. Tunks Deputy

Sam V. Tunks, Recorder

No. 40599

STATE OF IDAHO,
County of Bear Lake) ss

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

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

S. H. Rich

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

(SEAL)

Edwin L. McClave
NOTARY PUBLIC
Residence, Montpelier, Idaho

My commission Expires Mar. 8, 1932.

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

Sam V. Tunks Deputy

Sam V. Tunks, Recorder

No. 40639

IN THE PROBATE COURT OF BEAR LAKE COUNTY STATE OF IDAHO

IN THE MATTER OF THE ESTATE

OF

DAVID MORRIS KING, deceased.

DEGREE OF SETTLEMENT OF ACCOUNT AND
FINAL DISTRIBUTION

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

11/16/1934

and it appearing that said account is in all respects correct, and it appears to the court from the evidence presented that there has been no money or other personal property belonging to said estate come into the hands of the Executor during his administration and that the costs of administration were paid out of personal funds by T. C. King, Frank King and David King; it further appears to the court that the terms of said will were carried out, as respects the personal property left by the deceased, by his wife, in the following manner:

That shortly after the death of David Morris, his wife Susanna King paid the debts of deceased then outstanding and that she thereafter distributed in the year 1910 the personal property, as follows:

To David King, a son, cash	\$500.00
To Frank King, a son, cash	\$500.00
To Mrs. J. F. Bunn, a daughter, cash	\$410.00
To Mrs. Elizabeth K. Smith, a daughter, cash	\$410.00
To Mrs. Isabelle K. Wood, a daughter, cash	\$410.00
To Mrs. Olive K. Rich, a daughter, cash	\$410.00
To Effie Derricott Butler, a granddaughter whose mother was dead, cash	\$410.00

The court finds that the distribution of said money occurred in 1910 and many years prior to the appointment of T. C. King as administrator, and that said distribution all as set forth in the Executor's account and report was in accordance with the terms of the last will of David Morris King, deceased.

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

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

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

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

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

To T. C. King,

The entire farm and ranch were decedent lived December 13. 1899. some-

as set forth in the Executor's account and report was in accordance with the terms of the last will of David Morris King, deceased.

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

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

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

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

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

To T. C. King,

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

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

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

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

9069
the southeast corner of the southwest quarter of Section 4, 13 S R 43 E.B.M. and running then north 9.08 chains, thence west 30.53 chains to middle of County road; thence S. 12° E. 8.57 chains, thence S. 14° E. 7.80 chains; thence S. 46° 10' E. 9.65 chains thence S. 52° 30' E. 6.10 chains, thence N. 40° E. 23.10 chains to place of beginning, containing 54.80 acres.

To David King, a son,

93058
Lot one (1) as platted in Bear Lake County plat book B on page sixty-nine (69), further described as follows, to-wit: Commencing at a point twenty-six (26) chains and ten (10) links north from the southwest corner of northwest quarter (¼) of Section fifteen (15) Township thirteen (13) South of Range forty-three (43) East of Boise Meridian in Idaho Territory and running thence South eight (8) chains, thence N. 62° 45' E. nineteen (19) chains and fifty (50) links to center of North Creek, thence up said creek following its windings to place of beginning containing nine (9) acres and forty-two (42) square rods of ground be the same more or less.

93058
Also a tract of land described as follows, to-wit: Commencing at the Southeast corner of the Northeast quarter of the Northeast quarter of Section sixteen (16) of Township thirteen (13) South of Range forty-three (43) East of Boise Meridian, U. S. Survey and running thence North five (5) chains and seventy (70) links, thence up center of creek two (2) chains and twenty-three (23) links (from point to point being North 20° West one (1) chain and sixty (60) links) thence South 62° 50' West fifteen (15) chains and sixty-eight (68) links, thence East fourteen (14) chains and forty-nine (49) links to place of beginning and containing four (4) acres and thirty-two (32) square rods of land be there more or less.

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

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

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

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

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

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

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

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

Dated at Paris, Bear Lake County, Idaho, this 16th day of November, 1934.

Don C. Ha dock

eight (68) links thence East fourteen (14) chains and sixty-
(49) links to place of beginning and containing four (4) acres and
thirty-two (32) square rods of land be there more or less.

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

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

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

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

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

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

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

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

Dated at Paris, Bear Lake County, Idaho, this 16th day of November, 1934.

Don C. Haddock
Probate Judge of Bear Lake
County, Idaho.

STATE OF IDAHO

County of Bear Lake

I, Don C. Haddock, Clerk of the Probate Court of the State of Idaho, in and for
Bear Lake County, do hereby certify that the within and foregoing is a full and true
copy of the original Decree of Settlement of Account and Final Distribution in the
Matter of the Estate of David Morris King, deceased, duly filed in my office 27th day of
December, 1934.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court
at Paris, Idaho, this 27th day of December, 1934.

(SEAL)

Don C. Haddock
Clerk.

Recorded at the request of T. C. King at 2:45 o'clock P. M. June 11th, 1935

By: Eugene J. Shup Deputy

Sam V. Tunks, Recorder

Fee \$3.40

David M. King	Homestead Certificate No. APPLICATION 1826
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that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the Acts supplemental thereto, the claim of **David M. King** has been established and duly consummated, in conformity to law for the **South West Quarter of Section Four in Township Thirteen South of Range Forty Three East of Boise Meridian in Idaho, Territory** containing one hundred and sixty acres.

11/13/1904

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General,

Now Know Ye, That there is, therefore, granted by the UNITED STATES unto the said **David M. King** the tract of land above described

To Have and to Hold the said tract of land with the appurtenances thereof, unto the said **David M. King** 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 custom

According to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General,

Now Know Ye, That there is, therefore, granted by the UNITED STATES unto the said

David M. Knig

the tract of land above described.

To Have and to Hold the said tract of land with the appurtenances thereof, unto the said

David M. Knig

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.

In Testimony Whereof, I

Chester A. Arthur

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 thirteenth

day of November, in the year of our Lord, one thousand

hundred and eighty-four, and of the Independence of the United

States the one hundred and ninth

By the President: Chester A. Arthur

By M. Mc Kean

Secretary

S. W. Clark

Recorder of the General Land Office



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STATE OF IDAHO,
County of Bear Lake

I hereby certify that this instrument was recorded at the request of

at 10 o'clock P. M. this 17 day of

A. R. McArthur

Recorder

11/13/1884

