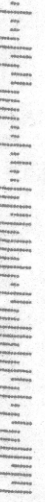


[illegible]

ATTN: Vault



THIS INDENTURE, made this Thirtieth day of March in the year of our Lord one thousand nine hundred and five between Thomas C. Day and Cassidy J. Day of Shagor County of Ill. and Idaho State of Idaho parties of the first part, and Edward A. Shepherd of Idaho State of Idaho - Party of the second part:

WITNESSETH, that the said part 10 of the first part, for, and in consideration of the sum of Three Thousand DOLLARS, and paid by the said part 7 of the second part, the receipt whereof is hereby acknowledged, and the said part 7 of the second forever released and discharged therefrom. Have granted, bargained, sold, remised, released, alienated and confirmed, and here presents do grant, bargain, sell, remise, release, alien and confirm unto the said part 7 of the second part, and to his heirs and assigns forever, all the following described lot, place or parcel of land, situated in the County of Mar. Tucker State of Alabama and known and described as follows, to-wit:

The East half of the South East Quarter and the South east quarter of the North East Quarter of Section thirty and the North West Quarter of the South west quarter of Section twenty nine in Township twelve South of Range forty three East of Boise Meridian in Idaho containing one hundred and also the South west quarter of the North East Quarter of section thirty five in Township twelve South of Range forty three East of Boise Meridian in the State of Idaho containing forty (40) acres of land be the same more or less. Also the South West Quarter of the South East Quarter of section twenty nine (29) in Township twelve (12) South of Range forty three East of Boise Meridian containing forty acres of land. Also commencing at the North East Corner of the North West Quarter of the South East Quarter of section thirty Township twelve South of Range forty three East of the Boise Meridian and running West one hundred and twenty rods, thence South one rod, thence East one hundred and twenty rods and North one rod to the place of beginning containing three fourths of an acre, together with all water rights not belonging or in any wise appertaining, and particularly those in the water of Copenhaugen Creek and about three miles north west of the town of Idaho Falls. With all of the water right standing on the said premises and the right of the said parties and their heirs and assigns to use and enjoy the same together with all the lands and premises thereunto in anywise appertaining, and the reversion, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever of the said parties of the first part, either in law or equity, of, in and to the above bargained premises with the hereditaments and appurtenances.

TO HAVE AND TO HOLD, the said premises above bargained and described, with the appurtenances, unto the said party of the second part, heirs and assigns forever.

And the said parties of the first part, for themselves heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said party of the second part him heirs and assigns, that at the time of the assailing and delivering of these presents After well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in the manner and form aforesaid; and that the same are free and clear of all former or other grants, bargains, sales, liens, taxes, assessments and incumbrances of what kind or nature soever, except

in the quiet and peaceable possession of the said party of the second part his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said part of the first part shall and will warrant and forever defend.

IN WITNESS WHEREOF, the said part 1st of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in presence of

Signed, sealed and delivered in presence of

John G. Parker

Thomas C. Orr (SEAL)

Emily J. Orr (SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of Bear Lake, ss.

On this 25th day of April, A. D. 1803,
before me James E. Board, Clerk of the said District Court in and for said County,
personally appeared Thomas C. Carr and Emily J. Carr,
his wife, personally known to me (satisfactorily proved to me on the oath of _____, a
competent and creditable witness by me duly sworn for that purpose), to be the persons whose names are subscribed to the within instru-
ment, the said Emily J. Carr described as a married woman, and the said Thomas C. Carr,
and Emily J. Carr his wife, each of them, acknowledged to me that they respectfully executed the same.
And on this 25th day of April, A. D. 1803, before me, the officer above described, personally
appeared the said Emily J. Carr known to me (satisfactorily proved to me on the oath of _____, a
competent and creditable witness by me duly sworn for that purpose), to be the
person whose name is subscribed to the within instrument, described as a married woman and the wife of the said
Thomas C. Carr and upon an examination without the hearing of her husband, I made her
acquainted with the contents of the said instrument, and thereupon she acknowledged to me that she executed the same and that she
does not wish to retract such execution.

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

My commission expires 100

Filed for record on the 3rd day of April A. D. 1906, at 5 o'clock P. M.
at the request of E. J. Shepherd Pl. E. J. 4-11 County Recorder

NOTE.—The officer before whom the testimony is taken should call the attention of the witness to the following section of the Revised Statutes, and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

TITLE LXX.—CRIMES.—Chapter 4.

Sec. 539a.—Every person who, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, wilfully, and contrary to such oath, states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by a fine of not more than two thousand dollars, and by imprisonment at hard labor, not more than five years, and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed. (See § 1750.)

(4-369.)

HOMESTEAD PROOF.

LAND OFFICE AT

Original Application No. 1183

Final Certificate No. 1312

Approved: Harry J. Cannon, Register.

W. B. Davidson, Receiver.

FINAL AFFIDAVIT REQUIRED OF HOMESTEAD CLAIMANTS.

SECTION 2291 OF THE REVISED STATUTES OF THE UNITED STATES.

I, Thomas C. Orr, having made a Homestead entry of the E2064, 069, N64
Sec 30 and NW 1/4, S44 Section No. 24 in Township No. 12
of Range No. 43 E, subject to entry at Blackfoot Idaho
under section No. 2289 of the Revised Statutes of the United States, do now apply to perfect my claim thereto
by virtue of section No. 2291 of the Revised Statutes of the United States; and for that
purpose do solemnly swear that I am
a citizen of the United States; that I have made actual settlement
upon and have cultivated and resided upon said land since the 15th day of September 1885,
to the present time; that no part of said land has been alienated, except as provided in section 2288 of the Revised
Statutes, but that I am the sole bona fide owner as an actual settler; that I will bear true allegiance to the Government
of the United States; and, further, that I have not heretofore perfected or abandoned an entry made under the homestead
laws of the United States, and that going to the land distant and upon said land as well
to make this affidavit at the District Land Office
I, Thomas C. Orr
Spangler, Clerk of District Court, Deer Lake Co, Idaho
do hereby certify that the above affidavit was subscribed and sworn to before me this 11th day of
January 1886, and that the Judge of District Court is an
the day absent from Deer Lake Co
Spangler
Clerk

HOMESTEAD PROOF—TESTIMONY OF CLAIMANT.

Thomas C. Orr, being called as a witness in his own behalf in support of homestead entry, No. 1185, for E 2 1/2 Sec 30, Sec 30 and NW 1/4 Sec 30 and NW 1/4 Sec 30, testifies as follows:

Ques. 1.—What is your name, age, and post-office address?

Ans. Thomas C. Orr, age 28 years, Liberty Bear Lake Co. Idaho

Ques. 2.—Are you a native born citizen of the United States, and if so, in what State or Territory were you born?

Ans. Yes; born in Utah

Ques. 3.—Are you the identical person who made homestead entry, No. 1185, at the Croft Idaho land office on the 29th day of December 1884 and what is the true description of the land now claimed by you?

Ans. Yes; E 2 1/2 Sec 30, Sec 30 and NW 1/4 Sec 30 and NW 1/4 Sec 30

Ques. 4.—When was your house built on the land and when did you establish actual residence therein? (Describe said house and other improvements which you have placed on the land, giving total value thereof.)

Ans. September 15th 1885 and established actual residence there at same time Log Building, House, 2 rooms, 1 Granary, 1 Milk House, 2 Stables, 1 Cellar, Cattle shed, 1 Corral, 1 Stock Yard, 1 Well, 600 rods of fencing and water ditches, Total value of improvements \$1375

Ques. 5.—Of whom does your family consist; and have you and your family resided continuously on the land since first establishing residence thereon? (If unmarried, state the fact.)

Ans. Wife and three children; Yes

Ques. 6.—For what period or periods have you been absent from the homestead since making settlement, and for what purpose; and if temporarily absent, did your family reside upon and cultivate the land during such absence?

Ans. I have not been absent

Ques. 7.—How much of the land have you cultivated each season and for how many seasons have you raised crops thereon?

Ans. About 20 acres; Six seasons

Ques. 8.—Is your present claim within the limits of an incorporated town or selected site of a city or town, or used in any way for trade and business?

Ans. No

Ques. 9.—What is the character of the land? Is it timber, mountainous, prairie, grazing, or ordinary agricultural land? State its kind and quality, and for what purpose it is most valuable.

Ans. Grazing and ordinary agricultural land; Gravelly and black loam soil. It is most valuable for farming and pasturage.

Ques. 10.—Are there any indications of coal, salines, or minerals, of any kind, on the land? (If so, describe what they are, and state whether the land is more valuable for agricultural than for mineral purposes.)

Ans. No

Ques. 11.—Have you ever made any other homestead entry? (If so, describe the same.)

Ans. No

Ques. 12.—Have you sold, conveyed, or mortgaged any portion of the land; and if so, to whom and for what purpose?

Ans. No

Ques. 13.—Have you any personal property of any kind elsewhere than on this claim? (If so, describe the same, and state where the same is kept.)

Ans. No

I HEREBY CERTIFY that the foregoing testimony was read to the claimant before being subscribed, and was sworn to before me this 11th day of January 1885 at Liberty Bear Lake Co. Idaho

[SEE NOTE ON FOURTH PAGE.]

Clayton District Court Bear Lake Co. Idaho

(In case the party is of foreign birth a certified transcript from the court records of his declaration of intention to become a citizen, or of his naturalization, or a copy thereof, certified by the officer taking this proof, must be filed with the case. Evidence of naturalization is only required in final (five year) homestead cases.)

HOMESTEAD PROOF—TESTIMONY OF WITNESS.

Thomas Gambeling being called as witness in support of the Homestead entry of Thomas C. Orr for Section 4, T6N, R6E, Co. 20, and NW 1/4 Sec 29, testifies as follows:

Question 1.—What is your name, age, and post-office address?

Answer. Thomas Gambeling; age 50 years; Liberty, Idaho

Ques. 2.—Are you well acquainted with the claimant in this case and the land embraced in his claim?

Ans. Yes

Ques. 3.—Is said tract within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

Ans. No

Ques. 4.—State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.

Ans. Grazing and Farming Land

Ques. 5.—When did claimant settle upon the homestead and at what date did he establish actual residence thereon?

Ans. September 1865 and established actual residence thereon at that time

Ques. 6.—Have claimant and family resided continuously on the homestead since first establishing residence thereon? (If settler is unmarried, state the fact.)

Ans. Yes

Ques. 7.—For what period or periods has the settler been absent from the land since making settlement, and for what purpose; and if temporarily absent, did claimant's family reside upon and cultivate the land during such absence?

Ans. Not at all

Ques. 8.—How much of the homestead has the settler cultivated and for how many seasons did he raise crops thereon?

Ans. About 20 acres; six seasons

Ques. 9.—What improvements are on the land and what is their value?

Ans. 2 Room log dwelling house; 1 granary; 1 Milk House; 2 Stables; 1 Cattle shed; 1 Corral; 1 Stock Yard; 1 Well; 600 rods fencing and water ditches. Total Value \$

Ques. 10.—Are there any indications of coal, salines, or minerals of any kind on the homestead? (If so, describe what they are, and state whether the land is more valuable for agricultural than for mineral purposes).

Ans. No

Ques. 11.—Has the claimant mortgaged, sold, or contracted to sell, any portion of said homestead?

Ans. Not to my knowledge

Ques. 12.—Are you interested in this claim; and do you think the settler has acted in entire good faith in perfecting this entry?

Ans. No. Yes.

Thomas Gambeling

I HEREBY CERTIFY that the foregoing testimony was read to the witness before being subscribed, and was sworn to before me this 11th day of January 1892 and that the Judge of that Court is on this day absent from Liberty, Idaho.

[SEE NOTE ON FOURTH PAGE]

Charles J. Court, District Clerk, Blaine Co. Idaho

HOMESTEAD PROOF—TESTIMONY OF WITNESS.

William G. Smith being called as witness in support of the Homestead entry of Thomas C. Orr for 62864-664 N6E Sec 30 and NW 1/4 Sec 29 Testifies as follows:

Question 1.—What is your name, age, and post-office address?

Answer. William G. Smith, age 30 years, Liberty, Dade

Ques. 2.—Are you well acquainted with the claimant in this case and the land embraced in his claim?

Ans. Yes.

Ques. 3.—Is said tract within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

Ans. No.

Ques. 4.—State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.

Ans. It is Grazing and Farming Land.

Ques. 5.—When did claimant settle upon the homestead and at what date did he establish actual residence thereon?

Ans. On September 1885 and established actual residence thereon same date.

Ques. 6.—Have claimant and family resided continuously on the homestead since first establishing residence thereon? (If settler is unmarried, state the fact.)

Ans. Yes.

Ques. 7.—For what period or periods has the settler been absent from the land since making settlement, and for what purpose; and if temporarily absent, did claimant's family reside upon and cultivate the land during such absence?

Ans. He has not been absent.

Ques. 8.—How much of the homestead has the settler cultivated and for how many seasons did he raise crops thereon?

Ans. 20 acres. Six seasons.

Ques. 9.—What improvements are on the land and what is their value?

Ans. 2 Room log House, 1 Granary, 1 Milk House, 2 Stables, 1 Corral, 1 Well, 1 Cellar, 1 Well, 600 rods fencing and water ditches. Total Value of same \$1.

Ques. 10.—Are there any indications of coal, salines, or minerals of any kind on the homestead? (If so, describe what they are, and state whether the land is more valuable for agricultural than for mineral purposes).

Ans. No.

Ques. 11.—Has the claimant mortgaged, sold, or contracted to sell, any portion of said homestead?

Ans. Not to my knowledge.

Ques. 12.—Are you interested in this claim; and do you think the settler has acted in entire good faith in perfecting this entry?

Ans. No. Yes.

William G. Smith

I HEREBY CERTIFY that the foregoing testimony was read to the witness before being subscribed, and was sworn to before me this 11th day of January 1897 and that the Judge of Dist. Court on this day absent from Liberty, Dade County.

[SEE NOTE ON FOURTH PAGE.]

Charles B. Smith Clerk of District Court, Dade Co. Okla.

State

Affidavit of Publication.

~~REPUBLIC OF IDAHO~~ } SS
County of Bear Lake

Thos. M. J. Gachet, do solemnly swear that I am the *Publisher* of the *Southern Idaho Independent*, a weekly newspaper of general circulation, published once each week at *Paris, Bear Lake County, Idaho Territory*, that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication was published in said newspaper for *27* consecutive weeks, first publication having been made on the *4th* day of *December* 1891 that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the notice was published in the newspaper, and not in a supplement.

Frederick M. J. Gachet

Sworn and subscribed before me, this *11th* day of *January* A. D. 1892

Sproullberg
Clerk District Court, Bear Lake Co., Id.

Notice for Publication.
Land Office Blackfoot, Idaho
Nov. 27, 1891.
NOTICE is hereby given that the following named settler has filed notice of intention to make final proof in support of his claim, and that said proof will be made before the Judge, or in his absence, the Clerk District Court at Paris, Bear Lake Co., Idaho, on January 11th, 1892, viz: Thomas C. Orr, on R. E. No. 1185, for the E2 SE4, NE4 NE4, Sec. 30 and NW4 SW4 Sec. 29 - 29-43 East.
He names the following witnesses to prove his continuous residence upon, and cultivation of, said land, viz:
Thomas Gambling, William G. Smith, William Cressley, James P. Dunn, all of Bear Lake Co., Idaho.
Foster J. Axson, Register.

Perry J. Axson Register, do hereby certify that a notice, a printed copy of which is hereto annexed, was by me posted in a conspicuous place in my office for a period of thirty days, I having posted said notice on the

27 day of *Nov.* A.
D. 1891 *Perry J. Axson*
Register

(attachment #6)

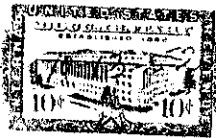
Warranty Deed

THIS INDENTURE, Made the 10th day of October, in the year of our Lord one thousand nine hundred and Fifty-two, between Harriet A. Shepherd, a widow, of Payson, Utah, County of Bear Lake, State of Idaho, part y. of the first part, and Julia Shepherd, a widow, and William G. Shepherd of the County of Bear Lake, State of Idaho, the parties of the second part:

WITNESSETH, That the said part y. of the first part, for and in consideration of the sum of DOLLARS lawful money of the United States of America to her..... in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has..... granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents does GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM unto the said parties of the second part, and to their 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:

The North West quarter of the South West quarter of Section 29; The East half of the South East quarter and the South half of the North East quarter of Section 30, Township 12 South, Range 43 East of the Boise meridian, and containing 200 acres, be there more or less.

Together with any and all water rights appertaining to or belonging to the above described land and including but not limited to 8 1/2 shares of the capital stock of the Mill Canyon North Canal Company, and also including all decreed water right to said premises.



10 march 1905
from Thomas Orr to
Edward T Shepherd with
284" of water from Cop-
-hagen

Thomas Orr claim and part of his water on
his place in 1887 - recorded in Book 18
also provided up on water out of Boise

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

Recorded
Book 11 P. 277
March 11 1905
Mason P

TO HOLD, an and singular the said premis together with the appur-
tenances, unto the said parties of the second part, and to their 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 parties of the second part, their
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 any by these present forever defend.

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

Signed, Sealed and Delivered in the Presence of

Allan L. Hodgson *Harriet A. Shepherd* (SEAL)
(SEAL)

United States of America

STATE OF UTAH, }
County of Utah, } ss.

On this 13th day of October, in the year of our Lord
one thousand nine hundred and fifty-two, before me,
a Notary Public, within and for said County and State personally appeared
Harriet A. Shepherd, a widow,
personally known to me to be the person whose name is subscribed to the
within instrument, and duly acknowledge 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.

Allan L. Hodgson
Notary Public for Utah,
Residing at Payson, Utah

NO. 82073

Warranty Deed

Harriet A. Shepherd

TO
Julia Shepherd &
William G. Shepherd

Dated 13, 1952

Office of County Recorder

STATE OF IDAHO }
County of Bear Lake } ss.

I hereby certify that this instrument was
filed for record at the request of
Harriet A. Shepherd
at 4:55 minutes past 12 o'clock P. M.
this 13th day of October,
A. D. 1952, in my office, and duly recorded
in Book 48 Deeds at page 442
Ann V. Shumaker
County Recorder.
Lucy B. Shumaker
Deputy.

Fee - \$10

Presented to and plotted by me this
day of 10, 1952

PROCTOR
Assessor.

INDEXED

W. L. B. R. 1 pg 27

Joe Jones, Sheriff by

Jeff Davis, Deputy Sheriff.

Filed for record at the request of Joseph Jones June 25th A.D. 1890 @ 11:50 am.

S. L. Mantonga, Co. Recorder,

Fee 65¢

By Chas. Hart, Deputy.

Notice

Notice is hereby given that the undersigned claims all the water flowing from what is known the Dry Hollow Springs on 200 inches of the waters of said springs measured under a four inch pressure The point of diversion being at said Springs. The water is to be used to irrigate the N.W.⁴ of S.W.⁴ Sec 29 Tp 12 S. of Range 43 East Boise Meridian The water is to be diverted by means of a ditch at the spring highest up the hollow, thence to the other end thence to the land aforesaid which ditch is to be 3 ft. wide at top & one foot deep with a fall of two inches to the rod

Thomas C. Orr

I hereby certify that a notice of which the above is a true copy was by me posted at the intended point of diversion on the 30th day of June 1890

Thomas C. Orr

Filed for record at the request of R. S. Spence July 1st 1890 at 12 m.

S. L. Mantonga Co. Recorder,

By Chas. Hart

Deputy.

Notice

Notice is hereby given that the undersigned a citizen of the United States hereby claims and appropriates so much of the Waters of Maple Canon Creek, in Bear Lake County, Idaho as will flow through a ditch of the dimensions hereinafter described -

Said water is claimed for the purpose of irrigating