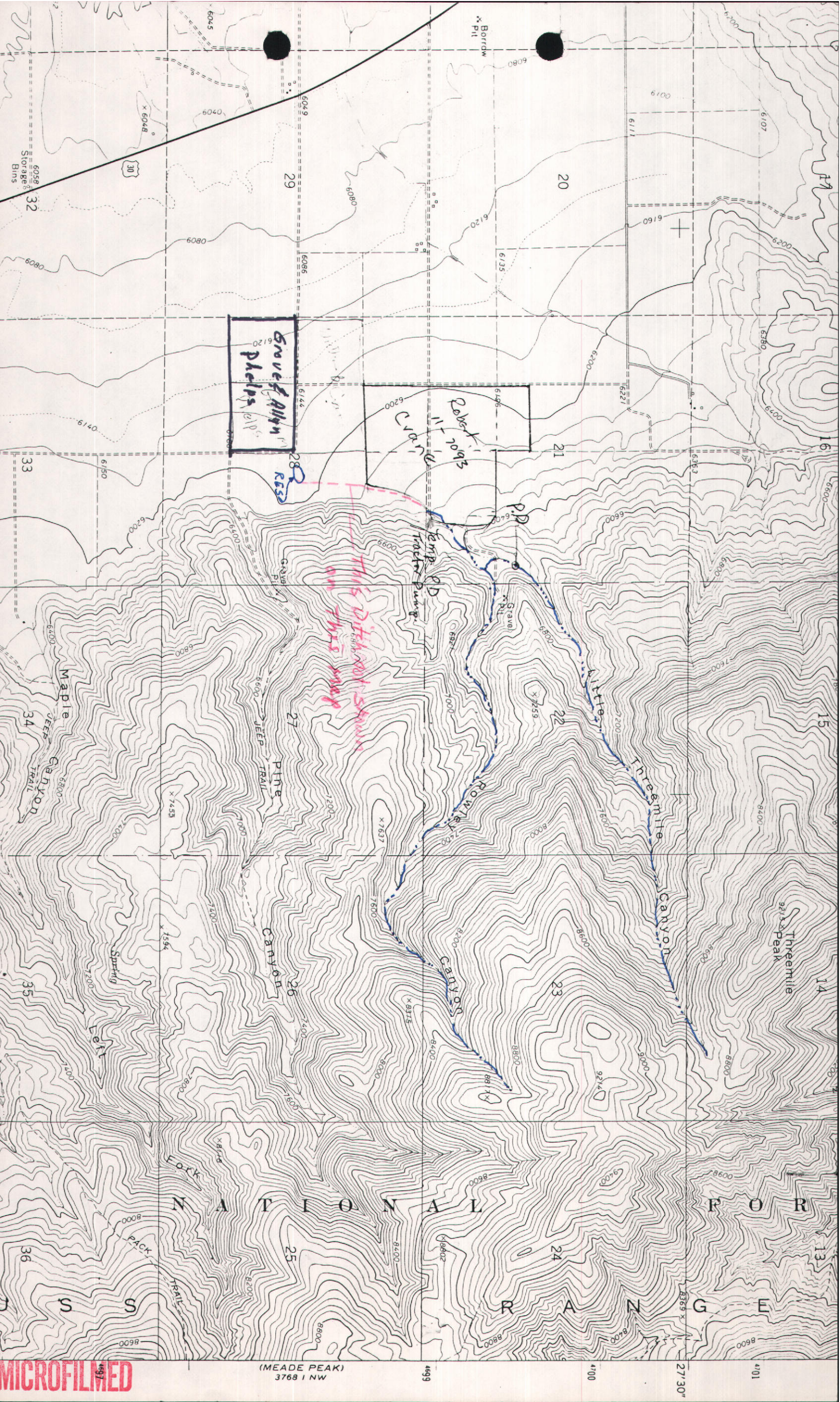




Storage Bins

30

Grove of Allen Phelps

Quest 1043

Temp PD
Tractor Pump

This ditch not shown on this map

Three Mile Canyon

Maple Canyon

Pine Canyon

CANYON

NATIONAL FOREST

MICROFILMED

(MEADE PEAK)
3768 1 NW

27 30"



45.7

53.9

32.0

Robert M. Dyane
C 213

126.5

56.1

0 21
8 26

38.5

26.7

9.5

29.6

OLD WASH
ORIGINAL RD.

dry
Bed

Point of
agitation
SEC 22 (not
shown on
this map)

ditch

Headquarters

Site

Land

exit been

logged

over
15 years

William B. Dyane

C-1

40.0

Red S. Dyane

C 216

Calvin D. Dyane

C 211

46.8

William Salvason

C 13

J. Reed Dyane

C 193

MICROFILMED
30m

2827
3334

315.4

28
33

3,
Jack

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Grove M. Phelps &/or Roma C. Phelps &/or Allyn G. Phelps
(name of claimant)
of Star Route #2, Montpelier, Idaho 83254, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Little Three Mile Creek and Rowley Canyon Creek, tributary to, sinks
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|----------------------|-----|------------------------------|---------------------|----------------|----|------------------------|
| Amount | <u>2.00</u> | Use | <u>Irrigation</u> | Period of Use: From | <u>Apr. 15</u> | To | <u>Oct. 15</u> |
| Amount | <u>0.02</u> | Use | <u>Stockwater</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| | (cfs, gpm
or a/f) | | (dom., irri,
stock, etc.) | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 2.00 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) June 15, 1903

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 28 Twp. 11S Rge. 44E B.M. County of Bear Lake
 Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Small earth dam in stream channel to open ditch and small holding reservoir near land to be irrigated.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

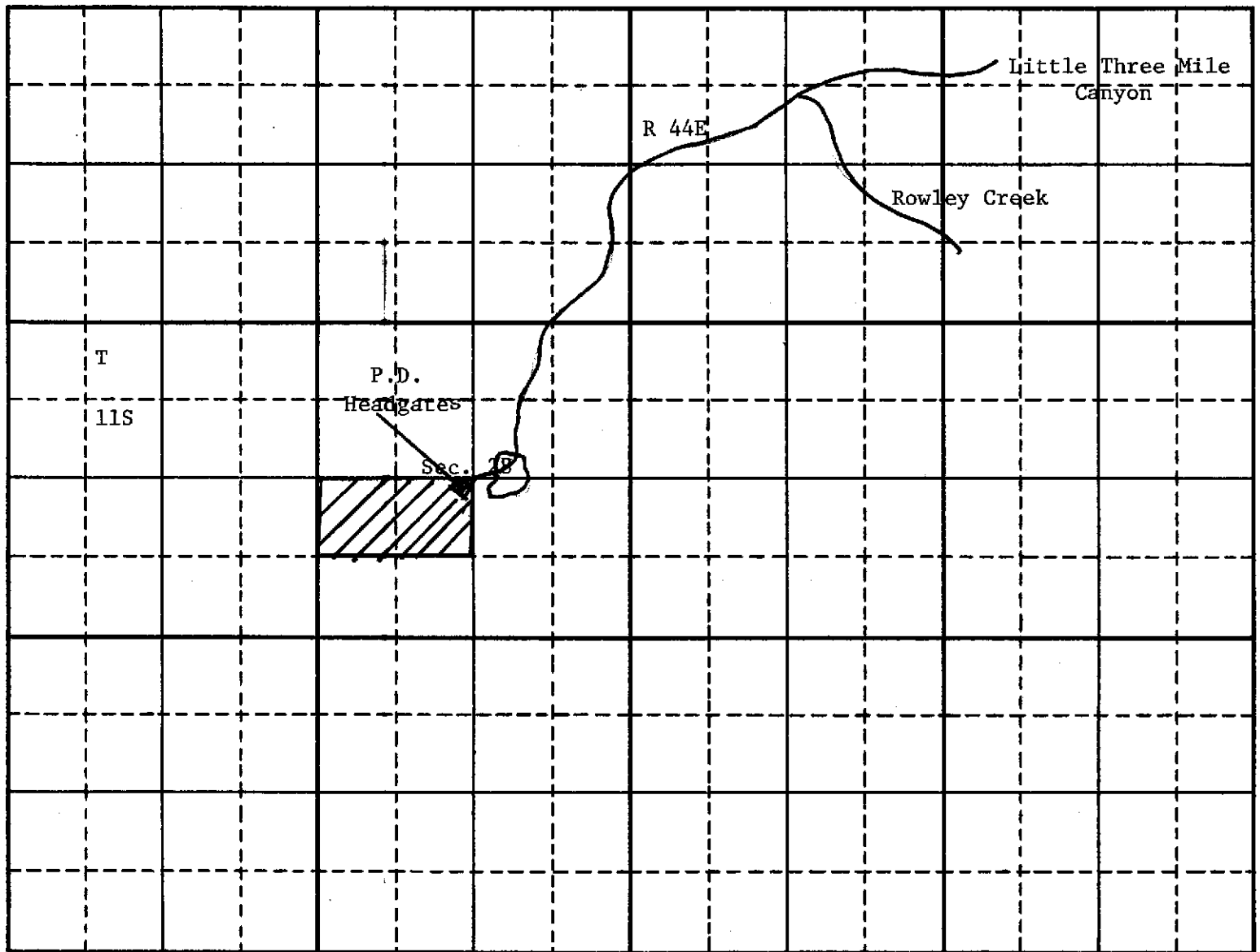
Total No. of acres 80

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwatering purposes for 400 head of ewes with lambs and 40 head of cows.

- (7) If you are claiming water as a member of an organization, list name of organization: Grove M. Phelps & Sons, a Partnership

UNPROFITABLE

(8) Remarks This claim is evidenced by abstract of HES certificate 2179 and other instruments and warranty deed attached. The water has been always used on the land indicated except for the years the land was in ASCS Soil Bank Program.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Boo Lake) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 27 day of July, 19 76.

Notary Public

Residing at Boo Lake

My commission expires 9-20-76

For Department Use Only

Received by <u>CW</u>	Date <u>7-28-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Indy</u>	Date <u>7-28-76</u>		claimant by:	
\$10.00 fee received by <u>CW</u>	Date <u>7-28-76</u>			
Approved for publication by <u>RA 8/30/76</u>		<u>Robert M. Crane</u>	<u>CW</u>	<u>8-18-76</u>
Published in <u>Newspaper</u>				
Dates <u>Aug. 5 & Aug. 12, 1976</u>				

Robert M. Dwyane
C.A. 13

Robert M. Dwyane
C.A. 13

Robert M. Dwyane
C.A. 13

53.9

52.0

43.7

126.5

38.5

296

46.4

51.2

23.4

OVER
500
1000

William A. Brown

Jack S. Brown

29.8
33.3

53.9

52.0

43.7

Robert M. Crane
C283

126.5

38.5

24.6

9.5

Handwritten note

SITE

Land

Chick

SWIFT
SWIFT
SWIFT

William B. Crane

C-1

48.0

23.6

God's Crane

24.6

25.27
3.34

Colin D. Crane

2.44

4.5

Handwritten notes in top left corner

RECEIVED

Aug-8-1976

AUG 11 1976

to whom it may concern.

Department of Water Resources
Eastern District Office

I am the son of Silas L. Knight. During the years father owned & operated this property there was annual use of the water described in the DED, given by Silas L. Knight to Guy Caldwell.

We watered alfalfa, probably ten acres, & one year we tried potatoes.

At no time do I remember any question about the ownership of the water.

Ernest D Knight
885 Cedar
Salt Lake City
Utah - 84108.

RECEIVED

9/424

DEED RECORD.



424

THIS INDENTURE, made this eight day of March in the year of our Lord one thousand eight hundred and ninety one between James A. Lindsay and Oatle Lindsay of Georgetown County of Blaine Lake State of Idaho of the first part, and J. M. Mumford and J. H. Mumford Partners of Manitowish County of Blaine Lake State of Idaho of the second part:

WITNESSETH, that the said James A. Lindsay and Oatle Lindsay of the first part, for and in consideration of the sum of Five hundred and fifty Dollars, in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, and the said parties of the second part forever released and discharged therefrom, have granted, bargained, sold, remised, released, alienated and confirmed, and by these presents do grant, bargain, sell, remise, release, alien and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described lot, piece or parcel of land, situated in the County of Blaine Lake and State of Idaho and known and described as follows, to-wit:

The north half of the south west quarter and the south east quarter of south west quarter and north west quarter of south east quarter Section twenty eight Township Eleven South of Range forty four East B. N. containing 160 acres

TOGETHER WITH ALL AND SINGULAR, the hereditaments and appurtenances thereunto belonging or in any wise 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.

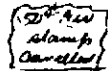
TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said parties of the second part their heirs and assigns forever.

And the said parties of the first part, for their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said parties of the second part their heirs and assigns, that at the time of the enrolling and delivering of these presents, they are 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 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

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

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

Signed, sealed and delivered in presence of



John A. Bagby

James A. Lindsay (Seal)
Esther Lindsay (Seal)
(Seal)
(Seal)

MICROFILMED

aining, and the reversion, remainder and remainders, terms, issues, rents, profits, and all other rights, claims, and demands 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 part of the second part *their* heirs and assigns forever.

And the said parties of the first part, for *their* heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said part of the second part *their* heirs and assigns, that at the time of the enrolling and delivering of these presents, *they are* 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 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

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

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

Signed, sealed and delivered in presence of



John A. Bagley

James S. Lindsay (Seal)

Esther Lindsay (Seal)

(Seal)

(Seal)

(Seal)

STATE OF IDAHO,

County of Bear Lake, ss. On this *8th* day of *March*, A. D. 189*1*, before me, *John A. Bagley*, a Notary Public, in and for said County, personally appeared *James S. Lindsay* and *Esther Lindsay*, 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 instrument, the said *Esther Lindsay* described as a married woman, and the said *James S. Lindsay* and *Esther Lindsay* his wife, each of them, acknowledged to me that they respectively executed the same. And on this *8th* day of *March*, A. D. 189*1*, before me, the officer above described, personally appeared the said *Esther Lindsay* 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 *James S. Lindsay*; 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 *189*

John A. Bagley
Notary Public

Filed for record on the *11th* day of *March*, A. D. 189*1*, at *11:30* o'clock A. M., at the request of *John A. Bagley*

James E. Hart County Recorder.
By *Oliver Hunt* Deputy.

MICROFILMED

Easement for Reservoir

37/272

272

in behalf of said corporation by authority of a resolution of its board of directors and said Julian Clawson and L. R. Wright each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

(Seal)

commission expires April 23, 1943.

ANONA K. EGAN, Notary Public
Whose residence is Salt Lake City, Utah

Recorded at the request of Silas L. Wright at 11:53 A.M. May 24, 1941.
Recorded in Book 37 of Deeds at page 271.

By Maria Clayton Deputy
Fee 80¢

Sam V. Tunks, Recorder

No. 50367

QUITCLAIM DEED

BEFORE ME, LEONARD CHIPMAN LIVESTOCK COMPANY, GRANTOR OF SALT LAKE CITY, COUNTY OF SALT LAKE, State of Utah, hereby QUIT CLAIM to Silas L. Wright and Ida L. Wright, his wife, grantees of Pennington, Bear Lake County, State of Idaho for the sum of One Dollar and other good and valuable consideration the following described tract of land in Bear Lake County, State of Idaho:

The North half of the Southwest quarter of Section 28, and the North half of the Southeast quarter, and the Northeast quarter of the Southwest quarter of Section 29, all in Township 11 South, Range 44 East, Boise Meridian.

Together with a perpetual easement (unless sooner released by mutual consent of the parties hereto, or their assigns) on five acres of land for a reservoir and covered by a reservoir, which said five acres is described as being in the Northwest corner of the Northwest quarter of the Southeast quarter, and in the Southwest corner of the Southwest quarter of the Northeast quarter, all in Section 28, Township 11 South, Range 44 East, Boise Meridian, with right of way for a ditch leading from a spring near the west boundary line of the Caribou National Forest into said reservoir, the waters of which spring and reservoir are appurtenant to the above described premises and are included in, and are a part of, the said above conveyance, together with the right for said grantees and their assigns, to go upon said easement for the purpose of repairing said reservoir and said ditch.

The grantor hereby reserves to it and its assigns the right to water stock at any and all times at said reservoir, and further, that said reservoir site is never to be fenced by either party.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor, has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 17th day of January, A.D. 1941.

(Seal)

Attest: L. R. Wright, Secretary.

LEONARD CHIPMAN LIVESTOCK COMPANY,
JULIAN CLAWSON, President

STATE OF UTAH)
County of Salt Lake) ss

On the 17th day of January, A. D. 1941 personally appeared before me, Julian Clawson and L. R. Wright who being by me duly sworn did say, each for himself, that he, the said Julian Clawson is the president, and he, the said L. R. Wright is the secretary of Leonard Chipman Livestock Company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Julian Clawson and L. R. Wright each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

(Seal)

My commission expires April 23, 1943.

ANONA K. EGAN, Notary Public
Whose residence is Salt Lake City, Utah

Recorded at the request of Silas L. Wright at 11:54 A.M. May 24, 1941.
Recorded in Book 37 of Deeds at page 272.

By Maria Clayton Deputy
Fee 80¢

Sam V. Tunks, Recorder

MICROFILMED

35/304
By Ed Williamson Deputy

Sam V. Tunks, Recorder

Fee \$1.00

No. 44334 X HOMESTEAD CERTIFICATE NO. 3289.
Application 3648

THE UNITED STATES OF AMERICA,
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, There has been deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Blackfoot Idaho, whereby it appears that, 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 James S. Lindsay has been established and duly consummated, in conformity to law, for the North half of the South West quarter, the South East quarter of the South West quarter and the North West quarter of the South East quarter of Section Twenty-eight in Township eleven South of Range forty-four East of Boise Meridian in Idaho, containing one hundred and sixty acres, 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 James S. Lindsay the tract of land above described: TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said James S. Lindsay and to his heirs and assigns forever; subject to any vested and accrued water rights forming, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed. GIVEN under my hand, at the City of Washington, the third day of July, in the year of our Lord one thousand nine hundred and two, and of the Independence of the United States the one hundred and twenty-sixth.

(SRAL)

By the President: T. Roosevelt

Recorded Idaho, Vol. 28, Page 357.

By F. M. McKean, Secretary,

C. W. Bursh

Recorder of the General Land Office.

Recorded at the request of Chas. E. Harris at 4:00 P.M., November 30, 1937, A.D.
Recorded in Book 35 of Deeds at page 303.

By Ed Williamson Deputy

Sam V. Tunks, Recorder

Fee \$51.00

RECEIVED

88463

STATE OF IDAHO, COUNTY OF BUTTE

I hereby certify that this instrument was filed for record in the presence of *Elliot & Burr*

at *52* minutes past *4* o'clock P. M. this *28th* day of *Sept.* 19*66* in my office, and duly recorded in Book *50* of deeds at page _____

By _____
E. Oliver Sawyer
County Clerk

Fee \$ _____
Mail \$ _____

WARRANTY DEED

For Value Received SAMUEL LEGRAND CALDWELL, a single person,

the grantor, does hereby grant, bargain, sell and convey unto WELLS C. STOCK and LOIS JUNE STOCK, husband and wife, of the City of Montpelier, County of Bear Lake, State of Idaho,

the grantees, ~~the said Samuel Legrand Caldwell~~ an undivided one-half interest in and to the following described real property:

Tract No. 1

The North Half of the Southwest Quarter of Section 26, Township 11 South, Range 44 East of Boise Meridian, Idaho

Tract No. 2

The Northeast Quarter of the Southeast Quarter and the North Half of the Southeast Quarter of Section 29, Township 11 South, Range 44 East of Boise Meridian, Idaho

Tract No. 3

REVENUE STAMPS

REVENUE STAMPS

WARRANTY DEED

For Value Received SAMUEL LEGRAND CALDWELL, a single person,

the grantor, does hereby grant, bargain, sell and convey unto WELLS C. STOCK and LOIS JUNE STOCK, husband and wife, of the City of Montpelier, County of Bear Lake, State of Idaho,

the grantees, ~~standing in and to the following described real property:~~ an undivided one-half interest in and to the following described real property:

Tract No. 1

The North Half of the Southwest Quarter of Section 26, Township 11 South, Range 14 East of Boise Meridian, Idaho

Tract No. 2

The Northeast Quarter of the Southwest Quarter and the North Half of the Southeast Quarter of Section 29, Township 11 South, Range 14 East of Boise Meridian, Idaho

Tract No. 3

Beginning at the Northeast Corner of the Northwest Quarter of the Southwest Quarter of Section 29, Township 11 South, Range 14 East of Boise Meridian, Idaho, and running thence South 80 rods to the State Highway; thence Northwesterly along said highway to the point on the quarter section line 24 rods West of the point of beginning; and thence East along said quarter section line to the point of beginning.

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

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

Dated this 14th day of August, 1966

Samuel LeGrand Caldwell

(CORPORATION ACKNOWLEDGMENT)

STATE OF IDAHO, COUNTY OF _____
On this _____ day of _____ 19____
before me, the undersigned, a Notary Public in and for said State, personally appeared _____

Known to me to be the _____
of the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

WITNESS My hand and official seal.

Notary Public, Residing at _____ Idaho

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF IDAHO, COUNTY OF _____
On this 14th day of August, 1966
before me, the undersigned, a Notary Public in and for said State, personally appeared Samuel LeGrand Caldwell

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

WITNESS My hand and official seal.

(SEAL) *W. M. Miller*
Notary Public, Residing at _____ Idaho
My Comm. expires _____

88462

STATE OF IDAHO	I hereby certify	the request of	at	this	day of	1966	at	Boise	Idaho
			51	24	18	66	at	Boise	Idaho

WARRANTY DEED

For Value Received **IOLA CALDWELL**, a single person, of the City of Montpelier, County of Bear Lake, State of Idaho,

the grantor, does hereby grant, bargain, sell and convey unto **WELLS C. STOCK** and **LOIS JUNE STOCK**, husband and wife, of the City of Montpelier, County of Bear Lake, State of Idaho,

the grantees, the following described real property: an undivided one-half interest in and to the following described real property:

Tract No. 1

The North Half of the Southwest Quarter of Section 28, Township 11 South, Range 44 East of Boise Meridian, Idaho

Tract No. 2

The Northeast Quarter of the Southwest Quarter and the North Half of the Southeast Quarter of Section 29, Township 11 South, Range 44 East of Boise Meridian, Idaho

Tract No. 3

Beginning at the Northeast Corner of the Northwest Quarter of the Southwest Quarter of Section 29, Township 11 South, Range 44 East of Boise Meridian, Idaho, and running thence South 80 rods to the State Highway; thence Northwesterly along said Highway to the point on the quarter section line 24 rods West of the point of beginning; and thence East along said quarter section line to the point of beginning.

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

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

Dated this 31 day of August, 1966.

Iola Caldwell

(CORPORATION ACKNOWLEDGMENT)

STATE OF IDAHO, COUNTY OF _____
On this _____ day of _____, 19____
before me, the undersigned, a Notary Public in and for said State, personally appeared _____

known to me to be the _____
of the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

Notary Public, Residing at _____, Idaho

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF IDAHO, COUNTY OF Bear Lake
On this 17 day of August, 1966
before me, the undersigned, a Notary Public in and for said State, personally appeared IOLA CALDWELL

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

WITNESS my hand and official seal.

(SEAL) E. E. E. E.
Notary Public, Residing at Montpelier, Idaho
My Comm. Expires 1968

known to me to be the person _____ whose name is _____
of the corporation that executed the foregoing instrument, and
acknowledged to me that such corporation executed the same.
WITNESS My hand and official seal.

known to me to be the person _____ whose name is _____
subscribed to the within instrument, and acknowledged to me
that _____ executed the same.
WITNESS My hand and official seal.

(SAL) *Ellen M. Miller*
Notary Public, Residing at _____ Idaho
My Comm. expires: *Sept. 22, 1966*

884132

STATE OF IDAHO, COUNTY OF Bear Lake

I hereby certify that this instrument was filed for record at
the request of *Ellen M. Miller*

at 51 minutes past 4 o'clock P. M.
this 28th day of Sept.
1966, in my office, and duly recorded in Book 50
of Deeds at page _____

My _____
Notary Public

Page 2
Book 50

WARRANTY DEED

For Value Received IDA GARDWELL, a single person, of the City of
Montpelier, County of Bear Lake, State of Idaho,

the grantor, does hereby grant, bargain, sell and convey unto ELLIS C. STOCK and
LOIS JUNE STOCK, husband and wife, of the City of Montpelier, County of
Bear Lake, State of Idaho,

the grantees, the following described property: an undivided one-half interest
in and to the following described real property:

Tract No. 1

The North Half of the Southwest Quarter of Section 28,
Township 11 South, Range 44 East of Boise Meridian,
Idaho

Tract No. 2

The Northeast Quarter of the Southwest Quarter and the
North Half of the Southeast Quarter of Section 29,
Township 11 South, Range 44 East of Boise Meridian,
Idaho

Tract No. 3

Beginning at the Northeast Corner of the Northwest
Quarter of the Southwest Quarter of Section 29,
Township 11 South, Range 44 East of Boise Meridian,
Idaho, and running thence South 80 rods to the State
Highway; thence Northwesterly along said Highway to
the point in the quarter section line 24 rods West
of the point of beginning; and thence East along said

REVENUE STAMPS

UNRECORDED

37271

Stewart Cosgriff, Secretary
(Seal)

Per Chas. L. Smith
President

State of Utah)
County of Salt Lake) ss

On the 26th day of Nov, A. D. 1937, personally appeared before me, Chas. L. Smith, and Stewart Cosgriff who being by me duly sworn did say, each for himself, that the said Chas. L. Smith is the President, and he, the said Stewart Cosgriff is the Secretary of the Kounan Land and Livestock Company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Chas. L. Smith and Stewart Cosgriff each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

(Seal)
My Commission expires: Feb. 4, 1941

E. C. UNDERHILL
Notary Public, residing
at Salt Lake City, Utah

Recorded at the request of Silas L. Wright at 11:52 A.M. May 24, 1941.
Recorded in Book 37 of Deeds at page 271.

By Mavis Clayton Deputy
Fee 40

Sam V. Tunks, Recorder

No. 50366 ✓

QUITCLAIM DEED

CONSOLIDATED HOLDING COMPANY, a corporation of Utah, grantor of Salt Lake City, County of Salt Lake, State of Utah, hereby QUITCLAIM to Silas L. Wright and Ida L. Wright, his wife, grantees of Bennington, Bear Lake County, State of Idaho for the sum of One Dollar and other good and valuable consideration the following described tract of land in Bear Lake County, State of Idaho:

The North half of the Southwest quarter of Section 28, and the North half of the Southeast quarter and the Northeast quarter of the Southwest quarter of Section 29, all in Township 11 South of Range 44 East, Boise Meridian.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 13th day of November, A.D. 1940.

Attest: L. R. WRIGHT, Secretary
(Seal)

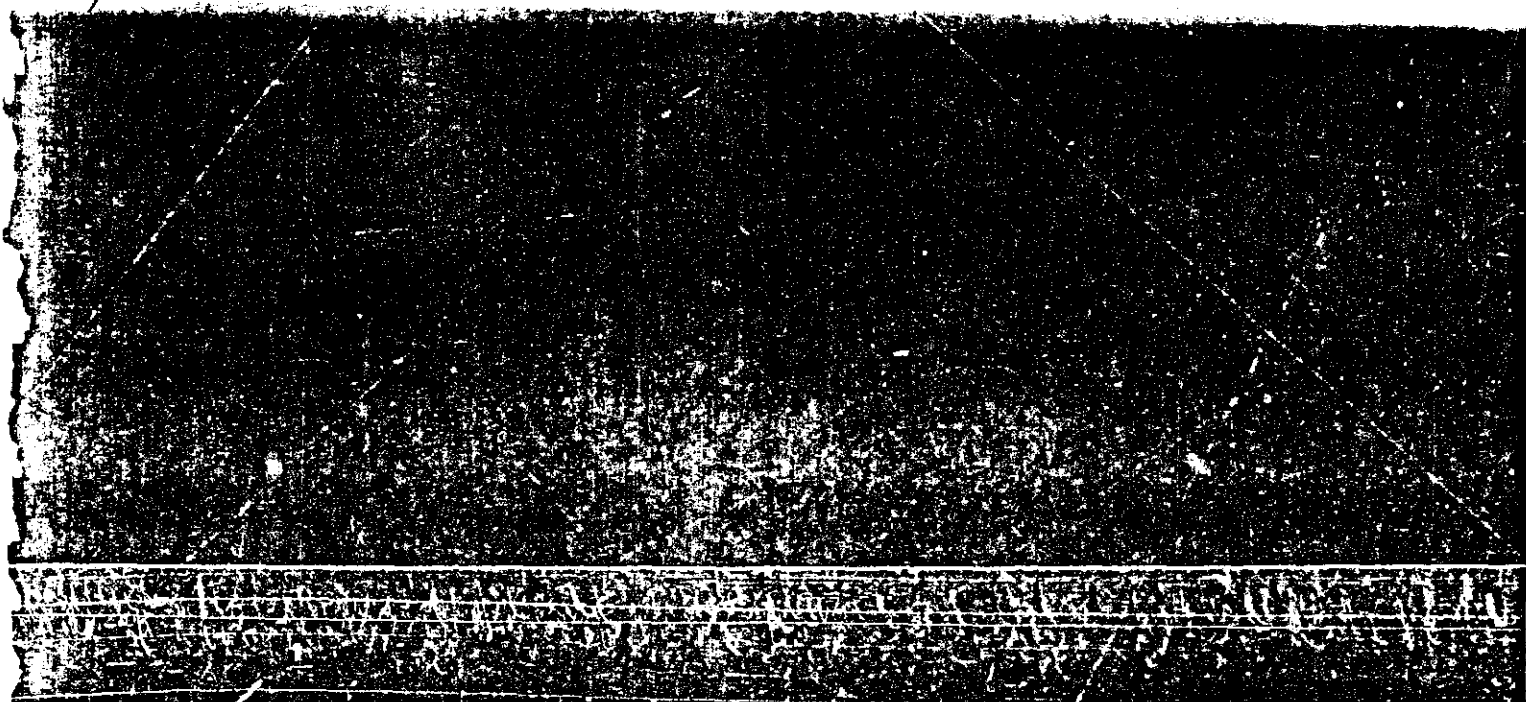
CONSOLIDATED HOLDING COMPANY.
Julian Clawson, President

STATE OF UTAH)
County of Salt Lake) ss

On the 14th day of November, A.D. 1940 personally appeared before me Julian Clawson and L. R. Wright who being by me duly sworn did say, each for himself, that he, the said Julian Clawson, is the president, and he, the said L. R. Wright is the Secretary of Consolidated Holding Company, and that the within and foregoing instrument was signed

MICROFILMED

37/272



272

In behalf of said corporation by authority of a resolution of its board of directors and said Julian Clawson and L. R. Wright each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

(Seal)

Commission expires April 23, 1943.

ANONA K. BEAN, Notary Public
Whose residence is Salt Lake City, Utah

Recorded at the request of Silas L. Wright at 11:53 A.M. May 24, 1941.
Recorded in Book 57 of Deeds at page 271.

By Maria Clayton Deputy
See 802

Sar V. Tunks, Recorder

50367

QUETCLAIN SEED

State of Utah, hereby QUETCLAIN SEED, of Silas L. Wright and L. R. Wright, his wife, grantors of Bennett, Pease Lake County, State of Idaho for the sum of One Dollar and other good and valuable consideration the following described tract of land in Pease Lake County, State of Idaho:

The North half of the Southwest quarter of Section 28, and the North half of the Southeast quarter, and the Northeast quarter of the Southwest quarter of Section 29, all in Township 11 South, Range 44 East, Boise Meridian.

Together with a perpetual easement (unless sooner released by mutual consent of the parties hereto, or their assigns) on five acres of land for a reservoir and covered by a reservoir, which said five acres is described as being in the Northwest corner of the Northwest quarter of the Southeast quarter, and in the Southwest corner of the Southwest quarter of the Northwest quarter, all in Section 28, Township 11 South, Range 44 East, Boise Meridian, with right of way for a ditch leading from a point near the West boundary line of the Carbon National Forest into said reservoir, the waters of which spring and reservoir are appurtenant to the above described premises and are included in, and are a part of, the said above conveyance, together with the right for said grantors and their assigns, to maintain said easement for the purpose of maintaining said reservoir and said ditch.

The grantor hereby reserves to it and its assigns the right to water stock at any and all times at said reservoir, and further, that said reservoir site is never to be fenced by either party.

MICROFILMED

REVENUE STAMPS

WARRANTY DEED

For Value Received WELLS C. STOCK and JUNE STOCK, husband and wife,
and ELBERT E. GASS and MILDRED S. GASS, husband and wife,

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

GROVE M. PHELPS and ROMA C. PHELPS, husband and wife, and
ALLYN G. PHELPS, a single person,
the grantee s, the following described premises, in Bear Lake County Idaho, to wit:

Tract No. 1

The North Half of the Southwest Quarter of Section 28,
Township 11 South, Range 44 East of Boise Meridian, Idaho;

Tract No. 2

The Northeast Quarter of the Southwest Quarter and the
North Half of the Southeast Quarter of Section 29, Town-
ship 11 South, Range 44 East of Boise Meridian, Idaho; and

Tract No. 3

Beginning at the Northeast Corner of the Northwest Quarter
of the Southwest Quarter of Section 29, Township 11 South,
Range 44 East of Boise Meridian, Idaho, and running thence
South 80 rods to the State Highway; thence Northwesterly
along said highway to the point on the quarter of section
line 24 rods West of the point of beginning; and thence
East along said quarter section line to the point of beginning.

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

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

Dated: October 1, 1969

Wells C. Stock
Wells C. Stock

Elbert E. Gass
Elbert E. Gass

June Stock
June Stock

Mildred S. Gass
Mildred S. Gass

STATE OF IDAHO, COUNTY OF Bear Lake
On this 14 day of October, 1969,
before me, a Notary Public in and for said State, personally
appeared

WELLS C. STOCK and JUNE STOCK

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

Michael A. McCarty
Notary Public
Montpelier, Idaho
Comm. Expires 7-16-73

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record
at the request of *Michael A. McCarty*
at 10 minutes past 4 o'clock
on the 14 day of October
1969, in my office, and duly recorded in Book
of Deeds at page *Three hundred*
Amos B. Shlone
Notary Public

By *Betty Elliott*
Vice S. *200*
Mail to:

INSTRUMENT No. 59605.

THIS INDENTURE, Made the 25th day of June, in the year of our Lord, one thousand nine hundred and '47 between Silas L. Wright and Ida L. Wright, husband and wife, of Bennington, County of Bear Lake, State of Idaho, parties of the first part, and Samuel L. "Guy" Caldwell, of Georgetown, County of Bear Lake, State of Idaho, party of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE HUNDRED AND OTHER VALUABLE CONSIDERATIONS, ----- DOLLARS

lawful money of the United States of America to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY, and CONFIRM unto the said party 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:

The North Half of the Southwest quarter of Section 28, and the North half of the Southeast quarter, and the Northeast quarter of the Southwest quarter of Section 29, all in Township 11 South, Range 44 East, Boise Meridian.

Together with a perpetual easement (unless sooner released by mutual consent of the parties hereto, or their assigns) on five acres of land for a reservoir and covered by a reservoir, which said five acres is described as being in the NW Cor. of the NW 1/4 of Sec. 28, and in the SW Corner of the SW 1/4 of NE 1/4, all in Sec. 28, Twp. 11 S. R. 44 E.B.M., with right-of-way for a ditch leading from a spring near the West boundary line of the Caribou National Forest into said reservoir, the waters of which spring and reservoir are appurtenant to the above described premises and are included in, and are a part of, the said conveyance, together with the right for said grantee and his assigns to go upon said easement for the purpose of repairing said reservoir and said ditch.

\$12.10 Cancelled Documentary Stamps affixed.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate right, title, interest, property possession, claim and demand whatsoever, as well in laws as in equity of the said 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 parties of the first part, and their heirs, the said premises, in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and against any and all persons whosoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Silas L. Wright (SEAL)

W. Smith Hoge

Ida L. Wright (SEAL)

37/270

said estate hereinafter particularly described, and any other property not now known or discovered, which may belong to the said estate, or in which the said estate may have an interest, be and the same is hereby distributed as follows:

It appearing to the Court that all of the property hereinafter described was the community property of the deceased and Henrietta Speirs, having been acquired during their married life and that Henrietta Speirs the survivor is entitled to receive all of said property and it is hereby ordered by the Court that all and the hereinafter described property be and the same is hereby decreed to Henrietta Speirs the surviving wife of said deceased.

The following is a particular description of the said residue of said estate referred to in this decree, and of which distribution is hereby ordered as aforesaid:

The South half of Lot five (5) in Block eight (8) of the original Townsite of Montpelier, Idaho, together with all water rights thereunto belonging, being more fully described as: Lot five (5) in Block eight (8) in the Montpelier townsite survey situated in Sec. 3, Twp. 13 S. R. 44 E. B.M., containing 16 acres of land lying in said County of Bear Lake State of Idaho, together with all water rights thereunto belonging.

Done in open Court, 14th day of May, 1941.

DON C. HADDOCK
Probate Judge

STATE OF IDAHO, COUNTY OF TETTER 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 accounts and Final Distribution of the Estate of Henry Speirs, deceased, duly filed in my office 14th day of May, 1941.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Paris, Idaho, this 14th day of May, 1941.
(Seal)

DON C. HADDOCK, Clerk

Recorded at the request of Don C. Haddock at 4:40 P.M. May 23, 1941.
Recorded in Book 37 of Records at page 270.

by Marie Clayton Deputy
Feb. 1. 40

Sam V. Tunks, Recorder

No. 10364 ✓

SPECIAL WARRANTY DEED

The Nounan Land and Livestock Company, a Utah corporation qualified to do business in the State of Idaho, grantor, does hereby convey to Silas Wright, grantees, for the sum of Ten and no/100 Dollars (\$10.00) and other valuable consideration, the following described tract of land in Bear Lake County, Idaho:

That portion of the Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4) of Section Twenty-nine (29) lying East of the State Highway No. 111 in Township eleven (11) South Range North-four (44) East, B.M.

And the grantor does specially warrant the title to said said land against any acts or encumbrances done or incurred by the grantor.

37/270

IN WITNESS WHEREOF this deed is executed and the seal of the corporation affixed this 25th day of October, 1937.

(Seal)

MOONAN LAND & LIVESTOCK COMPANY
BY CHAS. L. SMITH, President

State of Utah)
County of Salt Lake) ss.

On the 26th day of October 1937, personally appeared before me, Chas. L. Smith who being by me duly sworn did say that he is the President of the Moonan Land & Livestock Company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Chas. L. Smith duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation;

My commission expires: September 22, 1941

Notary Public

Residing at Salt Lake City, Utah

55¢ cancelled Documentary stamps affixed.

Recorded at the request of Silas L. Wright at 11:31 A.M. May 24, 1941.
Recorded in Book 37 of Deeds at page 270.

By Marie Clayton Deputy
Fee 40¢

Sam V. Tunks, Recorder

No. 50365

SPECIAL WARRANTY DEED

THE MOONAN LAND AND LIVESTOCK COMPANY, a corporation of the state of Utah, grantor, does hereby convey to Silas L. Wright and Ida L. Wright, his wife, all of its right, title and interest in and to the following described tract of land and in consideration of the payment of the purchase price of \$2000.00 in accordance with the terms of an agreement entered into by and between the said parties, and warrants the title only against all acts of the seller, the grantor herein; to-wit:

The North half of the Southwest quarter of Section 28 and the North half of the Southeast quarter and the Northeast quarter of the Southwest quarter, Section 28, all in Township 11 South, Range 44 East T.1. in the County of Bear Lake, State of Idaho.

IN WITNESS WHEREOF this deed is executed this 26th day of May, 1937.

Attest:
Stewart Cosgriff, Secretary
(Seal)

MOONAN LAND AND LIVESTOCK CO.
Per Chas. L. Smith
President

State of Utah)
County of Salt Lake) ss

On the 26th day of May, A. D. 1937, personally appeared before me, Chas. L. Smith and Stewart Cosgriff who being by me duly sworn did say, each for himself, and for the said Chas. L. Smith is the President, and he, the said Stewart Cosgriff is the Secretary of the Moonan Land and Livestock Company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Chas. L. Smith and Stewart Cosgriff each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

(Seal)

My Commission expires: Feb. 4, 1941

E. C. UNDERHILL
Notary Public, residing
at Salt Lake City, Utah

Recorded at the request of Silas L. Wright at 11:52 A.M. May 24, 1941.
Recorded in Book 37 of Deeds at page 271.

By Marie Clayton Deputy
Fee 40¢

Sam V. Tunks, Recorder

MICROFILMED

No. 38432

WARRANTY DEED

THIS INDENTURE, made this 26th day of October, in the year One Thousand Nine Hundred and Thirty-three, between HENRY S. CRANE and MARY J. CRANE, his wife, of Riverton, County of Salt Lake, State of Utah, parties of the first part, and NOUNAN LAND & LIVE-STOCK COMPANY, a corporation of the State of Utah, party of the second part, WITNESSETH:

Said parties of the first part, for and in consideration of the sum of TEN (\$10.00) DOLLARS lawful money of the United States to them in hand paid by said party of the second part, and other valuable considerations, the receipt whereof is hereby acknowledged, have granted, bargained, sold, and by these presents do grant, bargain, sell, convey and confirm unto said party of the second part and its assigns and successors forever, all of the following described real estate situate in Bear Lake County, State of Idaho, to wit:

✓ S $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14; E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 15; all of Section 25; E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 26; E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 35; all in Township 10 S., Range 43, E., Boise Meridian. W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 15; E $\frac{1}{2}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16; SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19; SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and S $\frac{1}{2}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ and E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 20; E $\frac{1}{2}$ and E $\frac{1}{2}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and W $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 21; N $\frac{1}{2}$ and E $\frac{1}{2}$ of SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 29; NE $\frac{1}{4}$ of Section 30; all in Township 11 S., Range 43 E., Boise Meridian.

The North half; the Southeast quarter; and the North half of the Southwest quarter of Section Six (6), Township Twelve (12) South, Range Forty-four (44) East of the Boise Meridian; the Northwest quarter of Section Five (5), Township Twelve (12) South, Range Forty-four (44) East of the Boise Meridian; also the South half of the Southeast quarter and the Southwest quarter of the Northwest quarter of Section Thirty-one (31), Township Eleven (11) South, Range Forty-four (44) East of the Boise Meridian; the Southwest quarter of Section Thirty-two (32); the Northeast quarter of the Southwest quarter and the North half of the Southeast quarter of Section Twenty-nine (29); the North half of the South half; the Northeast quarter; and the East half of the Northwest quarter of Section twenty-eight (28); the Northeast quarter; the East half of the Southeast quarter; the Southwest quarter of the Southeast quarter; and the Southeast quarter of the Southwest quarter of Section Twenty-one (21), all in Township Eleven (11) South, Range Forty-four (44) East of the Boise Meridian. Together with all water and water rights thereunto belonging or appertaining, and particularly the waters of the stream known as Little Four-Mile Creek, said stream being in Sections 22, 27 and 28, Township 11 South, Range 44 E.B.M., including reservoirs and reservoir sites.

✓ Also, beginning at the Northwest corner of the Northwest quarter of the Southeast quarter of Section Thirty-two (32) Township Eleven (11) South, Range Forty-four (44) East, Boise Meridian, running thence South Twenty (20) chains to the Southwest corner of the said Northwest quarter of the Southeast quarter of Section Thirty-two (32); thence East seven (7) chains, ten (10) links to the County Road; thence North Eighteen (18) degrees 20' West Twenty-one (21) chains forty (40) links; thence West Fifty (50) links to the place of beginning and containing Seven and 60/100 (7.60) acres, more or less, together with all water rights thereunto belonging.

✓ Also, beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of Section Twenty-nine (29), Township Eleven (11) South, Range Forty-Four (44) E., B. M.

MICROFILMED

East of the Boise Meridian. Together with all water and water rights thereunto belonging or appertaining, and particularly the waters of the stream known as Little Four-Mile Creek, said stream being in Sections 22, 27 and 28, Township 11 South, Range 44 E.B.M., including reservoirs and reservoir sites.

Also, beginning at the Northwest corner of the Northwest quarter of the Southeast quarter of Section Thirty-two (32) Township Eleven (11) South, Range Forty-four (44) East, Boise Meridian, running thence South Twenty (20) chains to the Southwest corner of the said Northwest quarter of the Southeast quarter of Section Thirty-two (32); thence East seven (7) chains, ten (10) links to the County Road; thence North Eighteen (18) degrees 20' West Twenty-one (21) chains forty (40) links; thence West Fifty (50) links to the place of beginning and containing Seven and 60/100 (7.60) acres, more or less, together with all water rights thereunto belonging.

7340- Also, beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of Section Twenty-nine (29), Township Eleven (11) South, Range Forty-four (44) E., B. M. running thence South Eighty (80) rods to the State highway; thence North westerly along said highway to a point on the quarter section line twenty-four (24) rods West of the point of beginning; thence East along said quarter section line to point of beginning, together with all water and water rights thereunto belonging.

Read presented this 13th March 1937 with 1st Amendment being attached 25
Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of said parties of the first part.

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

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

Signed, sealed and delivered in the presence of:

Marguerite Delury
Marguerite Delury

Heber S. Crane (L.S.)
Mary J. Crane (L.S.)

WARRANTY DEED RECORD No. 33

Instrument No. 37798

THIS INDENTURE, Made the 14th day of March, in the year of our Lord one thousand nine hundred and thirty-three, between F. L. Grane, and Annie Jane Grane, his wife, of Bounan, Behar J. Grane, County of Bear Lake, State of Idaho, part first of the first part, and of Riverton, Salt Lake County, County of Salt Lake State of Utah, party of the second part:

WITNESSETH, That the parties of the first part, for and in consideration of the sum of

One and 00/100 Dollars, the said parties of the second part, have granted, 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 first part, and to his heirs and assigns forever, all that certain parcels of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit:

The North half; the Southeast quarter; and the North half of the Southwest quarter of Section six (6), Township twelve (12) South, Range forty four (44) East of the Boise Meridian; the Northwest quarter of Section five (5), Township twelve (12) South, Range forty-four (44) East of the Boise Meridian; also the South half of the Southeast quarter and the Southwest quarter of the Northwest quarter of the Northwest quarter of Section thirty-one (31) Township eleven (11) South, Range forty-four (44) East of the Boise Meridian; the Southwest quarter of Section thirty-two (32) the Northeast quarter of the Southwest quarter and the North half of the Southeast quarter of Section twenty-nine (29); the North half of the South half; the Northeast quarter; and the East half of the Northwest quarter of Section twenty-eight (28); the Northeast quarter; the East half of the Southeast quarter; the Southwest quarter of the Southeast quarter; and the Southeast quarter of the Southwest quarter of Section twenty-one (21), all in Township eleven (11) South, Range forty-four (44) East of the Boise Meridian. Together with all water and water rights thereunto belonging or appertaining, and particularly the waters of the stream known as Little Four-Mile Creek, said stream being in Sections 22, 27, and 28, Township 11 South, Range Forty-four E.B.M., including reservoirs and reservoir sites.

Also, beginning at the Northwest corner of the Northwest quarter of the Southeast quarter of Section Thirty-two (32), Township eleven (11) South, Range forty-four (44) East, Boise Meridian, running thence South twenty (20) chains to the Southwest corner of the said Northwest quarter of the Southeast quarter of Section Thirty-two (32); thence East seven (7) chains, ten (10) links to the County Road; thence North Eighteen (18) degrees 20' West Twenty-one (21) chains, forty (40) links thence West fifty (50) links to the place of beginning, and containing Seven and 60/100 (7.60) acres, more or less, together with all water rights thereunto belonging.

Also, beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of Section twenty-nine (29), Township eleven (11) South, Range forty-four (44) E. B. M., running thence South eighty (80) rods to the State Highway; thence Northwesterly along said Highway to a point on the quarter section line twenty-four (24) rods West of the point of beginning; thence East along said quarter section line to a point of beginning, together with all water and water rights thereunto belonging.

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Also, beginning at the Northwest corner of the Northwest quarter of the Southeast quarter of Section Thirty-two (32), Township eleven (11) South, Range forty-four (44) E. B. M., Boise Meridian, running thence South twenty (20) chains to the Southwest corner of the said Northwest quarter of the Southeast quarter of Section Thirty-two (32); thence East seven (7) chains, ten (10) links to the County Road; thence North Eighteen (18) degrees 20' West Twenty-one (21) chains, forty (40) links thence West fifty (50) links to the place of beginning, and containing Seven and 60/100 (7.60) acres, more or less, together with all water rights thereunto belonging.

Also, beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of Section twenty-nine (29), Township eleven (11) South, Range forty-four (44) E. B. M., running thence South eighty (80) rods to the State Highway; thence Northwesterly along said Highway to a point on the quarter section line twenty-four (24) rods West of the point of beginning; thence East along said quarter section line to a point of beginning, together with all water and water rights thereunto belonging.

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A. J. Butterfield

Franklin T. Crane
Annie Jane Crane

(SEAL.)

(SEAL.)

Utah
STATE OF ~~UTAH~~, ss.
COUNTY OF ~~BEHAVIOR~~
Salt Lake

UNITED STATES OF AMERICA

On this 14 day of March, in the year of our Lord one thousand nine hundred and thirty three, before me, A. J. Butterfield a Notary Public within and for said County and State, personally appeared Franklin T. Crane, sometimes known as F. T. Crane and Annie Jane Crane, his wife, personally known to me to be the person whose name s. are subscribed to the within instrument, and duly acknowledged to me that they executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal, the day and year in this certificate above written.

(SEAL)

A. J. Butterfield
Notary Public

Recorded at request of L. B. Gardner
at 10:25 o'clock M., this 31st day of March, A. D. 1933

Fee, 2.00

Sam V. Funks

County Recorder.

Ernest D. Shepherd Deputy.

TO HAVE AND TO HOLD, the said premises above bargained and described, with the appurtenances, unto the said parties of the second part, ~~their 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 parties of the second part, ~~heirs and assigns~~, that at the time of the enrolling and delivering of these presents ~~these are~~ ^{well} seized of the premises above conveyed, as of good, pure, 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 ~~Grants made by the first day of January 1908 for the purpose of~~ ^{an mortgage in favor of the City of St. Louis made and executed by the first day of January 1908 and a mortgage in favor of the City of St. Louis made and executed by the first day of January 1908} and the said parties of the second part, ~~heirs and assigns~~, shall have and enjoy the same in the quiet and peaceable possession of the said parties of the second part, ~~heirs and assigns~~, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will warrant and forever defend.

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

~~Signed, sealed and delivered in presence of~~

~~D. M. Houston~~

James G. Crane (SEAL)

Sarah J. Chase (SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of Bear Lake, } ^{ss}

On this 24th day of March A. D. 1906,
before me L. H. McMillan a Notary Public in and for said County,
personally appeared James G. Crane and Sarah J. Crane
his wife, personally known to me (satisfactorily proved to me on the oath of
competent and creditable witnesses by me duly sworn for that purpose), to be the persons whose names are subscribed to the within instru-
ment, the said Sarah J. Crane described as a married woman, and the said James G. Crane
and Sarah J. Crane his wife, each of them, acknowledged to me that they respectfully executed the same.
And on this 24th day of March A. D. 1906, before me, the officer above described, personally
appeared the said Sarah J. Crane 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
James G. Crane 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 Feb 3rd 1907

De Meade, Christian
Notary Public

Filed for record on this 5th day of June, A. D. 1906, at 6 o'clock P. M.,
at the request of H. Mader, Assessor

By James C. Hunt County Recorder.
Charles Hunt Deputy.

and agreed between the parties hereto that: first, Government is hereby authorized to purchase, build, and operate the said project, and the said project is hereby approved in full by the said parties hereto, as a part of the transportation for the people.

This Indenture, Made the Eighteenth day of April in the year of our Lord One Thousand Nine Hundred and thirteen BETWEEN Thomas M. Mumford and John H. Mumford Partners as Mumford Brothers in the County of Bear Lake and State of Idaho, parties of the first part, and James B. Leane of same Co and State the party of the second part, WITNESSETH, That the said parties of the

first part, for and in consideration of the sum of Seven Hundred Sixty DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, 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 known and described as follows, to-wit:

Lot one and two of Section 6 Township 12 South and the south half of the South East 1/4 of Section 31 in Township 11 South of Range (44) East B. M. Containing one hundred and sixty (160) acres.

Also, The north east 1/4 of the south east 1/4 and the north half of the south west 1/4 and the north west 1/4 of the South East 1/4 of Section 39 in Township (11) South of Range 44 East of Boise Meridian, containing one hundred and sixty acres by Government Survey, together with all water rights appertaining or belonging.

Both above tracts of land being in Bear Lake County Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the rents, issues, and profits thereof; and, also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, as appurtenances

well in law as in equity, of the said parties of the first part, of, in or to said premises, and every part and parcel thereof, with the

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 the said parties of the first part, and their heirs, the said premises, in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against 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 parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered in the presence of

R. M. Christian witness to the signature of Thomas M. Mumford
L. L. Christian witness to the signature of John H. Mumford

Thomas M. Mumford

John H. Mumford

UNITED STATES OF AMERICA

STATE OF IDAHO,

County of Bear Lake

On this Eighteenth day of April in the year of our Lord One Thousand Nine Hundred and thirteen before me De Meade Austin a Notary Public within and for Bear Lake County, in the State of Idaho, duly Licensed and qualified, personally appeared Thomas M. Mumford

whose name is subscribed to the annexed instrument as first party thereto, personally known to me to be the same person described in and who executed the said annexed instrument as first party thereto and duly acknowledged to me that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed My Notarial Seal at my office in Moscow State of Idaho this 18th day of April 1913

MICROFILMED

WARRANTY DEED, - Irregular and Printing House, Salt Lake City, Utah.

This Indenture, Made the 12th day of December in the year of our Lord One Thousand Eight Hundred and Ninety one BETWEEN E. C. Gray

in the County of Bear Lake and State of Idaho, part of the first part, and J. M. Munro and J. H. Munro partners as Munro Bros.

the parties of the second part, WITNESSETH, That the said part of the first part, for and in consideration of the sum of Five Hundred DOLLARS, lawful money of the United States of America, to be in hand paid by the said part 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 known and described as follows, to-wit:

The North east Quarter of the South East Quarter and the north half of the South West Quarter and the north west Quarter of the South East Quarter of Section Twenty nine (29) in Township Eleven (11) South of Range Forty Four (44) East Containing one Hundred & Sixty acres by government Survey together with all water rights appertaining or belonging

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise 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 of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said parties of the second part, and to their heirs and assigns forever; and the said part of the first part, and his 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 part of the first part, and his 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 of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and delivered in the presence of

John A. Bagley

E. C. Gray



UNITED STATES OF AMERICA.

STATE OF IDAHO,

County of Bear Lake.

On this 12th day of December in the year of our Lord One Thousand Nine Hundred and Ninety one before me John A. Bagley Notary Public within and for Said County, in the State of Idaho, duly and qualified, personally appeared E. C. Gray

who is subscribed to the annexed instrument as granting part of lands, personally known to me to be the same person described in and who executed the said annexed instrument as part of lands and duly acknowledged to me that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official Notarial Seal at my office in Montpelier State of Idaho, the day in this certificate first above written.



John A. Bagley
Notary Public

MICROFILMED

TOGETHER with all and singular the tenements, hereditaments and appurtenances therunto belonging, or in anywise 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 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 three heirs and assigns forever; and the said party of the first part, and his heirs, the said premises, in the quiet and peaceable possession of the said party of the second part three heirs and assigns, against the said party of the first part, and his heirs, and against any and all persons, whomsoever, lawfully claiming or to claim the same, shall and will warrant, and by them presents forever defend.

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

Signed, Sealed and delivered in the presence of

John A. Bagley

B. C. Gray



UNITED STATES OF AMERICA.

STATE OF IDAHO,

County of Bear Lake.

On this 13th day of December in the year of our Lord One Thousand Eight Hundred and Ninety one before me John A. Bagley a Notary Public within and for Said County, in the State of Idaho, duly commissioned and qualified, personally appeared B. C. Gray

whose name is subscribed to the annexed instrument as granting party thereof, personally known to me to be the same person described in and who executed the said annexed instrument as part thereof and duly acknowledged to me that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed Notarial Seal at my office in Montpelier State of Idaho, the day in this certificate first above written.



John A. Bagley
Notary Public

Filed for Record at request of D. M. Arntson the 23rd day of April A. D. 1890

at 11 o'clock A. M.

James E. Hunt
County Recorder Bear Lake Co., Idaho.

For 8

Deputy Recorder.

MICROFILMED

This Indenture, Made the Twentieth day of April in the year of our Lord (One Thousand Eight Hundred and Twenty Three) BETWEEN Thomas M. Mumford and John H. Mumford Partners as Beneficiaries and State of Idaho, parties of the first part, and James H. Boone of Boise place 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 DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, 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 known and described as follows, to-wit:

The North half of the South West 1/4 and the South East 1/4 of the North West 1/4 and North West 1/4 of South East 1/4 of Section 28 in Township 11 South of Range 24 East B. M. Containing 160 acres of land also the West 1/2 of the North West 1/4 of Section 29 and the South 1/2 of the South West 1/4 of Section 29 in Township 11 South of Range 24 East B. M. Containing 160 acres of land. All above land in Bear Lake County Idaho. Also all the water rights belonging to said land and especially all the waters flowing in what is known as "Faw Lake Creek" in Bear Lake County Idaho and flows through said land, and all my right title and interest in and to the waters flowing in "Faw Lake Creek" in Bear Lake County Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances therunto belonging, or in anywise appertaining, and the rents, issues and profits thereof; and also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever; and the said parties of the first part, and their heirs, the said premises, to the quiet and peaceable possession of the said party of the second part his heirs and assigns, against the said parties of the first part, and their heirs, and against 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 parties of the first part have hereunto set their hands and seals, the day and year first above written.

Signed, Sealed and delivered in the presence of

D. M. Rusten Witness to Signature of Thomas M. Mumford
L. B. Rusten Witness to Signature of John H. Mumford

Thomas M. Mumford (SEAL)

John H. Mumford (SEAL)

UNITED STATES OF AMERICA.

STATE OF IDAHO,

County of Bear Lake.

On this Twentieth day of April in the year of our Lord One Thousand Eight Hundred and Twenty Three before me John H. Mumford a Notary Public within and for Bear Lake County, in the State of Idaho, duly Commissioned and qualified, personally appeared Thomas M. Mumford

whose name is subscribed to the annexed instrument as first part thereof, personally known to me to be the same person described in, and who executed the said annexed instrument as first part thereof and duly acknowledged to me that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Meridian State of Idaho, the day to this certificate first above written.

State of Idaho
County of Washington
D. M. Rusten
Notary Public

On this fourth day of May 1903 before me L. B. Rusten a Notary Public within and for said County duly commissioned. Personally appeared John H. Mumford whose name is subscribed to the annexed instrument as first party thereto known to

DEED RECORD.

THIS INDENTURE, made this Fourth day of February in the year of our Lord one thousand eight hundred and ninety eight between Green C. Patton & Annie Patton of Bennington County of Vermont State of Idaho of the first part, and G. A. Gray of Montpelier County of Idaho State of Idaho of the second part:

WITNESSETH, that the said part of the first part do hereby acknowledge the sum of Three hundred

in money paid by the said part of the second part, the receipt whereof is hereby acknowledged, and the said part forever released and discharged therefrom. And the said part do hereby acknowledge and agree that by these presents do grant, bargain, sell, remise, release, alien and confirm unto the said part of the second part, and to his heirs and assigns forever, all the following described lot, piece or parcel of land, situated in the County of Idaho and State of Idaho and known and described as follows, to-wit:

The North East quarter of the South East quarter and the North half of the South West quarter and the North West quarter of the Section twenty nine (29) Township eleven (11) South of Range forty four (44) East, Boise Meridian, together with all water rights belonging or appertaining

TOGETHER WITH ALL AND SINGULAR the hereditaments and appurtenances thereto belonging or in any wise 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 part 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 part of the second part, his heirs and assigns forever.

And the said part of the first part, for their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said part of the second part, his heirs and assigns, that at the time of the executing and delivering of these presents they are 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 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 a mortgage of the said part of the first part of G. A. Gray and a mortgage of the said part of the first part of G. A. Gray and a mortgage of the said part of the first part of G. A. Gray and the above bargained premises in the quiet and peaceable possession of the said part 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 parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in presence of

A. H. Dutton

Green C. Patton
Annie Patton

The North East quarter of the South East quarter and the North half of the South West quarter and the North West quarter of the South East quarter of section twenty nine (29) township eleven (11) South of range forty four (44) T. 4, Base Meridian, together with all water rights belonging or appertaining

[illegible]

12/28

Witnesses,

Signed Randolph Trocher
Alex Ellenbeck

State of Idaho }
County of Blaine }
On this 9th day of June A.D. 1903 before me
G. C. Gray, a Notary Public in and for said County of Blaine
personally appeared Randolph Trocher and Alex Ellenbeck who signed
the within instrument and acknowledged to me that they executed
the same.

In Witness Whereof I have hereunto set my hand and affixed
my Notarial Seal the day and date of this certificate first
above written.

(Seal)

G. C. Gray

Notary Public

Recorded at request of James E. Crane June 11th 1903 at 9-100m
By Elmira Hart
Deputy.

James E. Hart
County Recorder

The United States of America

To all to whom these presents shall come Greeting:-

Homestead Certificate No 2179
Application 5574

Whereas there has been deposited in
the general Land Office of the United States a Certificate of The
Register of the Land Office at Blackfoot Idaho whereby it appears that
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 Green C. Patton has been estab-
lished and duly consummated, in conformity to law, for the
North East Quarter of the South East Quarter the North half of

UNRECORDED

the south west quarter and the north west quarter of the south east quarter of Section twenty nine, in Township eleven South of Range forty four East of Boise Meridian in Idaho, Containing one hundred and sixty acres 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 Green C. Patton the tract of Land above described, to have and to hold the said tract of Land with the appurtenances thereof unto the said Green C. Patton and to his heirs and assigns forever, subject to any vested and accrued water rights for mining agricultural manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

In Testimony whereof I William M. Kinley 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 Fifth day of October in the year of our Lord one thousand eight hundred and ninety seven, and of the Independence of the United States the one hundred and twenty second

By the President William M. Kinley

By J. M. McKean Secretary

C. H. Brush Recorder of the General Land Office

Recorded Vol 6th Page 199

Recorded at request of S. M. Lincoln June 18th 1903 at 11 a m.

MICROFILMED

AFFIDAVIT OF PUBLICATION

RECEIVED
AUG 30 1976
Department of Water Resources
Eastern District Office

STATE OF IDAHO,

ss.

County of Bear Lake

**NOTICE OF CLAIM TO
A WATER RIGHT
NO. 11-4053**

Notice is hereby given that Grove M. Phelps &-or Roma C. Phelps &-or Allyn G. Phelps, Montpelier, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 2.00 cubic feet per second of water from Little Three Mile Creek and Rowley Canyon Creek tributary to sinks with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, B.M., Bear Lake County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 400 head of ewes with lambs and 40 head of cows, and from Apr. 15 to Oct. 15 for the irrigation of 80 acres with a priority of June 15, 1903 the place of use is within the N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, B.M..

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the News-Examiner, Montpelier, Idaho on August 5 and August 12, 1976.

Aug5-12

deposes and says:

That he is the publisher of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

August 5, 1976, and ending

with the issue of August 12, 1976.

Fees, 15.72

Subscribed and sworn to before me this 12 day

of August, 1976.

Notary Public, Residing at Montpelier, Idaho

My Commission Expires

March 13, 1979

01 WATER RIGHT NUMBER - 11-4053 02 OLD (D) NUMBER -

LAST NAME

03001 - PHELPS
03002 - PHELPS
03003 - PHELPS

04001 - GROVE M.
04002 - ROMA C.
04003 - ALLYN G.

FIRST NAME

05001 - C
05002 - C
05003 - D

ORIG. OWNER

06 ADD LINE 1 - STAR RT. 2

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - MONTPELIER

10 STATE - ID 11 ZIP - 83254

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE

14001 - LITTLE THREEMILE CREEK
14002 - ROWLEY CANYON CREEK

15001 - SINKS
15002 - SINKS

TRIBUTARY OF

16 DIVERSION MEANS -

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 2.000 20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT SEC TWN RNG LOT DIVERSION POINTS STREAM INDEX FIELDS

22001 - NESW 23001 - 28 24001 - 11S 25001 - 44E 26001 - 27001 - 0 0.0 0.0 0.0 0.0 0.0 0.0

29 NON-IRRIGATION USE - S/40 RANGE & 400 SHEEP.

USE CODE / USE TWN RNG PLACE OF USE TRACT ACRES LOT

30001 - 01 IRRIGATION 31001 - 11S 32001 - 44E 33001 - 28 34001 - NESW 35001 - 40 36001 -
30002 - 01 IRRIGATION 31002 - 11S 32002 - 44E 33002 - 28 34002 - NWSW 35002 - 40 36002 -

TOTAL ACRES: 80

PERIOD FROM PERIOD TO USE CODE / USE WATER USE DIVERSION RATE DIVERSION VOLUME

37001 - 0415 38001 - 1015 39001 - 01 IRRIGATION 40001 - 2.000 41001 - 0.00
37002 - 0101 38002 - 1231 39002 - 04 STOCKWATER 40002 - 0.020 41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 - SOURCES ARE LITTLE 3 MILE CK. & ROWLEY CANYON CK. TRIB. SINKS.

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - 0 A T E S - 15-JUN-1903
48 PROOF DUE -
49 PROOF MADE -
55 LICENSE - 0 A T E S -
56 APPL RECEIVED -
57 FIELD EXAM MADE -
63 TRANSFER/AMENDED -
64 DLE/CAREY ACT -
65 FLAG_1 -

	APPROVE/DENIED-	DATES	DECREE	DATES	FLAG_2	FLAG_3
50	APPROVE/DENIED-		58		66	
51	PROTESTED		59		67	
52	HEARING		60			
53	VERIFIED		61			
54	LAST UPDATE	10-DEC-1979	62			

VERIFIED JKN
3/13/86

IDENT. NO. 11-4053

WATER RIGHT
DATA ENTRY LOG[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 11-4053
 OTd No. _____ New No. _____

Record

1. Original Owner: Grove M., Roma C. & Allyn H. Phelps

Present Owner: _____

2. Address: Star Rt. 2

3. City: Montpelier State: Id Zip: 83254

4. A. Source of Water: Little Threemile Creek & Rowley Canyon Creek
 B. Tributary of: Sinks

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-15-1903

D. County: 07

E. Total Diversion Rate: 2

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NESW</u>	<u>28</u>	<u>11S</u>	<u>44E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 4-15 to 10-15 for A purposes. Amount 2
 (cfs or AG-FT/yr)

from 1-1 to 12-31 for S purposes. Amount .02

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

64-10-30-79

9.	A. Decree Name:	
	B. Decree Date:	
10.	Remarks:	A. Sources are Little Housewife Cr. & Rowley Canyon dr. trail. sinks - B. C. D. E.

A. Proof Due Date:
B. Date Permit Approved or Denied:
C. Protested Date:
D. Hearing Date:
E. Old Number:
F. Proof Made (P or blank):
G. Field Exam Made (P,R,F or blank)
H. Conditions of Approval: _____

To whom this may concern

This statement concerns the water from Raleigh canyon an three mile creek, I used this water the year prior to the time the soil bank was started, which I believe was 1962

Samuel L. Caldwell

RECEIVED

SEP 15 1976

Department of Water Resources
Eastern District Office

MICROFILMED

SEP 15 1976

Department of Water Resources
Basin District Office

Montpelier, Idaho
Star Rt. #2
Sept. 14, 1976

Re. Claim to a Water Right No. 114053

State of Idaho Department Of Water Resources
1515 Lincoln Road, Idaho Falls, Idaho 83401

Dear Mr. Carlson:

Your letter of August 30 has been received indicating that additional information could be included in our claim. Having a reply from Mr. Caldwell I am forwarding it to you.

Since you mention that your office makes no ruling in matters of this nature, could you tell me what is the status of this claim in relation to that of the other two parties involved? Also how I should proceed to obtain legal right.

From my observation it appears that no one has really made beneficial use of this water since Mr. Caldwell put the land we now own in the soil bank, but now with gravity-flow sprinkler irrigation this is a very valuable little stream of water to which we thought we had right when we bought the ranch.

At the time we first acquired this property we went to Mr. William B. Crane indicating our desire to use the water-- to which he objected. Later he agreed to sharing the water in a sprinkling system, but would not get his money together to share in an installation.

I would be grateful for any information you are able to give me.

Very sincerely yours,

Greve M. Phelps

Greve M. Phelps

RECEIVED

AUG 15 1976

Department of Water Resources
Eastern District Office

Star Route # 1
Montpelier, Idaho 83254

August 11, 1976

State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

Re: Notice of Claim of
a Water right
No. 11-4053

Exception is hereby made to the cited claim of Grove M. Phelps and/or Roma C. Phelps and/or Allyn G. Phelps, as to that part thereof claiming water for irrigation of 80 acres and stockwatering purposes.

The use of stock water is not admitted, and there has been no irrigation of the cited lands during the last eighteen years.

Very truly yours,


ROBERT M. CRANE

Subscribed and sworn to before me this day of August, 1976.


NOTARY PUBLIC for the State of Idaho.
Residing at *Node Springs*
My commission expires: *June 18, 1979*

MICROFILMED

M E M O

TO: The File - 11-4053
FROM: Ron Carlson
DATE: December 6, 1976

The claimant is claiming a June 15, 1908 priority. However, the exception from Robert Crane states that no water from the source claimed has been used on the described lands for the past 18 years. Grove Phelps' letters of August 19, 1976, and September 15, 1976, seems to support this.

Grove Phelps filed application for permit no. 11-7098 for 1.60 c.f.s. of water on October 27, 1976.

September 16, 1976

RE: Claim to a Water Right No. 11-4053

Mr. Grove M. Phelps
Star Route #2
Montpelier, Idaho 83254

Dear Mr. Phelps:

The evidence in your claim file indicates no water has been used beneficially on your property for the past fourteen (14) years. I refer you to Section 42-222 of the Idaho Code which states in part, "All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated....."

It would, therefore, seem appropriate for you to make application for permit and consider the development you are proposing as a new appropriation. For your convenience, I have included an application for permit with instructions.

If you have further questions in this matter, please feel free to contact me.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:cw

Enclosures

MICROFILMED

August 30, 1976

RE: Claim to a Water Right No. 11-4053

Grove M. Phelps
Star Route #2
Montpelier, Idaho 83254

Dear Mr. Phelps:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CM

Enc: Copy of Claim

MICROFILMED

RECEIVED

AUG 23 1976

Department of Water Resources
Eastern District Office

Montpelier, Idaho
Star Rt. 2
August 19, 1976

State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re; Notice of Claim of
a water right
No. 11-4053

Gentlemen:

In reply to the exception filed by Mr. Robert M. Crane wherein he stated that water had not been used for a period of eighteen years I have written to Mr. Guy Caldwell for his statement as to the last date upon which he used irrigation water prior to putting the farm in the soil bank. I hope to have that reply shortly and will submit it to you.

As to livestock watering at the present time we do not run livestock on that part of our ranch. We do own 300 head of ewes and 250 head of cattle and were anticipating pasturing part of this land, thereby restoring its fertility since the majority of it has been dry-farmed so many years that it has become depleted. By putting in a gravity-flow sprinkling system and cross-fencing we can greatly improve the productivity of this land.

Very truly yours,


Grove M. Phelps

MICROFILMED

August 23, 1976

RE: Claim to a Water Right No. 11-4053 PHELPS

News Examiner
P.O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on August 5 and August 12, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

August 18, 1976

RE: Claim to a Water Right No. 11-4053

Grove M. Phelps
Star Route #2
Montpelier, Idaho 83254

Dear Mr. Phelps:

Enclosed please find a copy of the exception filed by Robert M. Crane in connection with your Claim No. 11-4053. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department-----Corrections.-----

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources, July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor, Eastern Region

RDC:CW

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

August 18, 1976

RE: Claim to a Water Right No. 11-4053 PHELPS

Mr. Robert M. Crane
Star Route #1
Montpelier, Idaho 83254

Dear Mr. Crane:

We have received the exception dated August 11, 1976, filed against the above referenced claim to a water right. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department-----Corrections.-----

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources, July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor, Eastern Region

RDC:CW

August 11, 1976

RE: Claim to a Water Right No. 11-4053

Mr. Grove M. Phelps
Star Route #2
Montpelier, Idaho 83254

Dear Mr. Phelps:

This office is in receipt of the additional evidence you have submitted in support of your claim to a water right. We have taken the liberty of making copies of this information and entering them in your claim file. Please find enclosed your original documents.

If you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:cw

Enclosures

MICROFILMED

RECEIVED
AUG 12 1976
Department of Water Resources
Boise, Idaho

Montpelier, Idaho
Star Rt. 2
August 10, 1976

State of Idaho Department Of Water Resources
1515 Lincoln Rd
Idaho Falls, Idaho 83401

Attention Mr. Loy H. Johnson

Dear Mr. Johnson:

Enclosed would you please find other deeds in addition to those already submitted to your office to further substantiate the claim which we have made to the water originating in "little Three Mile and Rowley Canyon".

Also a statement from Mr. Dean Wright, a professional man living in Salt Lake, who came home to visit his mother Sunday and upon my telling him about the situation relating to the water on the old place offered his statement.

Mr. Guy Caldwell is now living in Moses Lake, Washington. I think he also would verify that usage of this water was on this place only. If you want I will write him.

Thank you again for your interest in this matter.

Sincerely yours,

Grove M. Phelps
Grove M. Phelps

July 30, 1976

RE: Claim to a Water Right No. 11-4053

Mr. Grove M. Phelps
Star Route #2
Montpelier, Idaho 83254

Dear Mr. Phelps:

We have taken the liberty to making copies of the documents you submitted to substantiate your claim to a water right and are returning the originals for your records.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:CW

Enclosures

MICROFILMED

July 29, 1976

RE: Claim to a Water Right No. 11-4053 PHELPS

News Examiner
P.O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 8-30-76 by CW

RDC:CW

Enc: Legal Notice (1)

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4053

Notice is hereby given that Grove M. Phelps &/or Roma C. Phelps &/or
Allyn G. Phelps, Montpelier, Idaho

have ~~has~~ filed a claim to a water right established by diversion and application
to beneficial use of 2.00 cubic feet per second ~~acres feet per annum~~
of water from Little Three Mile Creek and Rowley Canyon Creek tributary to sinks
with point of diversion in the N~~1~~²SW~~4~~, Sec. 28, T. 11S, R. 44E, B.M.,
Bear Lake County

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering
purposes for 400 head of ewes with lambs and 40 head of cows, and from Apr. 15
to Oct. 15 for the irrigation of 80 acres

with a priority of June 15, 1903 ;
the place of use is within the N~~1~~²SW~~4~~, Sec. 28, T. 11S, R. 44E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the News Examiner, Montpelier, Idaho
on August 5 and August 12, 1976

MICROFILMED

me-d.
me-d.

July 28, 1976

RE: Claim to a Water Right No. 11-4053

Mr. Grove M. Phelps
Star Route #2
Montpelier, Idaho 83254

Dear Mr. Phelps:

Attached herewith is departmental receipt No. 2484 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

MICROFILMED

RECEIVED

JUL 28 1976

Department of Water Resources
Eastern District Office

Montpelier, Idaho

Star Rt. 2
July 26, 1976

State of Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Attention Mr. Ley H. Johnson

Dear Mr. Johnson:

Requested in your letter of July 21 was information regarding Item 5A or point of diversion. It appears that the original point of diversion was at the mouth of the canyon at the time the ditch was constructed to convey the stream to the point of use directly below the reservoir.

Your map does not show this ditch, but it has been used to convey the stream to the irrigated land, both winter and summer, many years. The reservoir has been in use to store water for irrigation and stock watering almost from the very first.

In Item 5b, the only description of the original diverting works that I can find would perhaps be a small fill at the mouth of the canyon to divert the water from an old wash into the ditch. The water has been in this ditch so many years that one can hardly see where it went before.

In Item 2 you ask the amount of water needed for livestock watering. There are about 400 ewes and their lambs and 40 head of cattle that water on stream during the summer months.

I would appreciate it if you would complete the claim with above information as you see fit.

As you have requested I have had the "Claim to a Water Right" notarized and am returning it along with supporting papers and the statutory filing fee.

Thank you again for your interest in this matter, and I hope the above is what you need in processing this claim. We would be pleased to pay any costs incurred in a field inspection.

Very truly yours,

Grove M. Phelps
Grove M. Phelps

July 21, 1976

Mr. Grove M. Phelps
Star Route #2
Montpelier, Idaho 83254

Dear Mr. Phelps:

We have returned your claim to a water right and your check No. 92-286 in the amount of \$10.00. Also enclosed are the documents you submitted. We find it necessary to return your claim because of a few discrepancies.

We have taken the liberty of retyping your claim, but will need information for Item 5A, if the indicated description is incorrect. Only the original point of diversion needs to be shown. I assume the reservoir was put in much later.

Item 5b, we need the description of the original diverting works such as headgates, weirs, or ditches.

In Item 2, we need the amount of water needed for livestock watering; and in Item 6b, name the kind of livestock and amount that is watered.

Please note, the names of the claimants have been changed to read "and/or" between each name. This way it only takes one signature. Otherwise, all three of you would have to sign before a notary.

Please review this claim for correctness, make the necessary changes, sign before a notary public, and return with the statutory filing fee and the documents originally submitted. We will then be happy to begin processing your claim. If you prefer, you may include the above information on a separate sheet and we will complete your claim when it is returned.

If you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:CW

Attachment

Enclosures

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

July 16, 1976

Mr. Grove M. Phelps
Star Route #2
Bennington, Idaho 83219

Dear Mr. Phelps:

Pursuant to your telephone request, please find enclosed an application for permit with instructions and a claim to a water right form.

If you need further assistance in completing these forms, please feel free to contact me.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:CW

Enclosures

Dear Mr. Johnson:

Enclosed will you please find maps and deeds (photostats) of land and usage ~~usage~~ of water. If you need any further information to substantiate our claim to this water, or if I have filled out any of the blanks improperly please let me know. Thanks again. *Also filing fee of \$10.00*

Grove M. Phelps

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