

WARRANTY DEED

19582

THIS INDENTURE, made by and between J. F. HEGESSY and EVA J. HEGESSY, his wife, of the County of Salt Lake, State of Utah parties of the first part, and P. T. Rasmussen of the County of Clark, State of Idaho, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of of the sum of Ten dollars and Other Good and Valuable Considerations, to us in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the said party of the second part, and to his heirs and assigns forever, the following described real estate, situated in Clark County, State of Idaho, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty (30), Township Thirteen (13) North, Range Thirty-nine (39) East of the Boise Meridian and containing one hundred sixty (160) acres of land, more or less. Together with all ditch and water rights of every nature, however evidenced, belonging to said land.

Together with all and singular, the tenements, ditch and water rights, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, the issues, and the profits thereof. This conveyance is made subject to all existing rights of way.

And the parties of the first part do hereby warrant the title as against all and every person and persons whomsoever, lawfully claiming or to claim, by through or under said parties of the first part.

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

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals this 30th day of April 1951.

J. H. Hegessy
Eva J. Hegessy

STATE OF UTAH }
County of Salt Lake } ss.

On this 30th day of April in the year 1951, before me H. W. Langton, a Notary Public in and for said County and State personally appeared J. F. Hegessy, and Eva J. Hegessy, his wife known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

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

H. W. Langton
Residing at Salt Lake City

I hereby certify that this deed was filed for record at the request of Clark County Title Company at 3:05 o'clock A. M., this 28th day of August, A. D. 1953 in my office and duly recorded in Book 14 of Deeds at page 145.

B. H. Thomas
County Recorder

By _____ Deputy

MICROFILMED

This is a photo copy of a page from the Federal
Court Decree of Water Rights.

RECEIVED

MAY 28 1961

Department of Reclamation

Heire, etc., of Lee Charles
Miller

1895 - June 1

3.0 c. f. s.

Source: East Camas Creek a trib-
utary of Mud Lake.

Point of Diversion: In the mouth
of the Canyon about two miles up
stream from the land to be irri-
gated thereby, near a point called
"Willow Point", and near the East
and West center line of Section
18, Township 13 North, Range 39
East, B. M.

For use on the following described
land, to-wit: The Southeast Quarter
of Section 30, Township 13 North,
Range 39 East, B. M.

No. 80

MICROFILMED

1/17/61 same as Decree

C. E. Leonardson

1895 - June 1

3.0 c.f.s.

Source: East Canas Creek, a tributary of Mud Lake.

Point of Diversion: At the North end of the Southeast Quarter of Section 30, Township 13 North, Range 39 East, B. M.

For use on the following described land, to-wit: The Southeast Quarter of Section 30, Township 13 North, Range 39 East, B. M.

No. 69

MICROFILMED

Wm. L. Lewis & Son

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Heirs of L. C. Miller	3.0		31-0158
959	Rasmussen, P. T.	3.0	0	31-0158A

R

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R

T

TRANSFER

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

P. T. Rasmussen

of

Kilgore, Idaho

For a Transfer of Water Right in
Water District No. 66,
County of Clark, Idaho.

ORDER GRANTING TRANSFER

NO. 959

WHEREAS, ON the 12th day of April, 1961, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of P. T. Rasmussen, of Kilgore, Idaho, for a Transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that said transfer would enable said applicant to put the water to a more beneficial use, and to correct an error in the original decree, and that no one would be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 25th day of April, 1961.

GEO. N. CARTER
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 959

THIS IS TO CERTIFY That P. T. Rasmussen, of Kilgore, Idaho is the owner of and using 3.0 cubic feet per second of the waters of East Camas Creek, said water being decreed to the heirs of Lee Charles Miller, by decree of Judge Charles C. Cavanah of the District Court of the United States for the District of Idaho, Eastern Division, and being shown as Water Right No. 80 in said decree, in the case of

ERNEST SAUVE

Plaintiff

vs.

W. H. ABBOT, et al

Defendants

said decree bearing date of November 1, 1930, and being appurtenant to the following described lands, to-wit:

SE $\frac{1}{4}$ of Section 30,
Township 13 North,
Range 39 E. B. M.,

That the said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees, at Page 535;

That P. T. Rasmussen of Kilgore, Idaho, has become the owner of such water right through purchase;

And that now, upon the application of P. T. Rasmussen of Kilgore, Idaho, for a transfer of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 3.0 cubic feet per second of the waters of East Camas Creek upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant, by this Certificate, for irrigation and domestic purposes, are described as follows, to-wit:

NE $\frac{1}{4}$ of Section 30,
Township 13 North,
Range 39 E. B. M.,

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed 3.0 cubic feet per second of the waters of East Camas Creek with priority of June 1, 1895;

That the water right hereby transferred has been conducted to the first above described place of use from East Camas Creek with point of diversion near the east and west center line of Section 18, Township 13 North, Range 39 E. B. M.;

That the water right hereby transferred will hereafter be conducted to the last above described place of use with no change in point of diversion.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 25th day of April, 1961.

GEO. N. CARTER
State Reclamation Engineer

RECEIVED
MAY 1 1961
IDAHO DEPARTMENT OF RECLAMATION

508 ✓

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF IDAHO, EASTERN DIVISION

ERNEST SAUVE,

Plaintiff,

No. 635. -- In Equity

- vs -

D E C R E E

To W. H. Abbott, Fay Abbott, Mary G. Adams, Allen Almonda, G. B. Allen, Allen & Harn, a co-partnership, consisting of G. B. Allen and H. R. Harn; Wm. A. Andrews, Joseph Andrasen, Anderson Bros. Bank, a corporation; Gerret Auldhouse (sometimes known as Gerret Oldhouse); Clausen Auldhouse (sometimes known as Clausen Oldhouse), William Axline, Ernest Bauerle, Edward C. Barnes, May L. Barnes, Lovisa Barney, Arthur J. Barber, Charles Bartlett, Ambrose J. Beckner, Laura E. Beckner, William Beck, David Bethune, Lloyd Bennett, Gus E. Brauer, Administrator of the Estate of Annie J. Bennett, deceased; A. W. Belnap, C. W. Belnap, The Bennett Investment Company, Limited, a corporation; Gussie Binnard, Burka Binnard, Horace L. Birch, Binnard Ranch Company, a corporation; B. Binnard, Sarah Binnard and E. F. Mobley, Trustees for Binnard Ranch Company, a defunct corporation; Charles O. Rickman, as Trustee in Bankruptcy of Binnard Ranch Company, a corporation; Oscar A. Johannesen, as Receiver of Binnard Ranch Company, a corporation; Heber J. Blackburn, W. B. Boucher, Ray Bohney, R. T. Boatman, Mary Nicholas Boyd, Frank Boe, Charles E. Brosie, E. L. Browning, Adna E. Bramwell, Afton Bradshaw, Theresia Brinkmann, Lettie Burcham, G. F. Burcham, Kath-

Heira, etc., of
Lee Charles Miller

1895 - June 1

31 158
3.0 c.f.s.

(continued)

Source: East Camas Creek, a tributary of Mud Lake.

Point of Diversion: In the mouth of the Canyon about two miles upstream from the land to be irrigated thereby, near a point called "Willow Point", and near the East and West center line of Section 18, Township 13 North, Range 39 East, S. W.

For use on the following described land, to-wit: The Southeast Quarter of Section 30, Township 13 North, Range 39 East, S. W.

Trans #959

No. 80

MICROFILMED

April 28, 1961

Re: Transfer of Water Right No. 959
P. T. Rasmussen

Mr. H. R. Harn,
P. O. Box 7,
Dubois, Idaho.

Dear Mr. Harn:

Thank you for your letter of April 27, 1961.

We enclose Departmental Receipt No. 30544
which was issued covering payment in the amount of
\$1.00 for the recording fee of the above mentioned
Transfer of Water Right.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.
RWT:pmk

of Encl #100

RECEIVED
APR 22 1961

H. R. HARN
For All Your Insurance Needs

Department of Reclamation

P. O. Box 7
TELEPHONE FRONTIER 4-5115
DUBOIS, IDAHO

April 27, 1961

Department of Reclamation
State Capitol Building
Boise, Idaho

Re: Transfer of Water Right No. 959,
P. T. Rasmussen.

Attn: Roy W. Thompson,
Supervisor of Water Distribution

Dear Roy:

With reference to your letter of Apr. 25th, I am
enclosing my Check No. 136 for \$1.00 to cover your fee.

The efficiency of the Department of Reclamation
is greatly appreciated by me personally in behalf of
waterusers in District No. 66. I only wish that all
departments, both State and Federal, gave us the same
kind of service.

Sincerely yours,

H. R. Harn


HRH/pl

cc: P. T. Rasmussen
Parker, Idaho

RESIDENT
AGENT



Pacific
Coast
Department
San Francisco

April 25, 1961

Re: Transfer of Water Right No. 959
P. T. Rasmussen

Mr. H. R. Harn,
P. O. Box 7,
Dubois, Idaho.

Dear Mr. Harn:

As per your request of April 21, 1961, in connection with the above captioned matter, we are enclosing Transfer of Water Right No. 959.

There is a \$1.00 recording fee for this Transfer, and your check in that amount should be made out to the Department of Reclamation.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.

RWT:pmk

cc: P. T. Rasmussen
Kilgore, Idaho

Donald W. Shenton, Watermaster
Star Route,
Dubois, Idaho

RECEIVED
MAY 1 1961

RECEIVED

APR 24 1961

H. R. HARN

For All Your Insurance Needs

Department of Reclamation

P. O. Box 7

TELEPHONE FRONTIER 4-5115

DUBOIS, IDAHO

April 21, 1961

Department of Reclamation
State Capitol Building
Boise, Idaho

Re: P. T. Rasmussen Application for Transfer
of Water Right.

Attn: Roy W. Thompson,
Supervisor of Water Distribution

Dear Roy:

In connection with Mr. Rasmussen's transfer, I am
enclosing Proof of Publication for your files.

As the hearing was set at Boise on the 12th day
of April, and not having heard from you regarding any
protests, I assume that you are now in a position to
issue some evidence of the transfer having been made.

As Mr. Rasmussen is processing a long term loan on
the property involved in this matter, your earliest
possible attention will be greatly appreciated.

Yours very truly,

H. R. Harn

HRH/pl

cc: P. T. Rasmussen
Parker, Idaho

RESIDENT
AGENT

Roy: If you will send the evidence of transfer direct to
me, it will expedite matters for Mr. Rasmussen, and if there
are any charges or fees due your office, I will make remittance
to you promptly for same.



Pacific
Coast
Department
San Francisco

H. R. H.

Proof Of Publication

Department of Reclamation

Published in The Clark County Enterprise, March 30 and April 6, 1961.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that P. T. Rasmussen of Kilgore, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of

use of the waters of East Canyon Creek as follows: Amount: 3 cubic feet per second. Priority: June 1, 1895. Point of diversion: Near the East and West center line of Section 18, Township 13 N., Range 39 E, B. M. Place of Use: SE 1/4 Section 30, Township 13 North Range 39 East, B. M.

To be transferred to: Place of Use: NE 1/4 Section 30, Township 13 North, Range 39 East, B. M. for correction of error in the decree.

And that on the 12th day of April, 1961, at 10:00 o'clock A.M., at Room 107, Statehouse, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO. N. CARTER

State Reclamation Engineer

STATE OF IDAHO }
County of Clark } ss:

GARY E. Hurd being first duly sworn, deposes and says that he is the

OWNER of THE CLARK COUNTY ENTERPRISE, a weekly newspaper published in Dubois, Clark County, in the State of Idaho. That

the Notice of Transfer, a true copy of which is hereto attached was published in THE CLARK COUNTY ENTERPRISE for

2 consecutive weeks, first publication

having been made on the 30th day of

March, 1961 and the last

publication having been made on the 6th

day of April, 1961

That said paper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of said notice or advertisement, and is a newspaper within the meaning of the laws of Idaho.

Gary E. Hurd

SUBSCRIBED AND SWORN TO before me this

7 day of April, A. D., 1961

[Signature]
Notary Public.

My commission expires 5/1, 1961

RECORDED

March 28, 1961

Water District No. 66

RE: Transfer of Water Right
P. T. Rasmussen

Mr. Harry R. Harn,
Box 7,
Dubois, Idaho.

Dear Mr. Harn:

Upon your request, we are forwarding you Notice of Publication to be published in the Clark County Enterprise for two weekly issues in regard to the above captioned transfer.

Providing you cannot have the publication of the said notice published in the March 30th issue, it will be necessary to extend the date of hearing one week later before giving it to the paper. You will be authorized to do this if necessary.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.
RWT:pak

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

March 28, 1961

Re: Transfer of Water Right
P. T. Rasmussen

Clark County Enterprise,
Dubois, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to **April 12, 1961** the date set for hearing; the expense of the publication is to be paid by the applicant **P. T. Rasmussen** of **Kilgore, Idaho** to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

REC. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON

Supervisor of Water Distribution

**If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.
RWT:pmk

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that P. T. Rasmussen of
Kilgore, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the ~~point of diversion~~
~~and/or~~ place of use of the waters of East Camas Creek as follows:
Amount: 3 cubic feet per second. Priority: June 1, 1895
Near the East & West center line of
Point of diversion: 1/4 1/4, Section 18, Township 13 N, Range 39 E, B. M.
Place of Use: SE 1/4 Section 30, Township 13 North, Range 39 East, B. M.

To be transferred to
~~Point of diversion, 1/4 1/4, Section 18, Township 13 North, Range 39 East, B. M.~~
Place of Use: NE 1/4 Section 30, Township 13 North, Range 39 East, B. M.

for correction of error in the decree

And that on the 12th day of April, 191, at 10:00 o'clock A. M.,
at Room 107, Statehouse, Boise, Idaho before the State Reclamation Engineer, or
his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

GEO. N. CARTER

State Reclamation Engineer

MICROFILMED

Please give this your immediate attention.

H. R. HARN
For All Your Insurance Needs

RECEIVED

MAR 28 1961

Department of Reclamation

P. O. Box 7
TELEPHONE FRONTIER 4-5115
DUBOIS, IDAHO.

March 24, 1961

Department of Reclamation,
State Capitol Building
Boise, Idaho.

Re: P.T. Rasmussen, Transfer of
Water Right.

Gentlemen:

At the request of Mr. Rasmussen I am enclosing
an application for transfer of water right, original
and one copy.

On account of securing immediate real estate
financing on his property Mr. Rasmussen is extremely
anxious to complete this transfer. It is his understanding
that a notice must be published in the Clark County
Enterprise prior to the completion of any such transfer.

If you find the application in order and would
handle it at once, it is probable by sending the order
for publication direct to me I could get the publisher
to get it in the issue of March 30.

Upon receipt of this letter should it deem it
advisable in order to expedite this matter, please feel
free to call me collect, person to person, at Dubois
FRontier 4-5115.

Yours very truly,

H. R. Harn

RESIDENT
AGENT



Pacific
Coast
Department
San Francisco

RECEIVED

Application For Transfer of Water Right

RECEIVED
MAR 28 1931

STATE OF IDAHO

County of Clark

ss.

Deposition taken at

P. T. Rasmussen

being first duly sworn, deposes and says:

That his name is P. T. Rasmussen; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Kilgore, Idaho.

That he is the owner and using a certain water right, bearing date of priority of 6/1, ~~to~~ 1895 for 3.0 cubic feet per second of the waters of East Camas Creek

County of Clark, State of Idaho, decreed to heirs of Lee Charles Miller by decree of Judge Charles C. Cavanah of the United States Judicial District of the State of Idaho, in and for the county of Clark, in the case of Ernest Sauve

vs. W. H. Abbott et al, said decree bearing date of Nov. 1, 1930 and being shown as Water Right No. 80 in said decree

~~(or obtained by virtue of License No. _____, issued by the State Department of Reclamation of the State of Idaho, dated _____, 19____, bearing date of _____, 19____)~~

for the purpose of irrigating the following described lands situate, lying and being in Water District No. 66 in the County of Clark and State of Idaho, to-wit: The SE $\frac{1}{4}$ of Section 30, Township 13 North, Range 39 E.B.M.

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. By Warranty Deed to the land, which deed includes all water rights decreed to said land,

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the west center line of Section 18, Township 13 N., Range 39 E., B. M., and conducted to the above described lands through an open ditch

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 3.0 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Clark and State of Idaho, to-wit: NE $\frac{1}{4}$ of Sec. 30, Township 13 North, Range 39 East Boise Meridian in Clark County, Idaho.

That reasons for desiring to make such transfer are as follows: I own the land to which I desire the water right changed in order to correct an error in original decree, which error has come to my attention.

RECORDED

That he intends to divert and convey said 3.0 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application: in an open ditch, there being no change whatever.

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in 1/4 of 1/4 of Section , Township , Range , and thereafter conduct same to the above described land through the ditch, as per map appended. (no change in point of diversion)

That his reasons for desiring to make such change are as follows:

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

P. T. Rasmussen
P. T. Rasmussen Applicant.

Subscribed and sworn to before me this 24th day of March, 1961

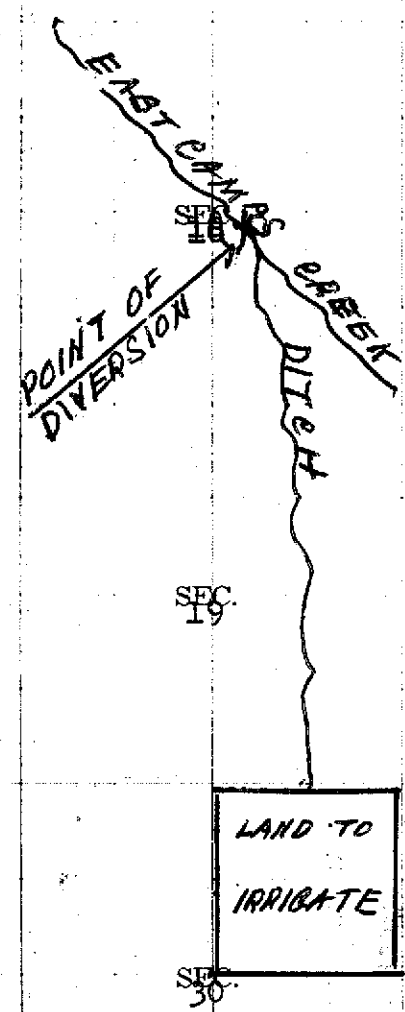
H. R. [Signature]
H. R. [Signature] Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? East Camas Creek
Near east and west center line of Section 18,
Where is the diversion point located? Twp. 13 North, Range 39 E.B.M.
Through what ditch is it now conducted? open ditch - no name
How much land is now irrigated by the water sought to be transferred? 160 acres
Give the description: SE 1/4 of Section 30, Twp. 13 North, Range 39 E.B.M.

RECORDED

Name of Applicant
P. T. Rasmussen, Kilgore, Idaho



RECORDED

Scale: 2 Inches—1 Mile. Draw Map in Ink.

What is the total amount of water in inches, or second feet, dedicated to said land? 300

What kind of crops are being raised? hay, pasture, grain

How much water per acre is now required to irrigate said land? Approximately 1 inch

What will be the effect on the land now irrigated, if the use of water on it is discontinued?
no effect

Give location of new point of diversion, if change is to be made no change

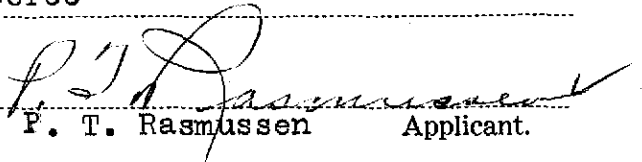
Through what ditch will it be conducted after transfer? same ditch

How much water will be required per acre to irrigate the land to which this water is transferred?
Approximately 1 inch per acre

Do you claim any other water right for the land from which you seek to abandon the use of this water? yes

If so, give amount, date and source 3.0 c.f.s., 6/1/1895, East Camas Creek

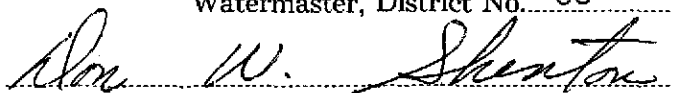
Is there any other water right for the land to which you seek to make this transfer? If so, give amount, date and source not of record - error in decree

Signed 
P. T. Rasmussen Applicant.

STATE OF IDAHO,
County of Clark } ss.

I, Don W. Shenton, Watermaster of
Counties Jefferson
Water District No. 66, County of Clark and, State of Idaho, whose postoffice address
is Dubois, Idaho, have read or heard read the foregoing affidavit and petition
of P. T. Rasmussen, and, of my own knowledge, believe the same to be true
as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;
and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer
issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of
transfer prayed for) for the following reasons: There is an excess of water on the
SE $\frac{1}{4}$ of Section 30, Twp. 13 North, Range 39 E.B.M., which appears to me
to be an error in the original decree, and this will correct this
situation. Other right bears No. 69 of said decree.

Watermaster, District No. 66



Dated at Dubois, Idaho, this 24th day of March, 1961

RECORDED

WARRANTY DEED

19582

THIS INDENTURE, made by and between J. P. HEGESSY and EVA J. HEGESSY, his wife, of the County of Salt Lake, State of Utah parties of the first part, and P. T. Rasmussen of the County of Clark, State of Idaho, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of of the sum of Ten dollars and Other Good and Valuable Considerations, to us in hand paid, by the said party of the second part, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the said party of the second part, and to his heirs and assigns forever, the following described real estate, situated in Clark County, State of Idaho, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty (30), Township Thirteen (13) North, Range Thirty-nine (39) East of the Boise Meridian and containing one hundred sixty (160) acres of land, more or less. Together with all ditch and water rights of every nature, however evidenced, belonging to said land.

Together with all and singular, the tenements, ditch and water rights, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, the issues, and the profits thereof. This conveyance is made subject to all existing rights of way.

And the parties of the first part do hereby warrant the title as against all and on and persons whomsoever, lawfully claiming or to claim, by the parties of the first part.

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

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals this 30th day of April 1951.

J. P. Hegessy
Eva J. Hegessy

STATE OF UTAH
County of Salt Lake } ss.

on this 30th day of April in the year 1951, before me H. W. Langdon, a Notary Public in and for said County and State personally appeared J. P. Hegessy, and Eva J. Hegessy, his wife known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

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

H. W. Langdon
Residing at Salt Lake City

hereby certify that this deed was filed for record at the request of Clark County Title Agency at 3:05 o'clock A. M. this 28th day of August, A. D. 1953 in my office and duly recorded in Book 14 of Deeds at page 145.

B. H. Thomas
County Recorder

By _____ Deputy

Hairs, etc., of Les Charles
Miller

1895 - June 1

3.0 c. f. s.

Source: East Camas Creek a tributary of Mud Lake.

Point of Diversion: In the mouth of the Canyon about two miles upstream from the land to be irrigated thereby, near a point called "Willow Point", and near the East and West center line of Section 18, Township 13 North, Range 30 East, B. M.

For use on the following described land, to-wit: The Southeast Quarter of Section 30, Township 13 North, Range 30 East, B. M.

No. 80

4/27/61 Same as Series

W. L. Leonardson

1905 - June 1

3.0 c.f.s.

Source: East Camps Creek, a tributary of Mud Lake.

Point of Diversion: At the North end of the "outbreak" quarter of Section 30, Township 10 North, Range 39 East, S. 1.

Location on the following described land, to-wit: The southeast quarter of Section 30, Township 10 North, Range 39 East, S. 1.