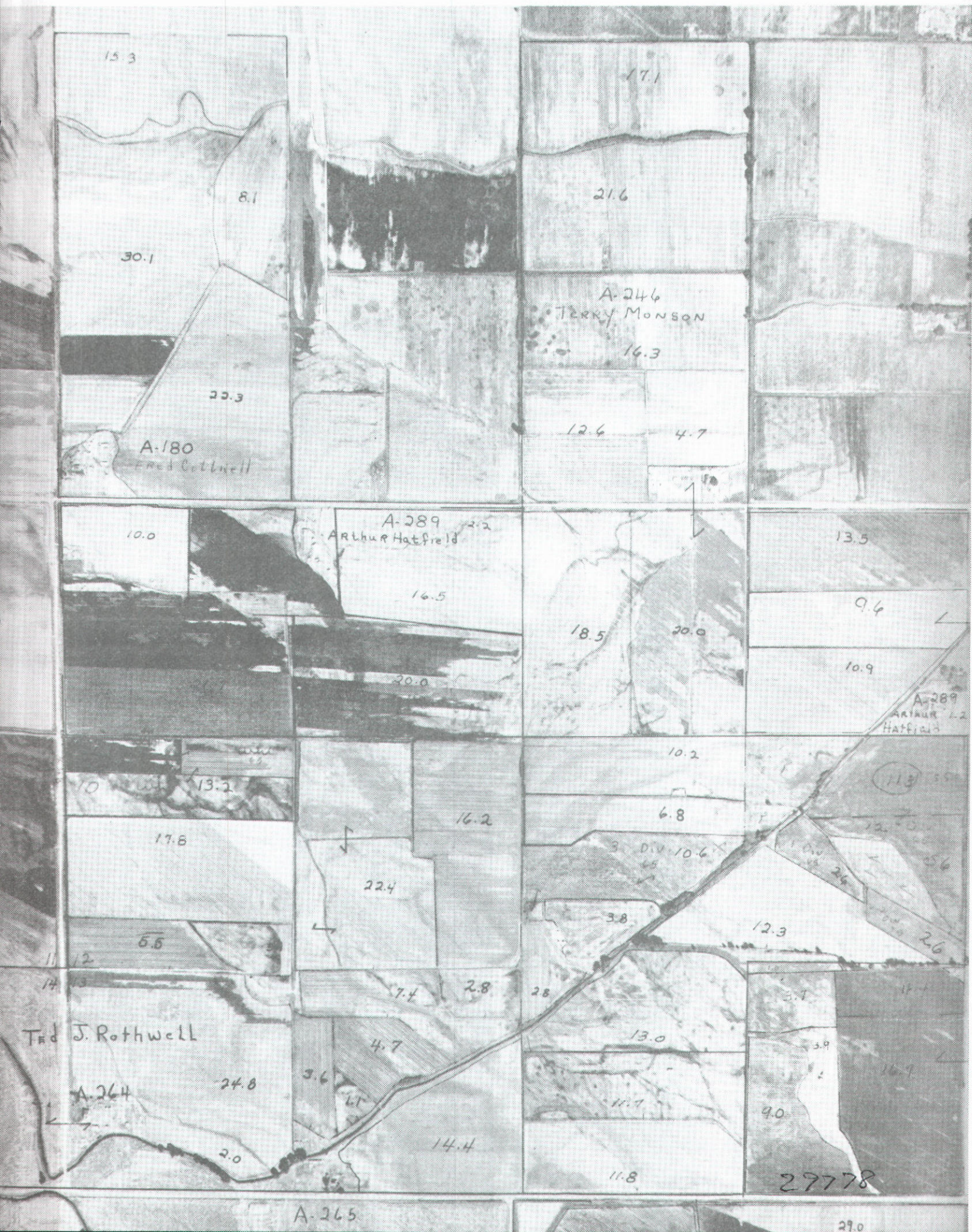
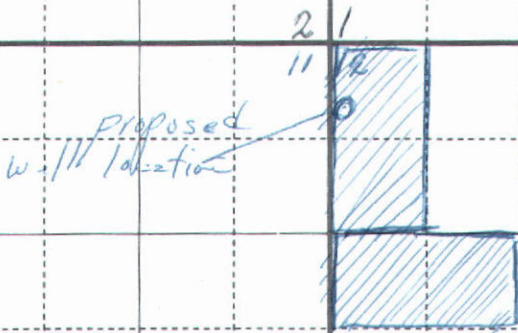




NAME OF APPLICANT Fred Catlett + Arthur Hatfield

Form No. 0

Twp. 16 N Rgn. 25 E B1m

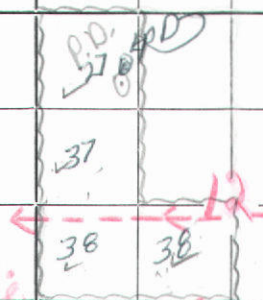


Permit Map No. 29778
As Approved JUN 9 1961
GEO. N. CARTER
Reclamation Engineer

Rge 25 E.

Twp. 6 N.

R Leslie



27

37

76

140

Area - 140 A

Subd - 4

allow Q = 2.80 cfs

140'

Real Estate Agreement

(ESCROW)

THIS AGREEMENT Made and entered into this **15th** day of **November**, 19**65**
between **FRED COTTRELL, as his sole and separate property and JENNIE COTTRELL, his wife,**
of **Darlington**
County of **Custer** State of Idaho, hereinafter called "Vendor," and
Steve B. Taylor and Betty J. Taylor of **Pocatello,**
Husband and wife,
County of **Tannock** State of Idaho, hereinafter called "Purchaser."

WITNESSETH, That the Vendor, in consideration of the covenants and agreements on the part of the Purchaser hereinafter contained, agrees to sell and convey unto the Purchaser, and the Purchaser agree to buy, all that certain piece or parcel of land situated and lying and being in County of **Butte & Custer** State of Idaho, and bounded and particularly described as follows, to-wit:

West 1/4 of NW 1/4 of Section 12, Township 6 North, Range 25, East Boise Meridian, containing 80 acres, more or less lying in Butte and Custer Counties, Idaho.

Together with all ditch, ditch rights, water, water rights, appurtenant thereto or appertaining and subject to any rights of way, easements, or encumbrances of record.

RECEIVED
APR 22 1966

DEPARTMENT OF REGISTRATION

together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; subject, however, to all zoning laws, city ordinances, easements, restrictive agreements and rights of ways of public roads as of the date of this agreement.

for the sum of fifteen thousand two hundred DOLLARS. (\$15,200.) lawful money of the United States of America, and the said Purchaser, in consideration of the premises, agree to pay to the said Vendor the said sum of fifteen thousand two hundred and no/100 DOLLARS. (\$15,200.00) as follows, to-wit:

\$1,200.00 to be paid upon the signing of this agreement, the receipt of which is hereby acknowledged.

\$13,000.00 to be paid in monthly installments. The first monthly installment to be paid on or before the 1st day of December, 1965 of \$130.00 and \$135.00 on or before the 1st day of each and every month thereafter until interest and principal are fully paid. Out of each payment made the interest is to be computed to date, at the rate of 8% per annum, and deducted from the payment and the balance applied to the principal.

On or above the 1st day of December of each year the purchaser agree to make a principal additional payment of \$250.00 commencing on the 1st day of December, 1968 and the 1st. day of each December thereafter until fully paid.

It is further understood and agreed by and between the parties hereto that the Vendor will furnish title insurance when \$7,500.00 has been paid upon the purchase price and not until.

It is further understood and agreed that this property is located within the boundary of the Big Lost Bluffs, Kirtlandish District and that the purchaser agrees to pay and the payments on the water measurements each and every year.

It is further understood and agreed that this property is subject to a Federal Land Bank loan which seller agrees to secure and pay in accordance with the terms and conditions of said loan in the approximate sum of \$4,300.00.

It is further understood and agreed by and between the parties that the aforementioned real property and this sale is for the sole and separate property of Fred Coitrell and the property herein is not to be considered the community property when his wife, Jerma Coitrell.

The Purchaser agree to keep the buildings located on said premises insured against loss by fire for their insurable value with the loss payable to the Vendor as present owner, and to the Purchaser, as purchaser, under contract as their respective interests may appear, premiums on said policies to be paid by the Purchaser on and after the date of this contract, provided, however, that if the buildings located on said premises are now insured against loss by fire, the parties hereto agree to prorate the premiums heretofore paid on said policies as of the date the Purchaser takes possession of said premises, in which event proper riders shall be placed on said policies to protect the interest of the respective parties as they may appear.

The Vendor agree to pay all state, city, school and county taxes and all assessments, of whatsoever nature, which were levied against said premises for the year 19 and prior years and /12ths of the taxes and assessments levied against said premises for the year 19 and the Purchaser agree to pay /12ths of all state, city, school and county taxes and assessments, of whatsoever nature, which were assessed against said premises for the year 19 and all of said taxes and assessments for each and every year thereafter.

The Vendor agree to deliver to the Purchaser an Abstract of Title to said premises show-

It is further agreed by and between the parties that a copy of this agreement, together with a good and sufficient Warranty Deed executed by the Vendor to the Purchaser, and the Abstract of Title or Title Insurance Policy to said premises, together with all insurance policies, with the proper riders attached thereto, shall be placed in escrow with the ~~Idaho Trust National Bank, Trustee~~ ~~Idaho Trust National Bank, Trustee~~

and all moneys paid under this contract by the Purchaser, other than the down payment, shall be paid directly to the escrow holder, and the said escrow holder shall be instructed to deliver to the Purchaser the said escrow papers upon ~~11/15/65~~ paying the purchase price, together with the interest, as herein specified.

Time is of the essence of this agreement and in case of the Purchaser shall fail, refuse or neglect to pay to the Vendor or the escrow holder the money as is agreed herein to be paid or to pay the taxes and assessments at the time the same shall become due or shall fail to fulfill any of the covenants of agreements on ~~either~~ part to be kept and performed, then and in that event the Vendor shall be relieved from obligation in law or in equity to convey said property and the Vendor may, at option forfeit any and all rights of the Purchaser in and to the said real estate, and all money paid to the Vendor or the escrow holder by the Purchaser under this agreement shall be retained by the Vendor as liquidated damages for non-performance of this contract and as rent for said premises, and the Vendor shall have the right to demand the escrow holder to re-deliver to ~~seller~~ the escrow papers and from the time the escrow papers are re-delivered to the Vendor, the Purchaser shall cease to have any right, title or interest in and to said premises and agree to immediately surrender peaceable possession of the same to the Vendor.

It is agreed that the above remedy is cumulative and the Vendor shall have any other remedy for the enforcement of this contract given to ~~him~~ by the laws of the State of Idaho.

It is further agreed that ~~seller~~ will pay the initial escrow charges and ~~purchaser~~ will pay all escrow charges thereafter.

It is further agreed that if it becomes necessary for the Vendor to bring an action in any court of competent jurisdiction for the enforcement of this contract for the repossession of said premises upon failure of the Purchaser to make the payments and perform the covenants as herein specified, the Purchaser shall pay all court costs contracted by the Vendor, together with a reasonable attorneys fee.

It is further agreed that the stipulations herein set forth are to apply to and bind the heirs, executors, administrators and assigns of the respective parties hereto and the Purchaser shall have possession of said premises on the ~~15th~~ day of ~~November~~ 19 ~~65~~

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

Signed, Sealed and Delivered in the Presence of

_____	(SEAL)
_____	(SEAL)
_____	(SEAL)
_____	(SEAL)

STATE OF IDAHO
COUNTY OF ~~Blaine~~ }

On the 15th day of December in the year 19 65, ~~before me~~ Notary Public in and for said State personally appeared Fred S. Taylor and Jerome S. Taylor, and ~~known to be the person~~ whose name ~~was~~ subscribed to the within 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 in this certificate first above written.

(SEAL) _____
Notary Public
Residing at Bozeman, Idaho
My commission expires Jan 1 19 66

State of Idaho
License and Certificate of Water Right

Water License No. G-29778 Amount 2.8 c.f.s.
Water District No. _____ Priority June 6, 1961

THIS IS TO CERTIFY that **FRED COTTRELL & ARTHUR HATFIELD**
of **Darlington, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **June 6**, 19**61**; that Permit No. **G-29778**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.8 second feet, was issued thereunder on **March 24**, 19**67**, showing that said works
were completed on the **27th** day of **May**, 19**66**; and that on the **27th**
day of **May**, 19**66**, **FRED COTTRELL & ARTHUR HATFIELD**

of **Darlington**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of **a well**,
, a tributary of subterranean flow, for the purpose of **irrigation**
, under Use Permit No. G-29778 of the **Department of Reclamation**,
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
14 of Licenses at page **8732**, on the **24** day of **March**, 19**67**;
The right hereby confirmed dates from **June 6**, 19**61**;

The Point of Diversion is located
in the **NW ¼ NW ¼**, Sec. **12**, Tp. **6 N.**, R. **25 E.**, B. M., **Butte** County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed **2.8** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	25 E.	12	NW¼ NW¼	40	27
			SW¼ NW¼	40	37
			NE¼ SW¼	40	38
			NW¼ SW¼	40	38
			Total number of acres to be irrigated:		140

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
24 day of **March**, 19**67**.

s/ R. Keith Higginson
State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-28928 Amount 6.38 c.f.s.
Water District No. _____ Priority August 9, 1960

THIS IS TO CERTIFY that PAUL C. HOLM AND GEORGE W. WATKINS
of Roberts, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 9, 19 60; that Permit No. G-28928
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
6.38 second feet, was issued thereunder on March 24, 19 67, showing that said works
were completed on the 9th day of August, 19 65; and that on the 9th
day of August, 19 65, PAUL C. HOLM AND GEORGE W. WATKINS
of Roberts, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well,
a tributary of subterranean flow, for the purpose of irrigation
under Use Permit No. G-28928 of the Department of Reclamation,
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
14 of Licenses at page 8731, on the 24 day of March, 19 67;
The right hereby confirmed dates from August 9, 19 60;
The Point of Diversion is located in the center of
~~in the~~ Sec. 16, Tp. 3 N., R. 36 E., B. M., County of Bonneville.
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 6.38 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	36 E.	16	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	38
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			S $\frac{1}{2}$ NE $\frac{1}{4}$	80	80
			NW $\frac{3}{4}$	160	160
			SW $\frac{3}{4}$	160	160
			SE $\frac{1}{4}$	160	160
			Total number of acres to be irrigated:		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
24th day of March, 19 67.

s/ Jack A. Barnett
Deputy State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. G-29778 Priority June 6, 1961 Amount 2.8 c.f.s.THIS IS TO CERTIFY that FRED COTTRELL & ARTHUR HATFIELD

of Darlington, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 6, 19 61; that Permit No. G-29778 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.8 second feet, was issued thereunder on March 24, 1967, showing that said works were completed on the 27th day of May, 19 66; and that on the 27th day of May, 19 66, FRED COTTRELL & ARTHUR HATFIELD

of Darlington, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well,

a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-29778 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8732, on the 24th day of March, 19 67.

The right hereby confirmed dates from June 6, 19 61.

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 12, Twp. 6 N., R. 25 E., B.M., Butte County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.8 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	25 E.	12	NW ¹ / ₄ NW ¹ / ₄	40	27
			SW ¹ / ₄ NW ¹ / ₄	40	37
			NE ¹ / ₄ SW ¹ / ₄	40	38
			NW ¹ / ₄ SW ¹ / ₄	40	<u>38</u>
			Total number of acres to be irrigated:		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 24th day of March, 19 67.

R. Keith Higgins
State Reclamation Engineer.

29778

29778

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No G-29778

To Fred Cottrell & Arthur Hatfield

Darlington, Idaho

Source of Supply... Well, tributary
of subterranean flow

..... Butte County

Amount.. 2.8 Sec. Ft

Point of Diversion NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, ...

T. 6 N., R. 25 E., B.M.

Place of Use W $\frac{1}{2}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 12, ...

T. 6 N., R. 25 E., B.M.

Purpose Irrigation

Date of Priority June 6, 1961

Recorded March 24, 1967

in Book 14 of Licenses, Page 8732

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37789
Permit No. G- 29778
District No.

1. Name of Applicant: Fred Cottrell & Arthur Hatfield
Postoffice address: Route 1, Darlington County: Custer State: Idaho
2. Quantity of water claimed: 160 inches (3.2)
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: subterranean
4. Location of point of diversion or well is in the NW 1/4 of the NW 1/4 of Section 12
Twp. 6 N , Rge. 25 E , B.M., County of Butte
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well
8. Estimated cost of works: \$ 6000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
40 inches 7-21-1886; 40 inches 6-1-1889, 80 inches 6-1-1889
 - (a) 3.2 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Fred Cottrell
s/ Arthur Hatfield

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:30 A.M. June 6, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29778

Recorded in Book 104 Page 29778 Approved June 9, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before December 9, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before June 9, 1966 _____

Witness my hand this 9th day of June, 1961

s/ GEO. N. CARTER

STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this.. 9th
day of June, 1961

Countersigned.

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	
6 N	25 E	12		40 40	40 40		160
Permit No. G-29778 + CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that FRED COTTRELL & ARTHUR HATFIELD of Darlington, County of Custer, and State of Idaho, the holders of Permit No. G-29778, issued upon Application No. G-37789 bearing date of priority of June 6, 1961, authorizing the diversion of 3.2 second feet of waters of a well, County of Butte, State of Idaho, for irrigation purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.8 second feet of the waters of a well, tributary of subterranean flow; that the point of diversion of said waters is in the NW¹/₄ NW¹/₄, Sec. 12, T. 6 N., R. 25 E., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: W¹/₂ NW¹/₄, N¹/₂ SW¹/₄, Sec. 12, T. 6 N., R. 25 E., B.M. Proof of Completion of Works Made: May 27, 1966. Witness my hand this 24th day of March, A. D. 1967. s/ R. KEITH HIGGINSON State Reclamation Engineer LICENSE ISSUED FOR <u>2.8</u> SEC. FT. LICENSE PAG. NO. <u>8732</u>							

● **Connecticut Mutual Life** INSURANCE COMPANY, SINCE 1846

140 Garden Street, Hartford, Connecticut 06115 Tel. (203) 549-4111

Agricultural Investments

RECEIVED

AUG 14 1978

August 10, 1978

Department of Water Resources

Department of Reclamation
State of Idaho
Boise, Idaho

John Wright
Re: Water Permit No. G 29778
Loan No. 93911-E, Burns

Gentlemen:

This loan has been paid in full. Therefore, we wish to inform you that we are no longer interested in water permit number G29778 as described in Mortgage Deed dated March 12, 1964, given by Arthur and Verdella Hatfield.

Said mortgage was recorded in the Public Records of Butte and Custer Counties in Books 15 and 17, pages 19 and 287, respectively.

Sincerely,

Jean Wright

Jean Wright
Agricultural Investment Division

jw

cc: Ag-Land Mortgage Company

RECEIVED

● **Connecticut Mutual Life**
140 GARDEN STREET • HARTFORD, CT 06115



Department of Reclamation

State of Idaho

Boise, Idaho

MICROFILMED

Department of Reclamation

N^o G-11380Boise, Idaho, Feb. 27, 1967.RECEIVED
FROMArthur Hatfield & Fred Cottrell, Darlington, Idaho
Thirteen Dollars and 00/100 DOLLARS

FOR

Well Driller's License Fee	- \$	
Application No.	- \$	
Proofs <u>G-29778</u>	- \$	<u>13 00</u>
Certified Copy	- \$	
Recording Assignment	- \$	
TOTAL	- \$	<u>13 00</u>

STATE RECLAMATION DEPARTMENT

Fred Cottrell & Arthur Hatfield
Route 1
Darlington, Idaho

Gentlemen:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29778 shows the well(~~x~~) is (~~good~~) capable of conveying 140 miner's inches, or 2.8 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 13.00, we will issue the Certificate of Completion of Works for 2.8 c.f.s. and the License and Certificate of Water Right for 2.8 c.f.s. confirming the right, with priority of June 6, 1961, to the use of subterranean water with the point of diversion in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 6 N, R. 25 E, for irrigation of 140 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 12, T. 6 N, R. 25 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mv

29778

Permit No. G-29778.....

**Certificate of Completion
of Works**

Dated March 24, 19 67 .

Stream .. Well .. .

County .. Butte .. .

Amount .. 2.8 c.f.s.

Date of Priority June 6, 1961....

Recorded in Book ...104.....

of Permits. . . , page 29778 .

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that Fred Cottrell & Arthur Hatfield
of Darlington....., County of Custer....., and State of
..... Idaho....., the holder s of Permit No. G-29778, issued upon
Application No. G-37789, bearing date of priority of June 6, 1961....., authorizing the
diversion of 3.2..... second feet of waters of a well,.....

County of Butte....., State of Idaho, for ...irrigation
purposes, have.....fully complied with the provisions of the laws of the State of Idaho
relating to the proof of completion of the works of diversion set out and described in said
Permit; that said works are adequate for diverting and conveying to the place of intended
use . 2.8 second feet of the waters of ..a well, tributary of ..
subterranean flow;

that the point of diversion of said waters is in the NW¹/₄ NW¹/₄, Sec. 12, T. 6 N., ...
R. 25 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: $W\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 12, T. 6 N., R. 25 E., B.M.

Proof of Completion of Works Made: May 27, 1966.

Witness my hand this 24th ... day of . March , A.D. 19 67

State Reclamation Engineer

29778

March 24, 1967

Re: Permit No. G-29778

Mr. Fred Cottrell
Mr. Arthur Hatfield
Route # 1
Darlington, Idaho 83231

Gentlemen:

Enclosed is the Certificate of Completion of
Works and License and Certificate of Water Right
on the above numbered permit.

Also enclosed is departmental receipt No.
G-11380 in the amount of \$13.00 covering the fees.

Thank you.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:dfj

Enc: Certificates
Receipt for \$13.00

29778

ROBERT E. SMYLIE
Governor



State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

January 12, 1967

RE: Permit No. G-29778

RECEIVED
FEB 27 1967

Fred Cottrell & Arthur Hatfield
Route 1
Darlington, Idaho

Department of Reclamation

Gentlemen:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29778 shows the well(x) is (xxx) capable of conveying 140 miner's inches, or 2.8 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 13.00 , we will issue the Certificate of Completion of Works for 2.8 c.f.s. and the License and Certificate of Water Right for 2.8 c.f.s. confirming the right, with priority of June 6, 1961 , to the use of subterranean water with the point of diversion in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 6 N, R. 25 E, for irrigation of 140 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 12, T. 6 N, R. 25 E, B.M.

Very truly yours,

A handwritten signature in cursive script, reading "M. Russell Bosch".

M. Russell Bosch
Office Manager

MRB:nw

29778

XXXXXXXXXX

January 12, 1967

RE: Permit No. G-29778

Fred Cottrell & Arthur Hatfield
Route 1
Darlington, Idaho

Gentlemen:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29778 shows the well(x) is (~~xxxx~~) capable of conveying 140 miner's inches, or 2.8 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

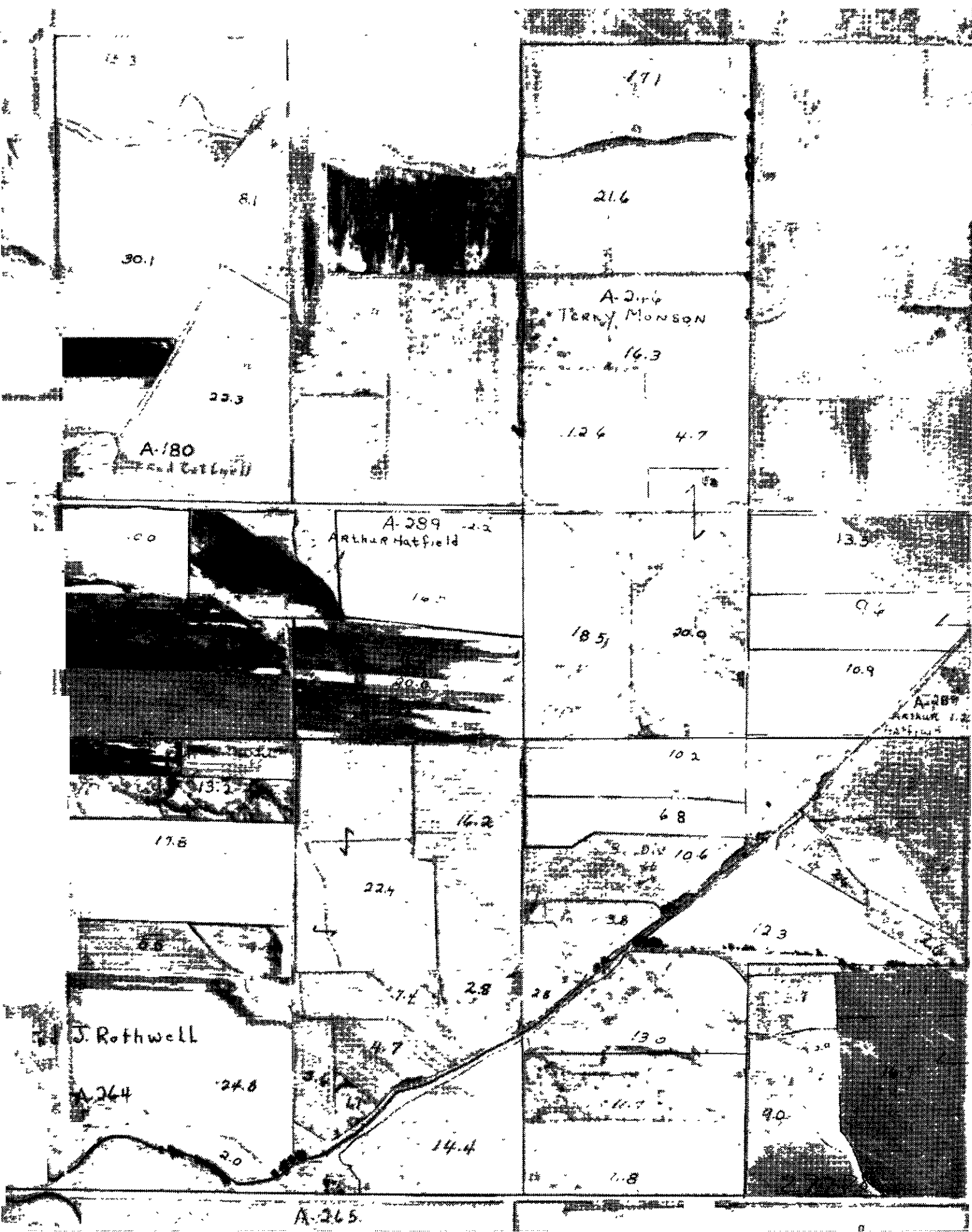
Upon receipt of the statutory fees, totaling \$ 13.00 , we will issue the Certificate of Completion of Works for 2.8 c.f.s. and the License and Certificate of Water Right for 2.8 c.f.s. confirming the right, with priority of June 6, 1961 , to the use of subterranean water with the point of diversion in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 6 N, R. 25 E, for irrigation of 140 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 12, T. 6 N, R. 25 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

29778



29778

A 2x2 grid with diagonal lines in the top-right and bottom-right cells.

2017-11-17

11	1
2	1

~~Top. 14 N. Ry. 35 E. Br.~~

NAME OF APPLICANT Fred G. [redacted] + Arthur H. H. H.

Form No. 3

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

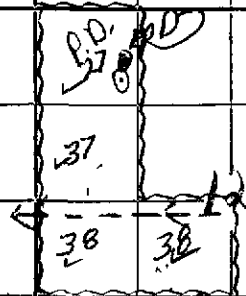
REPORT OF ENGINEER

PERMIT NO. G-29778

REPORT ON PROOF OF Completion of Works & Beneficial Use

S. 25E

1, 6N



27

37

76

140

Area - 140 A

Subd - 4

allow Q = 2.80 cfs

140'

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-29778

This proof is for Completion of Works & Beneficial Use Water District No.

1. Name of applicant Fred Cottrell & Arthur Hatfield

2. Source of water supply: a well

3. Location of point of diversion: Is in the NW¹/₄NW¹/₄ of Section 12
T. 6 N R. 25 E., B.M. County of Butte

4. Describe works as they exist, giving dimensions and capacities of same:

5 H.P. 7 1/2 Motor # 1252072
Johnston pump # 1F5 264

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

W¹/₂NW¹/₄, N¹/₂SW¹/₄, Sec. 12, T. 6 N., R. 25 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

9 3/4" id 6" @ 30"

$A = .518$
 $V = \frac{4.01(1.667)}{.707} = \frac{2.685}{.707} = 9.455$
 $Q = AV = .518(9.455) = 4.90 \text{ cfs}$

This examination was made on the 20th day of July, 19 66

(Signed) Don W. Little Examiner.

29778

50
150' x 18"
* 15' center
Fred Cottrell & Arthur Hatfield
Rt 1
Darlington, Idaho
Permit No. G-29778

Examination for Completion of Works & Beneficial Use

County Butte

Sec. 12 T. 6N R. 25E., B.M.

Quantity: 3.2 c.f.s.

Source: a well

P.D.: NW/4NW/4, Sec. 12, T. 6 N., R. 25 E., B.M.

Use: Irrigation

Filed: June 6, 1961

Dec: June 9, 1966

Made: May 27, 1966

Extension:

Protest:

Completion of Works:

Other Rights: 40", 7/21/1886; 40", 6/1/889; 80", 6/1/1889

Priority: June 6, 1961

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

29778

Re: Permit No. G-29778

June 2, 1966

Fred Cottrell or Arthur Hatfield
Rt 1
Darlington, Idaho

Gentlemen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Arco Advertiser all submitted in proof of completion of works and beneficial use on Permit No. G-29778.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

29778

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G 29778

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works
DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

Fred Cottrell & Arthur Hatfield Route 1 Darlington, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority: _____

G 29778 June 9, 1961, approval date. date of priority: June 6, 1961

Ques. 4. State source of water supply: Irrigation Well

Give location of point of diversion, showing subdivision, section, township and range

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12 Twp. 6N, Range 25 EBM

Ques. 5. Describe your works of diversion: Direct from well to private ditch

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 3.2 c.f.s. ; Give name of canal or ditch

or other works by which water is conducted to such place of use: private ditch

_____ ; if a well, state depth of well 150 feet ; depth and size of casing ~~182~~ 18 inch casing 150 feet. ; depth to water 15 feet. ; if pump is used,

state discharge of pump: 3.2 c. f. s. ; tell how it was measured or determined _____

by well driller _____ ; if sprinkler irrigation, give number and size

of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Irrigation only

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

Township 6 North, Range 25 East Boise Meridian, Section 12:

NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

D

29778

State nature of all improvements which have been made as a direct result of said use:

Supplemental water for existing right only

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Rex Frandsen Blackfoot, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

No other use

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 3.2 cfs summer of 1961 - Time used since first use:

irrigation season 1962 & 1963. Haven't needed since.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

80' May 1889, June 1, 1889 - 80 Inches plus storage rights in Macaky reservoir.

7/21/86 - 40 inches plus storage rights in Macaky reservoir
6/1/89 40 inches plus " " " "

(sign)

Arthur H. Hatfield
Fred Cottrell, by Paul J. Dyer, his
attorney in fact.

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Arco, County of Butte

State of Idaho, on this 27th day of May, A. D. 1966.

Paul J. Dyer

My commission expires: 6/13/69

RECEIVED
MAY 31 1966

STATE OF IDAHO
Department of Reclamation
OFFICE OF STATE RECLAMATION ENGINEER
POWER OF ATTORNEY

The undersigned owner (s) of Permit (Application) No. 29778
of the State Reclamation Engineer of the State of Idaho hereby nominates
and appoints Fred H. Boyer, whose address is
Arco, Idaho, as attorney-in-fact, with full author-
ity to act for and on behalf of the undersigned in all matters pertaining
to Application or Permit. Such acts shall include, but not be limited
to the filing of applications, receiving of all notices, the signing and
filing of applications for extension of time and for amendment of said
Permit, and the submission of proofs of completion of works and beneficial
use of water.

Dated this 26 day of May, 1966

Colorado
STATE OF ~~IDAHO~~)
County _____) ss

On this 26 day of May, 1966, personally
appeared before me the signer (s) of the above instrument, who duly
acknowledged to me that he (she) (they) executed the same.

Dowell R. Bagwell
Notary Public

My Commission expires:

My Commission expires June 22, 1968

29778

RECEIVED
MAY 31 1966
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G 29778

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works
DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Cleon J. Manson, age 65 Darlington, Idaho, Farmer

Ques. 2 Are you acquainted with Fred Cottrell & Arthur Hatfield, the holder of Permit No. G 29778? How long have you known him and where does he reside?

Fred Cottrell for 20 years, Arthur Hatfield for 15 years.

Ques. 3. Have you read or heard said Permit No. G 29778 read, and are you familiar with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Drilled Well

Give location of place of diversion, showing subdivision, section, township and range

NW¹4NW²4 Section 12, Twp. 6 N. Range 25 EBM

Describe works for conveying water to place of use: from Well and pump to private ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: xxx 3.2 c.f.s How much water have you seen being so conveyed? 3.2 c. f. s.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

160 acres: Twp. 6 N, Range 25 EBM Section 12: NW¹4NW¹4, SW¹4NW¹4, NE¹4SW¹4, NW¹4SW¹4

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

no other use than irrigation

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Good clay soil requires at least 1 inch per acre.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no ✓

Ques. 10. When did you first see this water used? June 1961

Other times you have seen such use: 1962, 1963 seasons haven't needed since

(Signed):

Charles J. Manson ✓
Notary

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Arco

 , County of Butte, State of Idaho, on this 27th day of May, A. D. 19 66

Notary Public

Notary Public for the State of Idaho
Residing Arco, Idaho

My commission expires 6/13/69

RECEIVED
MAY 31 1966

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho

Permit No. G 29778

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Belva Jones, age 59, Darlington Idaho, Farmer

Ques. 2 Are you acquainted with Arthur Hatfield & Fred Cottrell, the holder of

Permit No. G29778 ? How long have you known him and where does he reside?

Mr. Hatfield 17 years. Mr. Cottrell 20 years.

Ques. 3. Have you read or heard said Permit No. G 29778 read, and are you familiar with its provisions and conditions: Yes ☒ No. ☐

Ques. 4. State source of water supply: Irrigation Well

Give location of place of diversion, showing subdivision, section, township and range

NW¹NE¹ Section 12, Twp. 6 N. Range 25 EBM

Describe works for conveying water to place of use: Well & pump to private ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 3.2 c. f. s. How much water have you seen being so

conveyed? 3.2 c. f. s.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

160 acres: Twp. 6 North, Range 25 EBM, Section 12: NW¹NW¹, SW¹NW¹, NE¹SW¹, NW¹SW¹

29778

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

no other use than irrigation.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

good clay soil, will require at least 1 inch to acre.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? June 1961

Other times you have seen such use: 1962, 1963

(Signed):

Belva B. Jones

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Arco

 , County of Butte, State of Idaho, on
this 27th day of May, A.D. 19 66

Neil H. Dyer

Notary Public for the State of Idaho

Residing Arco, Idaho

My commission expires 6/13/68

Affidavit of Publication

I, Elizabeth L. Brammer of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for four (4) consecutive weeks, commencing

with the issue dated April 21, 1966

and ending with the issue dated May 12, 1966

Elizabeth L. Brammer

Subscribed and sworn to before me this

12 day of May, 1966

Betty J. Mayo
Notary Public.

Residence: Arco, Idaho.

My commission expires

2-4, 1969

PUBLIC NOTICE

NOTICE OF PROOF OF COM- PLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given, that on
the 27th day of May 1966, at
Arco, County of Butte, State of
Idaho before FRED H. BOYER,
Notary Public, at 145 Grand Ave.
ARCO, IDAHO, proof will be
submitted of the completion of
works for the diversion of 3.2
cubic feet per second of under-
ground water from a well, and
of the application to beneficial
use of said water, in accordance
with the terms and conditions of
Permit No. G 29778, heretofore
issued by the Department of Re-
clamation of the State of Idaho.

1 The name and postoffice ad-
dress of the person or corpora-
tion holding said permit is AR-
THUR HATFIELD & STEVE E.
TAYLOR, successor & assignee
of FRED COPPRELL.

2. Said works of diversion will
be fully completed on the date
for such completion, and the
amount of water which said
works are capable of conveying
to the place of use is 3.2 cubic
feet per second.

3. The use to which said water
has been applied is IRRIGATION,
purposes and the amount applied
to beneficial use is 3.2 cubic feet
per second.

4 The point of diversion of
said water is NW 1/4 NW 1/4 SEC.
12, Twp 6 N, Rge 25 EBM.

5 The place where said water
used is Twp. 6 North, Range 25
East Boise Meridian Section 12:
NW 1/4 NW 1/4, SW 1/4 NW 1/4,
NE 1/4 SW 1/4, NW 1/4 SW 1/4.

6 The date of priority which
said user is prepared to establish
is JUNE 6, 1961.

CARL E. TAPPAN,
State Reclamation Engineer.
Pub. 4-21,28; 5-5,12, 1966.

Arthur Hatfield & Steve E. Taylor

29778

LOST RIVER TITLE COMPANY

TITLE INSURANCE ESCROWS ABSTRACTS
ARCO, IDAHO

RECEIVED
MAY 31 1966

May 27, 1966

Department of Reclamation

Mr. Donald W. McEldowney, water Rights Clerk
State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Re: Permint No. G-29778
Arthur Hatfield & Fred Cottrell

Dear Mr. McEldowney:

Mr. Cottrell decided that he would complete the ownership of the permit in his own name rather than assigning to Mr. Taylor. He sent me his power of attorney and I signed for him with Mr. Hatfield. This way he wont make the assignment of the permit until he ^{is} fully paid for the property.

Trust that this has been completed to your satisfaction. The following papers are enclosed for final proof:

(Deposition of Holder)

1. Form 16 2M Proof of Application of water to Beneficial use and completion of ~~works~~. This is signed by Mr. Hatfield and by myself acting for Mr. Cottrell. His power of attorney is attached to this form.
2. Form 17A-4M Deposition of Witness by neighbor Mr. Cleon Manson.
3. Form 17A-4m Deposition of witness by neighbor Belva Jones.
4. Affidavit of Publication.

Although Mr. Taylors name appears on the affidavit, no deposition was taken from him. Trust that this procedure was correct.

Sincerely Yours,


Fred H. Boyer

April 25, 1966

RE: Permit No. G-29778
Arthur Hatfield & Fred Cottrell (Steve E. Taylor)

Fred H. Boyer
Boyers Real Estate & Insurance
Box B
Arco, Idaho

Dear Mr. Boyer:

Enclosed find forms for assignment and power of attorney to be used in effecting the change of ownership of part of Permit No. G-29778. It is advisable to use the assignment form, if possible. Make sure Mr. and Mrs. Cottrell both sign this form. Should you choose to use the power of attorney form, have the Cottrells assign you as Attorney in Fact and you assign the permit to Mr. Taylor.

Should neither course be open to you, it will be required that Mr. Cottrell sign the depositions which are to be taken on the 27th of May, 1966. Possibly Mr. Cottrell would assign you the Power of Attorney so you could sign the depositions for him.

In any case please expedite the clarification of ownership of Permit No. G-29778 so the depositions will be acceptable.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:mr

Enc. assignment form
power of attorney form

79778

Real Estate Agreement

ESCROW

THIS AGREEMENT Made and entered into this 15th day of November 1965
between FRED CORTELL, as sole and separate property, and JENNY
CORTELL, his wife.

Carlington

Custer

County of

State of Idaho

Steve E. Cortell and Betty J. Cortell as Beneficiaries,
Husband and Wife,

County of Blaine

State of Idaho

WITNESSETH That the above parties in consideration of the covenants and agreements on the
part of the Purchaser hereafter contained have received and taken into the Purchaser
and the Purchaser hereafter and the above parties a piece of parcel of land situated and being and
being in the County of Butte & Custer State of Idaho and
bounded and particular described as follows to wit:

West 1/4 of NW 1/4 of Section 12, Township 6 North Range 25, East
 Boise Meridian, containing 40 acres, more or less lying in Butte
and Custer Counties, Idaho.

Together with all ditch, ditch rights, water, water rights,
appurtenant thereto or appertaining and subject to any rights
of way, easements, or encumbrances of record.

together with the tenements, hereditaments and appurtenances therunto belonging or in anywise apper-
taining, subject however, to all zoning laws, city ordinances, easements, restrictive agreements and
rights of ways of public roads as of the date of this agreement

for the sum of Fifteen thousand two hundred and \$15,200.00
lawful money of the United States of America, and the said Vendor, in the presence of the
premises, agree to give to the said Vendor, the said sum of Fifteen thousand two hundred
and no/100- \$15,200.00
as follows, to-wit:

\$1,200.00 to be paid upon the receipt of a receipt of which is hereby acknowledged.

\$13,500.00 to be paid in monthly installments. The first monthly installment to be paid on or before the 1st day of February, 1964 or 1965, and thereafter on or before the 1st day of each and every month thereafter until maturity and principal and full payment of same has been made. The interest is to be computed to date, at the rate of 6% per annum, and deducted first from payment and the balance applied to the principal.

On or about the 1st day of December of each year I, a shareholder, agree to make a principal installment payment of \$15.00 (fifteen dollars) on the 1st day of December, 1967 and the 1st day of each December thereafter until fully paid.

It is further understood and agreed by and between the parties hereto that the Vendor will furnish the 1941 model men's 37-44 hat box paid over the purchase price and net cost.

It is also understood and agreed that this property is located within the boundary of the big East River Reservation, and that the Indians agreed to pay and are permitted by the Government to do so every year.

It is further understood and agreed that this property is subject to a Federal loan at a loan interest rate of 4 percent per annum in accordance with the terms and conditions of said loan in the approximate sum of \$4,500,000.

It is further understood and agreed by and between the parties that the aforementioned real property and this sale is for the sole and separate property of David Carroll and his property interests is not to be considered the community property with his wife, Jennie Carroll.

[illegible][illegible]

The Vendor agrees to deliver to the Purchaser within 17 days said amount of \$100,000.00 in full payment of the purchase price of the property described above. The Vendor further agrees to execute and deliver to the Purchaser a deed of conveyance of the property described above to the Purchaser within 17 days of the date of the execution of this contract. The Vendor further agrees to pay all taxes and assessments on the property described above from the date of the execution of this contract to the date of the delivery of the deed of conveyance to the Purchaser. The Vendor further agrees to pay all costs and expenses of the purchase of the property described above, including the cost of the deed of conveyance, the cost of the recording of the deed of conveyance, and the cost of the recording of this contract. The Vendor further agrees to pay all costs and expenses of the sale of the property described above, including the cost of the deed of conveyance, the cost of the recording of the deed of conveyance, and the cost of the recording of this contract. The Vendor further agrees to pay all costs and expenses of the sale of the property described above, including the cost of the deed of conveyance, the cost of the recording of the deed of conveyance, and the cost of the recording of this contract. The Vendor further agrees to pay all costs and expenses of the sale of the property described above, including the cost of the deed of conveyance, the cost of the recording of the deed of conveyance, and the cost of the recording of this contract.

It is further agreed by and between the parties that a copy of this agreement together with a good and sufficient Warranty Deed executed by the Vendor to the Purchaser and the Abstract of Title and Title Insurance Policy to said premises, together with all insurance policies with the proper riders attached thereto, shall be placed in escrow with the ~~Escrow Holder~~ **Escrow Holder**, ~~to be~~ **to be**

and all moneys paid under this contract by the Purchaser, other than the down payment, shall be paid directly to the escrow holder, and the said escrow holder shall be instructed to deliver to the Purchaser the said escrow papers upon ~~payment~~ **payment** paying the purchase price together with the interest as herein specified.

Time is of the essence of this agreement and in case of the Purchaser shall fail, refuse or neglect to pay to the Vendor or the escrow holder the money as is expressed herein to be paid or to pay the taxes and assessments at the time the same shall become due or shall fail to fulfill any of the covenants or agreements on ~~his~~ **his** part to be kept and performed then and in that event the Vendor shall be released from obligation in law or in equity to convey said property and the Vendor may at ~~any~~ **any** time forfeit any and all rights of the Purchaser in and to the said real estate and all moneys paid to the Vendor or the escrow holder by the Purchaser under this agreement shall be retained by the Vendor as liquidated damages for non performance of this contract and as rent for said premises, and the Vendor shall have the right to demand the escrow holder to be delivered to ~~the~~ **the** escrow papers and from the time the escrow papers are redelivered to the Vendor the Purchaser shall cease to have any right, title or interest in and to said premises and agree to immediately surrender peaceable possession of the same to the Vendor.

It is agreed that the above covenants, conditions and the Vendor shall have any other remedy for the enforcement of this contract given to ~~him~~ **him** by the laws of the State of Idaho.

It is further agreed that ~~the~~ **the** Purchaser will pay the initial escrow charges and ~~the~~ **the** Purchaser will pay all escrow charges thereafter.

It is further agreed that if it becomes necessary for the Vendor to bring an action in any court of competent jurisdiction for the enforcement of this contract for the redemption of said premises upon failure of the Purchaser to make the payments and perform the covenants as herein specified the Purchaser shall pay all court costs incurred by the Vendor together with a reasonable attorneys fee.

It is further agreed that the stipulations herein set forth shall apply to and bind the heirs, executors, administrators and assigns of the parties hereto and the Purchaser shall have possession of said premises on the ~~day~~ **day** of ~~the~~ **the** ~~year~~ **year**.

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

Witness, Sealed and Delivered in the Presence of

STATE OF IDAHO
COUNTY OF ~~BOISE~~ **BOISE**

On the ~~1st~~ **1st** day of ~~January~~ **January** 19**25** A.D. 19**25** I, ~~Notary Public~~ **Notary Public** in and for the State of Idaho, personally appeared ~~John A. Harty~~ **John A. Harty** and ~~John A. Harty~~ **John A. Harty** and they acknowledged to me that ~~they~~ **they** executed the same.

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

Notary Public
Residing at ~~Boise, Idaho~~ **Boise, Idaho**
My commission expires ~~Jan 1, 1926~~ **Jan 1, 1926**

REPLY MESSAGE

THIS FORM AVAILABLE FROM GRAYARC CO., INC., 882 THIRD AVE., BROOKLYN 32, N. Y.

TO

Don McEldowney
State Reclamation
State of Idaho
Boise, Idaho

FROM

BOYER'S REAL ESTATE & INSURANCE

Personalized Insurance Service

BOX B - ARCO, IDAHO

Telephone 133-W

SUBJECT: Permit No. G 29778

DATE: 4/20/66

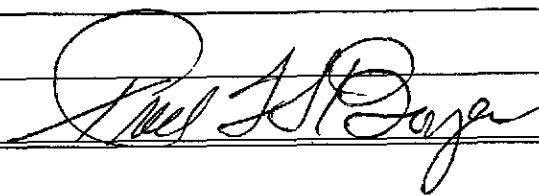
FOLD ↑

Enclosed herewith copy of contract where Mr. Taylor is buying property from Fred Cottrell, which includes all water rights etc. this would include well. However since this is only a contract and has not passed legally yet to Mr. Taylor I don't know if we should show his name or not. At any rate Mr. Cottrell is out of the state and is not available to make his own deposition. Please advise your recommendations.

The signatures didn't copy very well, but this was signed properly by all concerned parties.

Trust this is sufficeint to complete this according to schedule

PLEASE REPLY TO → SIGNED



RECEIVED

APR 22 1966

Department of Reclamation

DATE

SIGNED

THIS COPY FOR PERSON ADDRESSED

29778

REPLY MESSAGE

THIS FORM AVAILABLE FROM GRAYARC CO., INC., 862 THIRD AVE., BROOKLYN 32, N. Y.

TO

CARL E. TAPPAN
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

FROM

BOYER'S REAL ESTATE & INSURANCE
Personalized Insurance Service
BOX B - ARCO, IDAHO
Telephone 133-W 278 517

SUBJECT. Permit No. G 29778 Arthur Hatfield & Fred Cottrell (Steve E. Taylor) DATE: 4/14/66

FOLD ↑

The holders of the above permit have asked that I act for them in making final proof of the well under this permit. The following papers are enclosed:

1. two copies of form 36 Notice of proof of completion of works etc.
2. Form 11 letter to your office signed by the holders of permit.

Please note that Fred Cottrell has assigned his rights etc to ~~For~~ Steve E. Taylor. Will you need further proof of this? Mr. Cottrell sold his farm to Taylor.

PLEASE REPLY TO → SIGNED

Fred H. Boyer
Fred H. Boyer, Notary Public

RECEIVED
APR 19 1966

DATE

SIGNED

29778

THIS COPY FOR PERSON ADDRESSED

April 19, 1966

Re: Permit No. G-29778

Arthur Hatfield
Rt 1, Darlington, Idaho

Dear Mr. Hatfield:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. **G-29778**. The proofs are to be made at ~~xxxxxxxxxxxxxx~~ **8 o'clock**, on the **27th** day of **May**, 1966, before **Fred H. Boyer**, Notary Public.

As of this date, we have mailed the Notice to the **Arco Advertiser**, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

XXXXXXXXXXXXXXXXXXXX
JAMES L. EDNA P. RULE
XXXXXXXXXXXX
Chief Clerk
M. Russell Bosch
Office Manager

Encl.
EPR:pmk
cc: Notary

29778

Re: Permit No. G-29778

April 19, 1966

Arco Advertiser
Arco, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to May 27, 1966. The expense of the publication is to be paid by Srthur Hatfield & Steve E. Taylor of Arco, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

29778



APR 19 1963

9:00 A.M.
of Reclamation

Department of Reclamation

1. The name and postoffice address of the person or corporation holding said permit is FREEDMAN ARTHUR HATFIELD, & STEVE E. TAYLOR, successor & assignee of FRED COTTRELL

3. The use to which said water has been applied is IRRIGATION
_____, purposes and the amount applied to beneficial use is
3.2 cubic feet per second.

4. The point of diversion of said water is NE 1/4 SEC. 12, Twp. 6 N, Rge 25 E

5. The place where said water is used is Twp. 6 North, Range 25 East Boise Meridian
Section 12: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

6. The date of priority which said user is prepared to establish is JUNE 6, 1961

State Reclamation Engineer

29778

RECEIVED

APR 19 1966

Department

4:00 P.M.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 14, 1966

(P. O.) Arco, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the ARCO ADVERTISER of
ARCO, IDAHO Published in
the county in which the works are situated.

Arthur Hatfield
Steve E. Taylor Successor
Fred Cottrell of

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached
notice are true.

Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

April 4, 1966

Re: Permit No. G - 29778

Fred Cottrell & Arthur Hatfield
Route #1
Darlington, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29778 are due not later than June 9, 1966

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

Carl E. Taylor
STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

29778

June 15, 1961

Re: Permit No. G-29778

Fred Cottrell & Arthur Hatfield,
Route #1,
Darlington, Idaho.

Gentlemen:

We enclose Permit No. G-29778 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We enclose Departmental Receipt No. G-6008 which was issued covering payment in the amount of \$5.75 for the filing fee of the above mentioned permit.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

29778

May 25, 1961

Re: Application for Permit

Mr. Fred Cottrell & Arthur Hatfield
Route #1
Darlington, Idaho

Gentlemen:

Returned herewith are two checks for \$2.50 each which you submitted as filing fee for 160 inches of water claimed.

160 inches or 3.2 cubic feet per second require a filing fee of \$5.75, being \$5.00 for first cubic foot per second, plus \$.25 for each cubic foot per second or fraction thereof.

Kindly remit the proper filing fee and the application will be processed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. checks (2)

29778

RECEIVED
APR 21 1966

Department of Reclamation

Galley Proof

**NOTICE OF PROOF OF COM-
PLETION OF WORKS AND
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that on the 27th day of May 1966, at Arco, County of Butte, State of Idaho before FRED H. BOYER, Notary Public, at 145 Grand Ave. ARCO, IDAHO, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. C 29778, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is **ARTHUR HATFIELD & STEVE E TAYLOR**, successor & assignee of **FRED COTTRELL**.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is **IRRIGATION**, purposes and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The point of diversion of said water is **NW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC. 12, Twp. 6 N, Rge 25 EBM.**

5. The place where said water used is Twp. 6 North, Range 25 East Boise Meridian Section 12: **NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.**

6. The date of priority which said user is prepared to establish is **JUNE 6, 1961.**

CARL E. TAPPAN,
State Reclamation Engineer.
Pub. 4-21,28; 5-5,12, 1966.

29778