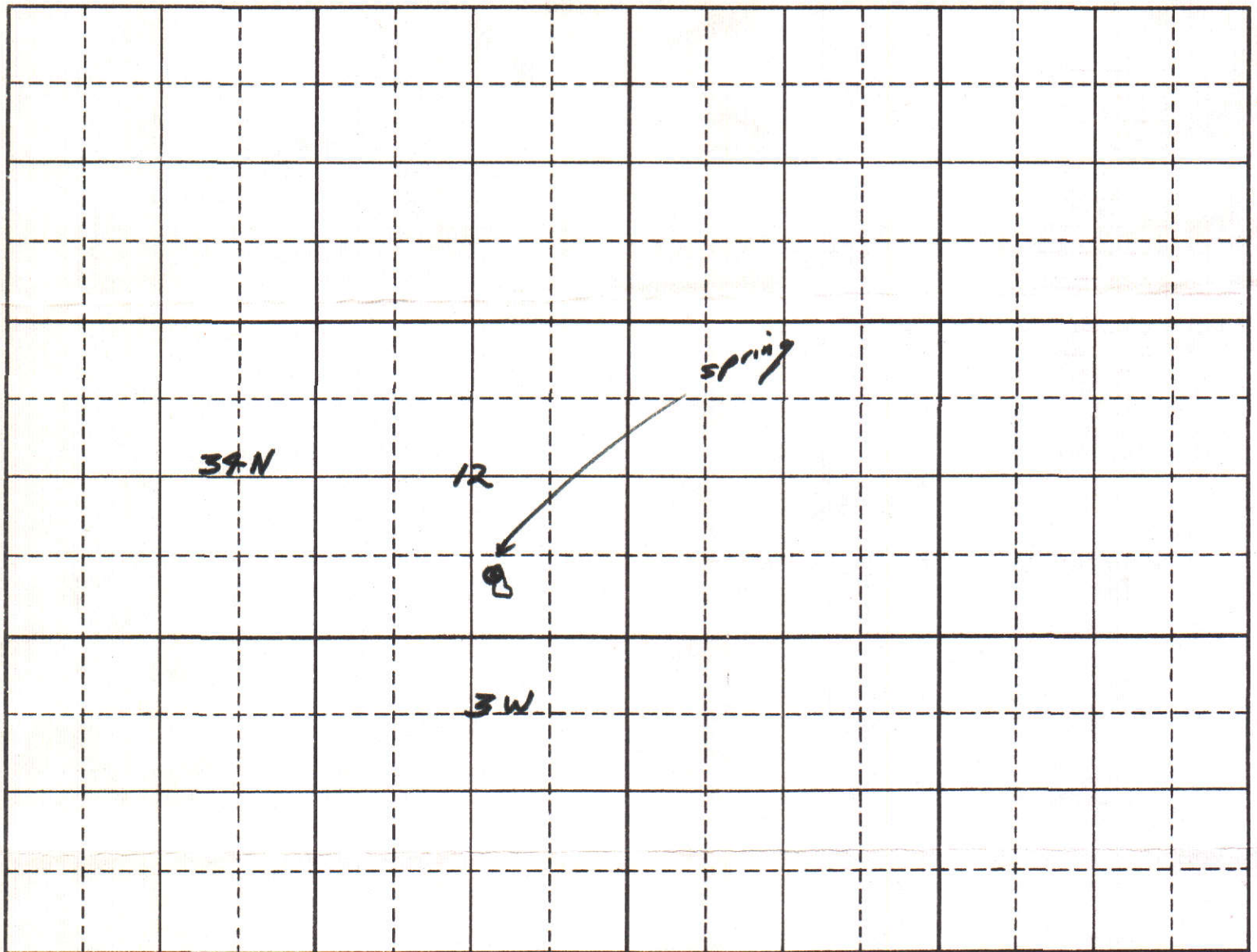


(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho
 County of Verde ss.

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

Sworn to before me this 30th day of August, 1973

Barbara M. Boncater Secretary
 (Claimant)

Notary Public

Residing at Lewiston, Idaho

My commission expires 11-20-73

For Department Use Only

Received by <u>CP</u>	Date <u>9-4-73</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>TE</u>	Date <u>9/4/73</u>		claimant by:	
\$10.00 fee received by <u>TE</u>	Date <u>9/4/73</u> # <u>11919</u>			
Approved for publication by <u>TE</u>				
Published in <u>LEWIS COUNTY HERALD</u>				
Dates <u>9-13 + 9-20-73</u>				

(8) Remarks _____

Sec 11 N Sec 108 TW 34 N range 3 West

Scale: 2 inches equal 1 mile.

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

State of Idaho

ss.

County of Lewis

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

(Claimant)

Sworn to before me this _____ day of _____, 19 ____.

Notary Public

Residing at _____

My commission expires _____

For Department Use Only

Received by <u>RL</u>	Date <u>8/20/73</u>	Exception filed by:	Forwarded to	Date
Prelim. check by _____	Date _____		claimant by:	
\$10.00 fee received by _____	Date _____			
Approved for publication by _____				
Published in _____				
Dates _____				

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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

Notice is hereby given that Garner Seventy Four, Inc.
(name of claimant)
of Rt. 1 Box 71A Lapwai, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to _____;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed Spring
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>0.02 cfs</u>	Use	<u>Stockwater</u>	Period of Use: From	<u>April 10</u>	To	<u>Nov 10</u>
Amount	_____	Use	_____	Period of Use: From	_____	To	_____
Amount	_____	Use	_____	Period of Use: From	_____	To	_____
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)				(both dates inclusive)

- (3) Total quantity of water claimed: 0.02 cubic feet per second, or _____ acre feet per annum, and/or nine gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) June 1945

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

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SW ¼ SE ¼, Sec. 12 Twp. 34N Rge. 3W B.M. County of Lewis
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Reservoir--10' deep, 8' wide, and 16' long.

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

T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
34N	3W	12															X		

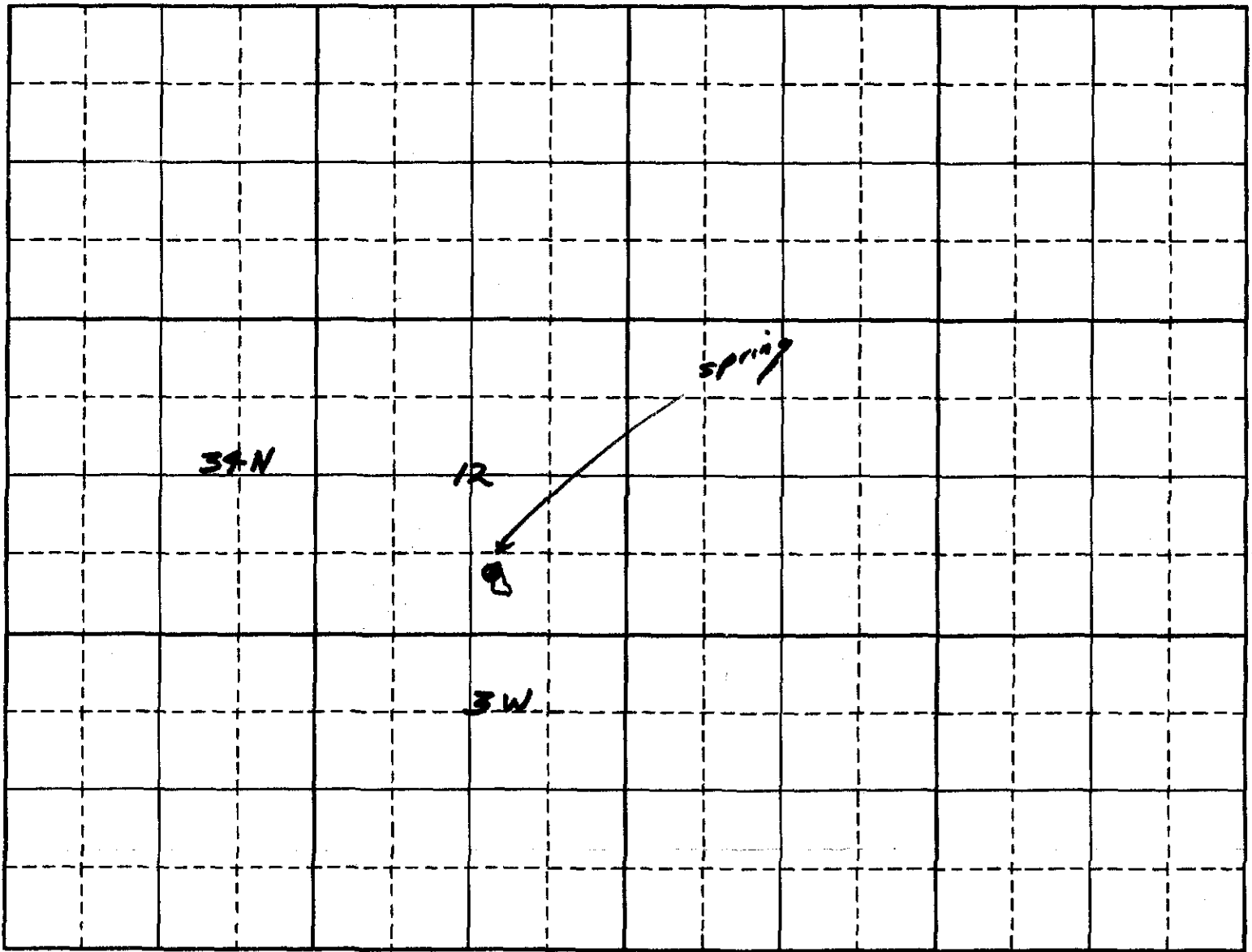
Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

Spring is used for Stockwatering purposes of 60 head of cattle and one bull.

- (7) If you are claiming water as a member of an organization, list name of organization: Garner Seventy Four, Inc.

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho

County of Nez Perce

ss.

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

Sworn to before me this 30th day of August, 1973

Notary Public

Residing at Lewiston, IdahoMy commission expires 11-20-73

For Department Use Only

Received by <u>CP</u>	Date <u>9-4-73</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>FE</u>	Date <u>9/4/73</u>		claimant by:	
\$10.00 fee received by <u>FE</u>	Date <u>9/4/73</u> # <u>1919</u>			
Approved for publication by <u>FE</u>				
Published in <u>LEWIS COUNTY HERALD</u>				
Dates <u>9-13 & 9-20-73</u>				

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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

Notice is hereby given that GARNER SEVENTY FOUR, INC.
(name of claimant)
 of 101 BOX 71-A LARVA, IDA., claims a right to the diversion and beneficial use of
(mailing address)
 ground water or surface water tributary to _____;

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) SPRING

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>25,000 G</u>	Use <u>STOCK</u>	Period of Use: From <u>April 10</u> To <u>Nov 10</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

(3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet per annum, and/or 70 gpm gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 1945 30 head of cows 10 head of calves 60 head of calves

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

(5) A) Point of diversion: (give location of point where water is diverted from its source)

SW 1/4 SE 1/4, Sec. 12 Twp. 34 N Rge. 3 W B. M. County of Lewis

Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Reservoir

10 ft deep, 8 ft wide, 16 ft long

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
<u>34 N</u>	<u>3 W</u>	<u>12</u>															X		

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

STOCK WATER

(7) If you are claiming water as a member of an organization, list name of organization: GARNER SEVENTY FOUR, INC.

(8) Remarks _____

Sec 11 N Sec 10 T434N range 3 West

Scale: 2 inches equal 1 mile.

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

State of Idaho

ss.

County of Lewis

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

(Claimant)

Sworn to before me this _____ day of _____, 19 _____.

Notary Public

Residing at _____

My commission expires _____

For Department Use Only

Received by <u>76</u>	Date <u>8/20/73</u>	Exception filed by:	Forwarded to	Date
Prelim. check by	Date		claimant by:	
\$10.00 fee received by	Date			
Approved for publication by				
Published in				
Dates				

June 27 1973

In regard to spring on farm belonging to, Barbara Benscoter, Isiah Corn and Neil Garner.

Said land is located in Lewis Co. State of Idaho.

Legal description

North east $\frac{1}{4}$ of Sec. 11, 3 W and Ten acre more or less of the Northwest $\frac{1}{4}$ of Sec 12.

The spring with its natural seeps located on that 10 acre portion of Sec. 12, has been used as a source of stock water by members of the Thain family, Douglas, Ernest and Raymond Thain since about June of 1945 until 1969 when Donald and Barbara Benscoter started using it.

The number of cattle using this water has ranged from 25 to 75 head per year.

Raymond Thain

June 27 1973

In regard to spring on farm belonging
to, Barbara Benscoter, Isiah Corn and
Neil Garner.

Said land is located in Lewis Co. State of
Idaho.

Legal description

North east $\frac{1}{4}$ of Sec. 11, 3 W and Ten
acre more or less of the Northwest $\frac{1}{4}$
of Sec 12.

The spring with its natural seeps
located on that 10 acre portion of
Sec. 12, has been used as a source

STATE OF IDAHO, COUNTY OF

On this 27th day of June, 1973
before me, a notary public in and for said State, personally
appeared Raymond Thain

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

Don A. Hest

Notary Public

Residing at

Comm. Expires

Lewiston
3-1-74

, Idaho

He
Raymond
745
arbury
this
head
Thain

PROOF OF PUBLICATION

I, Chris A. Christensen, publisher of The Lewis County Herald, a weekly newspaper of general circulation established in 1898 and published continuously in the City of Nezperce, County of Lewis, State of Idaho, do solemnly swear that the herewith attached publication was printed in the regular edition of the Lewis County Herald, and not in a supplement, for

2 consecutive issues, the first publication having been made on the 13 day of Sept, 1973, and the last publication on the 20 day of Sept, 1973.

Chris A. Christensen

Subscribed and sworn to before me, a Notary Public, this 25th day of Sept, 1973.

John R. Kemp

NOTICE OF CLAIM TO A WATER RIGHT NO. 85-4052

Notice is hereby given that Garner Seventy Four, Inc., Route No. 1, Box 71-A, Lapwai, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from Unamed Spring with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 34N, R. 3W, B.M., Lewis County.

The water is claimed to be used from April 10 to November 10 for stock-watering purposes with a priority of June, 1945 the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 34N, R. 3W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Published Sept. 13, 20, 1973

RECEIVED

SEP 13 1973

Idaho Department of Water Administration
Coeur d'Alene, Idaho

85-4052

WATER RIGHT NUMBER 85-4052

WATER RIGHTS EDIT REPORT

12/17/79

PAGE 287

ACTION

N OWNER LAST NAME - GARNER SEVENTY FOUR INC.
N ADDRESS LINE 1 - RT. 1 BOX 71A

N SOURCE - SPRING CITY - LAPWAI STATE - ID ZIP CODE - 83540

N STAGE - STATRY CLM
N DIVERSION POINT - SWSE 12 34N 03W PRIORITY - 06-01-1945 COUNTY - LEWIS TOTAL DIV. RATE - .0200CFS

N FROM - 04-10 TO - 11-10 USE - STOCKWATER
N USE - STOCKWATER USE DIV. RATE - .0200CFS

N NON IRRIG USE - S/60 RANGE. PLACE OF USE - TWN 34N RNG 03W SEC 12 TRACT SWSE

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No.

Old No.

New No.

1 85-4052

Record

1. Original Owner:

Garner Twenty Four Inc.

Present Owner:

2. Address:

Rt. 1 Box 71A

3. City:

Lapwai

State:

10

Zip:

83540

4. A. Source of Water:

spring

B. Tributary of:

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

S

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

C. Priority Date:

6-1-1945

D. County:

41E. Total Diversion Rate: .02

F. Total Diversion Volume:

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

H. Water District:

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

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

6. A. Point of Diversion

Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
<u>SWSE</u>	<u>12</u>	<u>34N</u>	<u>3W</u>		

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

from 4-10 to 11-10 for S purposes. Amount .02
(cfs or AC-Ft/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: 5

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.

B.

C.

D.

E.

11. Other Uses (Non-irrigation explanatory information):

5/60 range.

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

October 16, 1973

Re: Claim to a Water Right No. 85-4052

Garner Seventy Four, Inc.
Route #1, Box 71-A
Lapwai, ID 83540

Gentlemen:

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

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

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

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

Very truly yours,

85 4052

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure

October 1, 1973

Re: Claim No. 85-4052 - Garner Seventy Four, Inc.

Lewis County Herald
517 Oak
Naz Perce, ID 83543

Gentlemen:

Could you please submit the affidavit of publication and bill in connection with the above referenced item. The legal notice was to have been published in your newspaper on September 13 and September 20, 1973.

Your assistance in this matter would be appreciated.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CP

85 4052

September 7, 1973

Re: Claim No. 85-4052 - Garner Seventy Four, Inc.

LewistCounty Herald
517 Oak
Nez Perce, ID 83543

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill. ~~in order to receive payment, the following certification must appear on the bill:~~

~~"I hereby certify that the foregoing account is just
-and correct;- that the amount claimed is legally due,
-after allowing all just credits;- and that no part of
-the same has been paid."~~

(signature of claimant)

Very truly yours,

85 4052

Fred Eisenbarth
Northern District Manager

Bill submitted 10-9-73 by CP

FE:CP

Enc: Legal Notice

NOTICE OF CLAIM TO A WATER RIGHT

NO. 85-4052

Notice is hereby given that Garner Seventy Four, Inc.,
Route #1, Box 71-A, Lapwai, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.02 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from Unnamed Spring

with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 34N, R. 3W, B.M.,
Lewis County

The water is claimed to be used from April 10 to Nov. 10 for stock-
watering purposes

with a priority of June, 1945;
the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 34N, R. 3W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho
83814.

R. KEITH HIGGINSON

Director

Published in the Lewis County Herald, Nez Perce, Idaho
on Sept. 13 and Sept. 20, 1973

85 4052

**NOTICE OF CLAIM TO A
WATER RIGHT NO. 12-4052**

Notice is hereby given that Garner Seventy Four, Inc., Route No. 1, Box 71-A, Lapwai, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from Unamed Spring with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 34N, R. 3W, B.M., Lewis County.

The water is claimed to be used from April 10 to November 10 for stock-watering purposes with a priority of June, 1945 the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 34N, R. 3W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON

Director

Published Sept. 13, 20, 1973

O.K.
9-11-73
CP

85 4052

September 7, 1973

Re: Claim to a Water Right No. 85-4052

Garner Seventy Four, Inc.
Route #1, Box 71-A
Lapwai, ID 83540

Gentlemen:

Attached is your receipt No. 11919 in the amount of \$10 for the filing fee on the above referenced claim which was received in this office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CP

Enclosure

85 4052

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

August 28, 1973

Barbara Benscoter, Secretary
GARNER SEVENTY-FOUR, INC.
Route #1, Box 71-A
Lapwai, ID 83540

Dear Ms. Benscoter:

Enclosed is a Claim to a Water Right which we have typed, listing the information from your claim. Please note that we have listed a quantity of water under Items 2 and 3 in cubic feet per second and gallons per minute. If you have been using more water, please change these amounts.

Please review all items, making any corrections necessary, have the Claim notarized, return it to our office along with the required \$10 filing fee, and we shall begin its processing.

Please contact us if you should have any questions.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cp

Enclosure

85 4052

RECEIVED

August 15, 1973

AUG 23 1973

Dear Mr. Eisenbath,

Department of Water Conservation
Northern Division Office

If this form is filled in correctly I will do it in ink and have it notarized. Enclosed is a copy of some history written by our Uncle on the property.

Sincerely,

Barbara Benscoter
sec - Garner Seventy Four, Inc.
Rt 1 Box 71-A
Loganville, Idaho 83540

85 4052

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

June 7, 1973

85-4052

GARNER SEVENTY FOUR, INC.
c/o Barbara Benscoter
Route #1, Box 71-A
Lapwai, ID 83540

Dear Ms. Benscoter:

From the information you have listed in your letter of June 4, 1973, it is difficult to determine exactly what rights have been established on the spring in question.

After you have put the water from the spring to a beneficial use, you would certainly have the right to file a Claim and have evidence of that water right established with our Department. However, if other people have also used the spring beneficially, they may also have established a water right.

Enclosed is our Claim to a Water Right form for your use. If you should have any questions in completing this form, feel free to contact our office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cr

Enclosure

85 4052

RECEIVED

JUN 6 1973

June 4, 1973

Department of Water Administration
Northern District Office

Dear Mr. Eisenbach,

We have owned a share in the undivided estate of Douglas Thain since April 28, 1946 - and more after the death of his brother Ernest Thain in 1953. This year we (all concerned in the estate holding) decided to divide it. The two brothers pastured cattle, and a third brother Raymond Thain has continued pasturing cattle there until two years ago - when we have been running 30 head of cows plus 1 bull - so since there is a spring on our section - my question is are we free to file a claim on this water? - or can you tell me if it is tied up in any way.

Sincerely,

Garnet Donny Town, Inc.
70 Barbara Boscater, S. L.
RT1 Box 71-17
Togwain, Idaho

NE 1/4 of Sec. 11 - and the following described parcel of Sec. 12, Township 34 North Range 3 West of the Boise Meridian, to wit:
Beginning at the Southwest Corner of the

SE $\frac{1}{4}$ of NWP of Section 12; running thence
north on Section line between Sections
11 and 12, 2,640 feet; thence East 39.8 feet;
thence South 1,166 feet; thence East 455.2
feet; thence South 726 feet; thence West
455.2 feet; thence South 748 feet; thence
West 39.8 feet to the place of beginning;
Containing 10 acres more or less.

This Ten acres includes the spring.