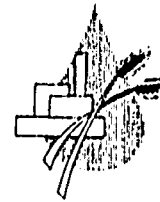


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Merrill D. &/or Shirley B. Hubbard
(Name of Claimant)
Star Rt., Box 292, Grace, ID 83241 Telephone No. 425-3438
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) January 1, 1890

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Egbert Canyon Springs tributary to Sinks

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

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>3.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>11-1</u>
Quantity	<u>.02 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity	<u>3.0 cfs</u>	TOTAL QUANTITY USED.		

(4) (cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NW 22 Twp. 10S Rge. 41E B.M., County of Caribou
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. Describe any changes in the system and give the date of the change. Ditch from spring to Flood irrigation, also 1 small stockpond

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10S	41E	21		2	2				3		3	5						3	15
		17												3			3		6
		20		6			6												12

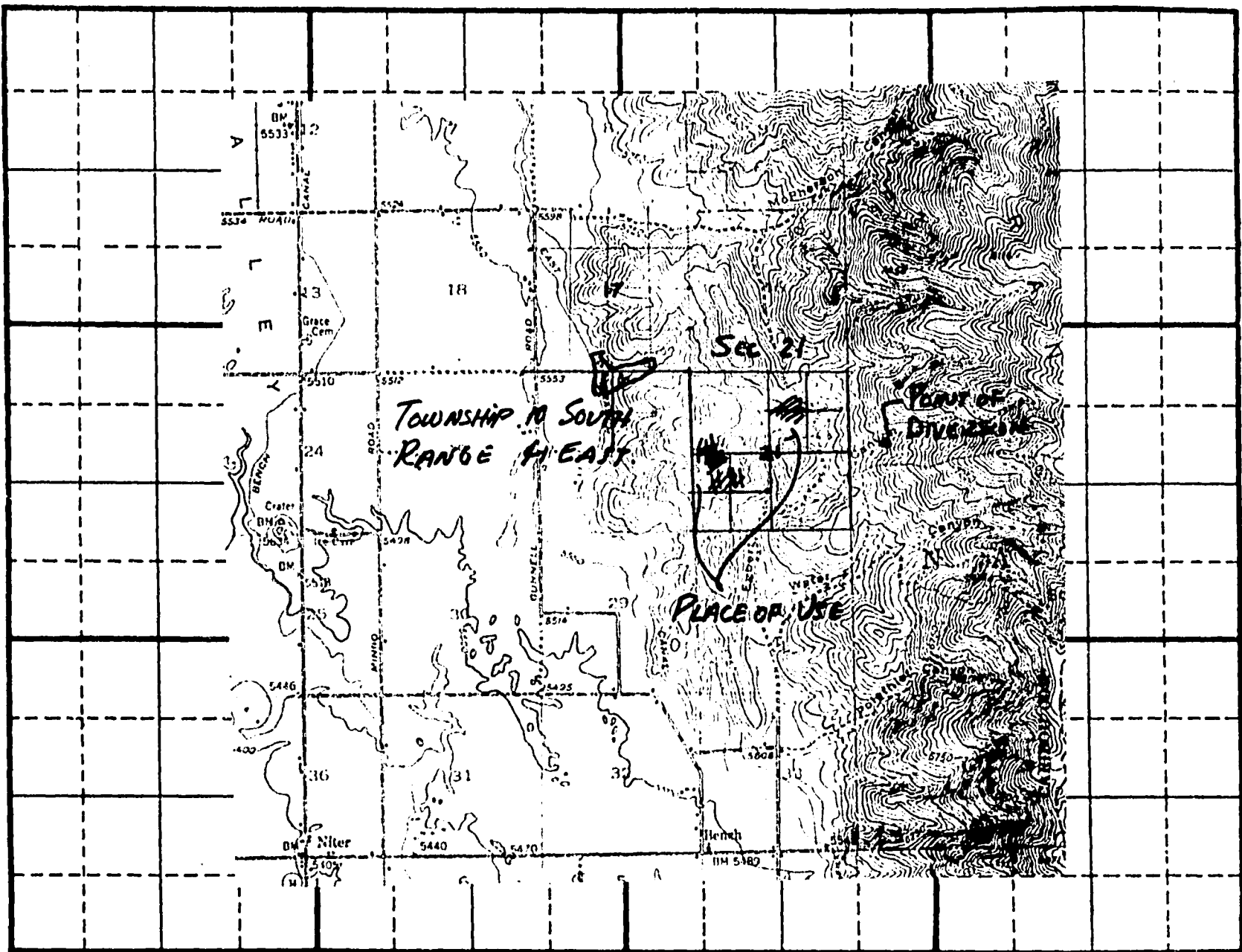
No. of acres 33

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

NOTE: Include here the type and number of stock watered: 50 head cattle, 7 horses

(7) If you are claiming water as a member of an organization, list name of organization:

(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 Caribou) 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 affiant's knowledge.

Sworn to before me this 12th day of May

Merrill D. Hubbard
(Claimant)

Callum Wray
Notary Public
Residing at Shale Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by BP SM Date 5/12/83 Exception filed by: _____ Date _____
Prelim. check by Kaw Date 5-17-83
\$30.00 fee received by BP Date 5/12/83 #26213
Published in Caribou County Sun
Dates 5/26 & 6/2/83

RECEIVED

JUN 10 1983

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

First Time Published

**NOTICE OF CLAIMS TO
WATER RIGHTS**

The following claim(s) have
been filed on water right(s) creat-
ed by diversion and beneficial use:

29-4347

PERKINS, WAYNE C.
BANCROFT, ID 83217

Source: TOPONCE CREEK
trib. to PORTNEUF RIVER

Priority Date: 04-02-1914

Diversion Point: SESE Sec 33
T 06S R 38E

Use: IRRIGATION (0.96
CFS) IRRIGATION STORAGE
(50.0 AF) IRRIGATION FROM
STORAGE (50.0 AF) STOCK-
WATER (0.04 CFS)

In: NWNE SWNE Sec 26 T
06S R 38E FOR 48 ACRES

29-4346

PERKINS, M. DELOS
BANCROFT, ID 83217

Source: TOPONCE CREEK
trib. to PORTNEUF RIVER

Priority Date: 04-02-1914

Diversion Point: SESE Sec 33
T 06S R 38E SWSW Sec 35 T
06S R 38E

Use: IRRIGATION (8.10
CFS)

In: LOT 19 LOT 20 NWNW
SWNW NESW NWSW SWSW
SESW NWSE SWSE Sec 25 T
06S R 38E NENE SENE NESW
SESW NESE NWSE SWSE
SESE Sec 26 T 06S R 38E SESE
Sec 35 T 06S R 38E LOT 20
SWSW SESW SWSE Sec 36 T
06S R 38E FOR 816 ACRES

13-4224

HUBBARD, MERRILL D. &
or SHIRLEY B.

STAR RT. BOX 292,
GRACE, ID 83241

Source: EGBERT CANYON
SPRINGS trib. to SINKS

Priority Date: 01-01-1890

Diversion Point: SWNW Sec
22 T 10S R 41E

Use: IRRIGATION (3.00
CFS) STOCKWATER (0.02
CFS)

In: NWNE SWNE SWNW
NESW NWSW Sec 21 T 10S R
41E SESW SWSE Sec 17 T 10S
R 41E NWNE NENW Sec 20 T
10S R 41E FOR 33 ACRES

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho
83402.

KEN DUNN,
Director

Published May 26 and June 2,
1983 in the Caribou County Sun.

**Affidavit of
Publication**

County of Caribou } ss.
State of Idaho }

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

26th day of
May, 1983

The date of the last publication

being the 2nd day of
June, 1983

Subscribed and sworn to be-
fore me this 3rd day

of June, 1983

Wendy S. Hyde
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of March

1984.

13-4224

HUBBARD, MERRILL D. &/or SHIRLEY B.

STAR RT., BOX 292, GRACE, ID 83241

Source: EGBERT CANYON SPRINGS trib. to SINKS

Priority Date: 01/01/1890

Diversion Pt: SWNW Sec 22 T 10S R 41E

Use: IRRIGATION (3.00 CFS)
STOCKWATER (0.02 CFS)

In: NWNE SWNE SWNW NESW NWSW Sec 21 T 10S R 41E SESW SWSE Sec 17 T 10S R 41E
NWNE NENW Sec 20 T 10S R 41E FOR 33 ACRES

13-4224
HUBBARD, MERRILL D. &
or SHIRLEY B.
STAR RT., BOX 292,
GRACE, ID 83241
Source: EGBERT CANYON
SPRINGS trib. to SINKS
Priority Date: 01-01-1890
Diversion Point: SWNW Sec
22 T 10S R 41E
Use: IRRIGATION (3.00
CFS) STOCKWATER (0.02
CFS)
In: NWNE SWNE SWNW
NESW NWSW Sec 21 T 10S R
41E SESW SWSE Sec 17 T 10S
R 41E NWNE NENW Sec 20 T
10S R 41E FOR 33 ACRES
Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho
83402.
KEN DUNN,
Director
Published May 26 and June 2,
1983 in the Caribou County Sun.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 5/26 & 6/2/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MAY 18, 1983

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 13, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

Sheet No. 2

Instrument No.

WATER LOCATION.

Claimants;--

C. Mickilson,

Date,--

June 18th., 1890

Recorded,--

July 7th., 1890 at 8:50 A. M.
in book 1 of Water Locations
at page 398 of the records of
Bannock County, Idaho.

Subscribed and sworn to,--

DESCRIPTION AND REMARKS.

Claim and appropriate all of the waters flowing from the North Fork Spring of what is known as the Hog Back in Gentile Valley Bingham County, Idaho Territory or so much thereof as will flow in a ditch two feet wide and one foot deep with a fall of one quarter of an inch to the rod, diverting said water out of its natural channel at a point to commence at said spring and conveying said water on land for agricultural irrigation and domestic use. The amount of water appropriated being 288 inches under a four inch pressure.

Description of land that said water is to be used on, Northwest quarter of Section twenty township ten south of Range forty one East of the Boise Meridian.

Transferred from Book C, of Water Locations at page 190, Recorded Bingham County, Idaho.



Sheet No. 3

Instrument No.

WATER-LOCATION.

Claimants;--

James M. Wickham.

Date,--

June 27th., 1892

Recorded,--

July 1st., 1892 at 3:30 P.M.
in book 1 of Water Locations
at page 467 of the records of
Bannock County, Idaho.

Subscribed and sworn to;--

Before Isaac Fizar, by D. S.
Jerman a Justice of the Peace
in and for the County of Bingham
State of Idaho, June 27th.
1892,

DESCRIPTION AND REMARKS.

Claim and appropriate all of the water flowing from the North Forks Springs of what is known as the Hog Back in Gentile Valley Bingham County, State of Idaho or so much thereof as will flow in a ditch two feet wide and one foot deep with a fall of one quarter of an inch to the rod that I intend diverting said waters out of its natural channel at a point to commence at said springs and conveying the said waters in said ditch to the head of what is known as Baysingers hollow thence down said hollow to the North east quarter of the Northwest quarter of Section Twenty Township ten south of Range forty One East amount of said water to be used on said land being 288 inches measured under a four inch pressure to be used for agricultural irrigations and domestic purposes.

Transferred from Book D of Water Locations at page 69
Rec, Bingham County, Idaho.



Sheet No. 5

Instrument No.

WARRANTY-DEED.

Grantor,--

James M. Wickham, (Unmarried)

Grantee,--

Samuel A. Egbert,

Date,--

October 21st., 1901

Recorded,--

October 22nd., 1901 at 8.56
A. M. in book 13 of Deeds
at page 227 of the records
of Bannock County, Idaho.

Consideration,--

\$800.00

Acknowledged,--

October 21st., 1901 before
Herbert Horsley, a Notary
Public, in and for the County,
of Bannock State of Idaho.
(SEALED)

Witness,--

Wm. T. Fowler,
E. S. Whittier,

DESCRIPTION AND REMAINS.

East half of the northwest quarter, northwest quarter
of the northeast quarter of Section twenty, and South
east quarter of the southwest quarter of Section seven-
teen Township ten south of Range forty one east of the
Boise Meridian, also a water right of 288 inches of
water measured under a four inch pressure and more fully
set out and described in a record of water right appear-
ing in the records of Bingham County in book "D" records
of water locations of said county on page 69 of said
records under date of July 1st., A. D. 1892 it being
all the water flowing from the north fork springs of
what is known as the Hag Back in Gentle Valley County
of Bannock and State of Idaho and now in use on above
described lands.



Sheet No. 6

Instrument No.

M O R T G A G E .

Mortgagor,--

Samuel A. Egbert, and Eunice
S. Egbert, his wife.

Mortgagee,--

James M. Wickham,

Date,--

October 21st., 1901

Recorded,--

October 22nd., 1901 at 8:57
A. M. in book 9 of Mortgages
at page 205 of the records
of Bannock County, Idaho.

Consideration,--

\$800.00.

Acknowledged,--

October 21st., 1901 before
Herbert Horsley, a Notary
Public, in and for the
County of Bannock State
of Idaho (SEALED)

Witness,--

E. S. Whittier,
Wm. T. Fowler.

DESCRIPTION AND REMARKS.

E

East half of the northwest quarter, and northwest quar-
ter of the northeast quarter of section twenty, and
southeast quarter of the southwest quarter of Section
seventeen township ten south of Range forty one east
of the Boise Meridian, also a water right of 288 inches
of water measured under a four inch pressure and being
all the water from the north fork springs of what
is known as the Hog Back in Gentile Valley County of
Bannock and State of Idaho and a more full and
particular description of which is contained in a
Warrantee Deed from James M. Wickham to Samuel A.
Egbert of even date herewith together .

Relsh



M O R T G A G E.

Mortgagor,--

Samuel A. Egbert, and Louisa
C. Egbert, his wife.

Mortgagee,--

The Union Central Life Insurance
Company, a corporation.

Date,--

October 29th., 1910

Recorded,--

November 14th., 1910 at 1:16
P.M. in book 14 of Mortgages
at page 48 of the records
of Bannock County, Idaho.

Consideration,--

\$2000.00 Ten years.

Acknowledged,--

October 29th., 1910 before
G. T. Budrow, a Notary Public,
in and for the County of
Bannock, State of Idaho
(SEALED)

Witness,--

None.

DESCRIPTION AND REMARKS.

The East half of the Northwest quarter and the Northwest quarter of the Northeast quarter of Section Twenty and the Southeast quarter of the Southwest Quarter of Section Seventeen Township Ten South of Range Forty One East of the Boise Meridian containing one hundred sixty Acres.

Together with a decreed water right of 288 inches consisting of certain springs arising in the mountains east of said land and flowing from what is known as Wickham Canyon on the said land, this water being appurtenant to said land.

Together with all the improvements, privileges, and appurtenances thereunto belonging and all rights of homestead exemption; together with all ditches and water rights of every nature however evidenced used on the said land or belonging to same or said mortgagor, or which may be hereafter acquired or used upon said land.



MORTGAGE.

Mortgagor,--	Samuel A. Egbert and Louisa C. Egbert, his wife.
Mortgagee,--	International Mortgage Bank, a corporation.
Date,--	May 16th, 1917.
Recorded,--	June 2d, 1917, at 3:10 P.M. in book 29 of Mortgages, page 112 of the records of Bannock County, Idaho.
Consideration,--	Five Thousand Dollars.
Acknowledged,--	May 28th, 1917, before N. P. Nielson, Jr., a Notary Public, Bannock County, Idaho. (Seal).
Witness,--	None.

DESCRIPTION AND REMARKS.

S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 17, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 20, Township 10 South, Range 41 East of the Boise Meridian, together with the tenements, hereditaments, rights privileges and appurtenances now or hereafter belonging to or used in connection with said premises; and all plumbing, lighting, heating, cooking, cooling, ventilating, elevating, watering and irrigating apparatus and fixtures, now or hereafter belonging to or used in connection with said premises; and together with all waters and water rights of every kind and description and however evidenced or manifested, which now or hereafter may be appurtenant to said premises, or incident to the ownership thereof, or used in connection therewith; and together with all of the rents, issues and profits of said mortgage property.

This instrument is intended as a mortgage to secure the performance of the covenants and the payment of one certain promissory note for the sum of \$5000.00, due and payable as follows: \$500.00 October 1st, of the years 1920, 1921, 1922, 1923, 1924 and 1925, and the balance October 1st, 1926.

The mortgage for itself and successors or assigns, covenants that final payment of the mortgage indebtedness may be made at any interest payment date after 1 year from date hereof, provided 60 days' notice in writing be given said mortgagee of such intended payment.



" MARGINAL RELEASE OF MORTGAGE."

Releasor,-- The Bannock National Bank.
a corporation, By D. W.
Church, Cashier.

Releasee,-- Samuel A. Egbert and Louise
C. Egbert, his wife.

Date,-- June 22nd., 1917.

Recorded,-- June 22nd., 1917,
in book 16 of Mortgages
at page 599, of the records
of Bannock County, Idaho.

Consideration,-- Full payment.

Acknowledged,-- Before C. W. Pomeroy,
Recorder, by Harry J. Fox, Deputy
in and for the County of
Bannock, State of Idaho (SEAL)

" DESCRIPTION AND REMARKS."

I hereby acknowledge full payment and
satisfaction in and to this mortgage and
the debt thereby secured.

Bannock National Bank,
a corporation, by D. W.
Church, Cashier.

Subscribed and acknowledged before me this
22nd., day of June 1917.

C. W. Pomeroy Recorder,

By Harry J. Fox, Deputy.



C E R T I F I C A T E.

#3642

The undersigned hereby certifies that the foregoing abstract of title consisting of sheets numbered from 25 to 27 to both inclusive, includes all instruments, records, judgments, files and proceedings which are matters of record in the public offices of the Clerk of the District Court, Auditor and Recorder and in the office of the Probate Judge, in the County of Bannock, and State of Idaho, affecting the title to, or constituting liens upon, the property described in the caption hereof:

This certificate is made for, and at the request of, ... International Mortgage Bank....., this 9th..... day of ...August..... 1917, at 12:50 P.M.

BANNOCK ABSTRACT & TRUST COMPANY.

By *Wm. Jackson*.....
President.



Entry No. 1

Sheet No. 1

Instrument No. 59624

United States

P A T E N T

to

Dated February 9, 1911
Filed December 24, 1917 at 2:29 P.M.
Recorded Book 9 Patents Page 285

Moses Coult

Description: Southeast quarter of the Southeast quarter of Section Seventeen and the East half of the Northeast quarter and the Southwest quarter of the Northeast quarter of Section twenty in Township ten, South of Range Forty-one, East of the Boise Meridian, Idaho containing one hundred sixty acres.

Granting words: Granted

To have and to hold the said tract of land with the appurtenances thereof, unto the said Moses Coult and to his heirs and assigns forever; subject to any vested and accrued waterrights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

Signed: By the President, Wm. H. Taft

By M. P. LeRoy, Secretary

John O'Connell, Acting Recorder of
the General Land
Office.

Entry No. 4

Sheet No. 4

Instrument No. 98897

Frank Whitehead, and
Emily Whitehead, his wife

M O R T G A G E

to

Dated January 19, 1922

The Equity Elevator & Trading
Company

Filed February 7, 1922 at 10:06 A.M.

Recorded Book 43 Mortgages Page 23

Consideration: \$1325.00

Acknowledged January 19, 1922 in Bannock County, Idaho, by
Frank Whitehead and Emily Whitehead, his wife, before Moroni W.
Lowe, a Notary Public in and for said County, residing at Grace,
Idaho.

FOCAL POINT TRUST (SEAL)

Granting words: Grant, Bargain, sell and convey

Description: The Southeast Quarter of the Southeast Quarter
(SE $\frac{1}{4}$ of the SE $\frac{1}{4}$) of Section Seventeen (17); and the East half of
the Northeast Quarter (E $\frac{1}{2}$ of the NE $\frac{1}{4}$) and the Southwest Quarter
of the Northeast Quarter (SW $\frac{1}{4}$ of the NE $\frac{1}{4}$) of Section Twenty (20)
in Township Ten (10) South of Range Forty one (41) E.B.M. Con-
taining One Hundred Sixty acres (160 acres) more or less.
Together with all the improvements, privileges, and appurtenances
thereunto belonging, and all rights of homestead exemption;
together with all ditch and water rights of every nature, however
evidenced, used on said lands or belonging to the same.

Given to secure the payment of one promissory note of even
date herewith for \$1325.00 due on or before the First day of
October, 1922, drawing ten per cent per annum interest from date.

Proper revenue stamps are affixed to the original and can-
celled.

Signed: Frank Whitehead
Emily Whitehead

Peder MikKelsen

NOTICE OF WATER RIGHT

Dated: October 10, 1896
Filed: October 12, 1896
at 2:45 P. M.
Recorded: Book 1 Water Location
Record Page 565

Notice given:

First: That Peder MikKelsen hereby claims waters of that certain stream or Creek hereafter to be known as "MikKelsen Creek" here flowing to extend of three and five tenths cubic feet per second.

Second. It is intended to divert said water at or near point where this notice is posted and more definitely described as follows: At point on said Creek in Canon through which same runs and being about one and one half miles Southeast from what is known as McPherson's Springs in Gentile Valley in said Bannock County.

Third. Said water is claimed for agricultural, irrigating and domestic purposes.

Place of intended use is lands hereinafter described.

Fourth. It is intended to divert said water by means of dam across said Creek at said point of diversion and by means of ditch two feet wide and one foot deep running from above described point of diversion to and upon lands hereinafter described.

General course of said ditch is Northwesterly.

Length of said ditch is about one mile.

It is intended to use said water for irrigating following described lands:

Southeast quarter of Southeast quarter, North half of Northeast quarter and Northeast quarter of Northwest quarter of Section seventeen in Township ten South of Range forty-one East of Boise Meridian in Idaho, containing one hundred sixty acres.

Fifth. It is intended to have works for diversion and use of said waters as aforesaid completed within one year.

Bannock County, Idaho.

Peter MikKelsen being first duly sworn deposes and says, that he is lawful age and claimant of water right mentioned in foregoing notice and whose name is subscribed thereto. That statements in said notice are true and that original notice of which foregoing is true copy was posted in conspicuous place at or near place of intended diversion (as provided by law) on October 9, 1896 at 4 P.M.

Peter MikKelsen, Claimant

BANNOCK TITLE-ABSTRACT COMPANY
PAGE NUMBER

71

PLB 69

United States of America

PATENT

to

Joseph A. Egbert.

Dated: April 27, 1915

Filed: July 1, 1916

at 10:25 A. M.

Recorded: Book 9 Patent

Record Page 68

Recites Certificate of Register of Land Office at Blackfoot, Idaho, deposited in General Land Office, whereby it appears that pursuant to Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on Public Domain," and acts supplemental thereto, claim of Joseph A. Egbert has been established and duly consummated in conformity to law, for

Southeast quarter of Northwest quarter, South half of Northeast quarter and Northeast quarter of Southeast quarter of Section seventeen in Township ten South of Range forty-one East of Boise Meridian, Idaho, containing one hundred sixty acres, according to Official Plat of Survey of said land returned to General Land Office by Surveyor General.

Granted unto said claimant tract of land above described.

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by local customs, laws and decisions of courts; and there is reserved from lands hereby granted, right of way thereon for ditches or canals constructed by authority of United States.

(Seal)

Recorded: Patent Number
470132

By President: Woodrow Wilson
By M. P. LeRoy, Secretary

L. Q. C. Lamar, Recorder of
General Land Office

BANNOCK TITLE-ABSTRACT COMPANY
PAGE NUMBER

1. 96

MAR 94

Order No. 120.

Fred C. Olsen, who is same person referred as Fred C. Olson, and Amelia Olsen, who is same person sometimes known and referred to as Amelia Wheeler Olsen and as Amelia W. Olsen, husband and wife,

to

Charles W. Hubbard also known as C. W. Hubbard.

WARRANTY DEED

Dated: May 1, 1944
Filed: January 19, 1948
at 1:55 P. M.
Instrument No.: 257444
Recorded: Book 102 Deed
Record Page 187.
Consideration: \$15,000.00

Grant, bargain, sell, convey and confirm land in Bannock County, Idaho:

South half of Northeast quarter, Southeast quarter of Northwest quarter, all of Southeast quarter, East half of Southwest quarter and Southwest quarter of Southwest quarter of Section seventeen;
All of Northeast quarter and East half of Northwest quarter of Section twenty, Township ten South, Range forty-one East of Boise Meridian, in Idaho, according to Official Plat of Survey of said lands, returned to General Land Office by Surveyor General;

Also any and all water, water rights, ditches and ditch rights however evidenced, belonging to or with said lands or any part or parcel thereof.

This Deed is given and accepted subject to taxes for the year 1944 and subsequent years.

Grantors herein specifically warrant that they were husband and wife when they or either of them first acquired any interest in or title to above described property or any part or parcel thereof and have remained husband and wife at all times since such date.

\$16.50 I. R. S. attached and cancelled.

Covenants of quiet and peaceable possession and general warranty.

BANNOCK TITLE-ABSTRACT COMPANY
PAGE NUMBER

157

Order No. 1096.

Charles W. Hubbard and his
wife, Elsie D. Hubbard,

to

Merrill D. Hubbard.

WARRANTY DEED

Dated: January 10, 1948

Filed: July 23, 1948

at 2:33 P. M.

Instrument No.: 260827

Recorded: Book Deeds

Page

Consideration: \$15,300.00

Grant, bargain, sell, convey and confirm real estate in Bannock
County, Idaho:

The South half of the Northeast quarter, the Southeast
quarter of the Northwest quarter;
all of the Southeast quarter, the East half of the South-
west quarter and the Southwest quarter of the Southwest
quarter of Section seventeen;

All of the Northeast quarter and the East half of the
Northwest quarter of Section twenty, Township ten South,
Range forty-one East of the Boise Meridian, in Idaho,
according to the Official Plat of the Survey of the said
lands, returned to the General Land Office by the Sur-
veyor General;

Also, any and all water, water rights, ditches and ditch rights
however evidenced belonging to or with said lands or any part or parcel
thereof.

\$17.05 I. R. S. attached and cancelled.

Covenants of quiet and peaceable possession and general warranty.

Charles W. Hubbard (Seal)
Elsie D. Hubbard (Seal)

Acknowledged: Franklin County, Idaho, January 10, 1948; by Charles
W. Hubbard and his wife, Elsie D. Hubbard; before Clifford Warr, Notary
Public. Residing at Preston, Idaho. (Notarial Seal)

BANNOCK TITLE-ABSTRACT COMPANY
PAGE NUMBER

161



State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith C. Wilson

Right Number 13 4224 Applicant Herrill D & Shirley B Hubbard

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date June 15, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 6/16/83

RECEIVED
JUN 16 1983

Department of Water Resources

CW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 13, 1983

MERRILL D. HUBBARD
SHIRLEY B. HUBBARD
STAR RT., BOX 292
GRACE

ID 83241

RE: Claim No. 13-4224

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

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

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure
