IDAHO DEPARTMENT OF WATER RESOURCES **8/30/2023**

Proof Report

Water Right 13-808 After 2023 Agreement

Owner Type	**Name and Address**
Current Owner	DIXON AND MARLENE HAMILTON REVOCABLE TRUST 15405 N HIGHWAY 34 THATCHER, ID 83283-5825

Priority Date: 4/1/1872
Basis: Decreed
Status: Active

Source	**Tributary**
SPRING CREEK	BEAR RIVER

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	04/20	09/30	2.600 CFS	
	Total Diversion		2.600 CFS	

Source and Point(s) of Diversion:

SPRING CREEK	SENW	Sec. 18, Twp 12S, Rge 41E, FRANKLIN County
SPRING CREEK	SWNE	Sec. 18, Twp 12S, Rge 41E, FRANKLIN County

Place of Use:
IRRIGATION within FRANKLIN County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	40E	13															X	X	
12S	41E	18											X L4	X					

Right Acre Limit: 110.50

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 110.5 acres within the authorized place of use in a single irrigation season.
2.		P/D DITCH "C" LEGAL NEAR CENTER SEC. 18, T. 12S, R. 41E. USGS MAP SOURCE NAME SPRING CREEK.

SCANNED

AUG 31 2023

Form 42-248/42-1409(6) Rev. 7/21

RECEIVED

AUG 18 2023

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions. DE ✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 13-808	Yes ☑	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: H. F. Bennett
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Dixon and Marlene Hamilton Revocable Trust
   New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

   15405 North Hwy 34 — Mailing address
   Thatcher — City
   Idaho — State
   83283 — Zip
   208 339 0710 — Telephone
   dmhtsr@gmail.com — Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☑ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: Sept. 27, 1996.

6. Do you own the land identified as the water right place of use? Yes ☑ No ☐
   - o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ☑ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☑ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ☑ Filing fee (see instructions for further explanation):
     - o $25 per *undivided* water right.
     - o $100 per *split* water right.
     - o No fee is required for pending adjudication claims.
   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Dixon Hamilton — Signature of new owner/claimant
   Trustee — Title, if applicable
   8-15-2023 — Date
   Dixon Hamilton — Print name

   Signature: E Marlene Hamilton — Signature of new owner/claimant
   Trustee — Title, if applicable
   8-15-2023 — Date
   E Marlene Hamilton — Print name

For IDWR Office Use Only:

Receipted by JB Date 8/18/2023 Receipt No. E0249428 Receipt Amt. $25

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by JC Processed by JC Date 8/30/2023

SCANNED

AFTER RECORDING PLEASE RETURN TO:
Peck Hadfield Baxter & Moore, LLC
399 North Main Street, Suite 300
Logan, Utah 84321

MAIL TAX NOTICES TO:
Marlene Hamilton
15405 North Hwy 34
Thatcher, Idaho 83283

272085 1-3

Recorded at the request of
Peck, Hadfield, Baxter & Moore, LLC
Time 10:57 Amount $ 15.00

SEP 20 2017

SHAUNA T. GEDDES, RECORDER
By C. Carter Deputy
Franklin County, Idaho

WARRANTY DEED

DIXON HAMILTON and EVELYN HAMILTON aka EVELYN M. HAMILTON, Grantors of Thatcher, County of Franklin, State of Utah, hereby CONVEY AND WARRANT to DIXON HAMILTON and MARLENE HAMILTON, or their Successor, as Trustees of the DIXON HAMILTON and MARLENE HAMILTON REVOCABLE TRUST dated September 14, 2017, Grantee of 15405 North Hwy 34, Thatcher, Idaho 83283, for the sum of Ten Dollars ($10.00), and other good and valuable consideration, the following described tracts of land in Franklin County, State of Idaho:

SEE EXHIBIT "A" ATTACHED

DATED this 14th day of September 2017.

WITNESS

DIXON HAMILTON

Marlene Hamilton
EVELYN HAMILTON aka EVELYN M. HAMILTON

STATE OF UTAH)
: ss.
County of Cache)

On the 24th day of September 2017, personally appeared before me DIXON HAMILTON and EVELYN HAMILTON aka EVELYN M. HAMILTON, the signers of the within instrument, who duly acknowledged to me that they executed the same.

TAYLOR LYNN ROE
NOTARY PUBLIC -STATE OF UTAH
My Comm. Exp 05/25/2020
Commission # 689247

Notary Public

SCANNED
AUG 31 2023

AFTER RECORDING PLEASE RETURN TO:
Peck Hadfield Baxter & Moore, LLC
399 North Main Street, Suite 300
Logan, Utah 84321

2772085 2-3

MAIL TAX NOTICES TO:
Marlene Hamilton
15405 North Hwy 34
Thatcher, Idaho 83283

Exhibit "A"

Township 12 South, Range 40 East of the Boise Meridian
Section 13: S1/2SE1/4, SE1/4SW1/4

ALSO: Commencing 80 rods North of the Southeast corner of Section 13, and running thence West 160 rods; thence North 9 rods; thence East 160 rods; thence South 9 rods to the point of beginning.

ALSO: Beginning at a point located at the Southeast corner of the N1/2SW1/4 of Section 13, and running thence North 691 feet, more or less, to the South bank of Warm Creek; thence in a Westerly direction along the South bank of Warm Creek approximately 146 feet to the East bank of the Bear River; thence in a Southwesterly direction along the East bank of the Bear River to a point where the South line of the N1/2SW1/4 intersects the East bank of the Bear River; thence East 483 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM: all that portion of land owned by the Grantors lying West of the Bear River in the S1/2SW1/4 of Section 13 and more particularly described as follows:

Beginning at the Northeast corner of the SW1/4SW1/4 and running thence East 519 feet, more or less, to the West Bank of the Bear River, thence in a Southwesterly direction along the West bank of the Bear River to a point approximately 640 feet South of the point of beginning, thence North 640 feet, more or less to the point of beginning.

Township 12 South, Range 41 East of the Boise Meridian
Section 18: All that portion of the following described property lying West of Highway No. 34 as set forth in Highway Right of Way Deed recorded July 19, 1965, in Book 53 of Deeds, pages 183 and 395:

LOT 4, and SE1/4SW1/4

SCANNED
AUG 31 2023

AFTER RECORDING PLEASE RETURN TO:
Peck Hadfield Baxter & Moore, LLC
399 North Main Street, Suite 300
Logan, Utah 84321

272085 3-3

MAIL TAX NOTICES TO:
Marlene Hamilton
15405 North Hwy 34
Thatcher, Idaho 83283

ALSO: Commencing 80 rods North of the Southwest corner of said Section 18, and running thence East 160 rods; thence North 9 rods; thence West 160 rods; thence South 9 rods to the point of beginning.

RESERVING THEREFROM unto William G. Condie an undivided one-half interest in an existing flume, as recorded in Book 52 of Deeds, page 327.

ALSO EXCEPTING: Portion of land deeded for highway purposes in Book 53 of Deeds, page 183 and 395, recorded of Franklin County, Idaho.

TOGETHER WITH 2.0 c.f.s. water right, with a priority date of April 1, 1871, of the Waters of Spring Creek.

TOGETHER WITH any and all mineral and oil rights, in, on, or upon the above described premises.

Subject to Easements and Restrictions of Record.

SCANNED

8872

Dixon

Received at the request of
Steven Fuller

197175 1-2

10:15 a.m. SEP 30 1996 p.m.

V. ELLIOTT LARSEN, RECORDER
By Camille Larsen Deputy
FRANKLIN COUNTY, IDAHO

WARRANTY DEED

FOR VALUE RECEIVED

BEN ROY FORSGREN and JANET T. FORSGREN, husband and wife

do hereby grant, bargain, sell and convey unto

DIXON LEE HAMILTON and EVELYN MARLENE HAMILTON, husband and wife,

whose current address is: 4344 South Highway 23, Wellsville, Utah 84339, the Grantees, the following described premises in Franklin County, Idaho to wit:

SEE EXHIBIT "A" ATTACHED HERETO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: September 27, 1996

BEN ROY FORSGREN

Janet T. Forsgren
JANET T. FORSGREN

STATE OF IDAHO)
)
County of Franklin)

On this 27th day of September, 1996, before me, the undersigned a Notary Public in and for said State, personally appeared **BEN ROY FORSGREN and JANET T. FORSGREN**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

STEVEN R. FULLER NOTARY PUBLIC STATE OF IDAHO

Steven R. Fuller
NOTARY PUBLIC for State of Idaho
Residing at: Franklin, County
Comm. Exp.: 2/19/99

SCANNED
AUG 31 2023

197175 2-2

EXHIBIT A

Township 12 South, Range 40 East of the Boise Meridian
Section 13: S½SE¼, SE¼SW¼, ALSO, Commencing 80 rods North of the Southeast corner of Section 13, and running thence West 160 rods; thence North 9 rods; thence East 160 rods; thence South 9 rods to the point of beginning.
ALSO, Beginning at a point located at the Southeast corner of the N½SW¼ of Section 13, and running thence North 691 feet, more or less, to the South bank of Warm Creek; thence in a Westerly direction along the South bank of Warm Creek approximately 146 feet to the East bank of the Bear River; thence in a Southwesterly direction along the East bank of the Bear River to a point where the South line of the N½SW¼ intersects the East bank of the Bear River; thence East 483 feet, more or less, to the point of beginning.
EXCEPTING THEREFROM, all that portion of land owned by the Grantors lying West of the Bear River in the S½SW¼ of Section 13 and more particularly described as follows:
Beginning at the Northeast corner of the SW¼SW¼ and running thence East 519 feet, more or less, to the West Bank of the Bear River, thence in a Southwesterly direction along the West bank of the Bear River to a point approximately 540 feet South of the point of beginning, thence North 640 feet, more or less to the point of beginning.

Township 12 South, Range 41 East of the Boise Meridian
Section 18: All that portion of the following described property lying West of Highway No. 34 as set forth in Highway Right of Way Deed recorded July 19, 1965, in Book 53 of Deeds, pages 183 and 395:
LOT 4, and SE¼SW¼, ALSO, Commencing 80 rods North of the Southwest corner of said Section 18, and running thence East 160 rods; thence North 9 rods; thence West 160 rods; thence South 9 rods to the point of beginning.
RESERVING THEREFROM unto William G. Condie an undivided one-half interest in an existing flume, as recorded in Book 52 of Deeds, page 327.
ALSO EXCEPTING: Portion of land deeded for highway purposes in Book 53 of Deeds, page 183 and 395, records of Franklin County, Idaho.

TOGETHER WITH 2.0 c.f.s. water right, with a priority date of April 1, 1871, of the Waters of Spring Creek.

TOGETHER WITH any and all mineral and oil rights, in, on, or upon the above described premises.

Subject to Easements and Restrictions of Record.

PR14505

6 - My property / No mention of water

216740 1-2

Recorded at the request of
FIRST AMERICAN TITLE

___a.m. APR 01 2002 3:25 p.m.

V. ELLIOTT LARSEN, RECORDER
By Shawna Geddes Deputy
FRANKLIN COUNTY, IDAHO

QUITCLAIM DEED

ORDER NO.:

FOR VALUE RECEIVED, Wendell Forsgren and Donna C. Forsgren, husband and wife

Do(es) hereby convey, release, remise and forever quit claim unto

Ben Forsgren and Janet Forsgren, husband and wife

whose current address is::

HC 67 Box 300, Stanley, ID 83278

the following described premises:

See Exhibit "A"

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

March 14, 2002

Wendell Forsgren
Wendell Forsgren

Donna C Forsgren
Donna C. Forsgren

State of Arizona }
}ss
County of Yuma }

On this 15th day of March, 2002, before me, a Notary Public in and for said state, personally appeared Wendell Forsgren and Donna C. Forsgren known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument and acknowledged to me that they executed 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.

OFFICIAL SEAL
MONICA L. OLAIZ
Notary Public - State of Arizona
YUMA COUNTY
My Comm. Expires MAR 21, 2004

Monica L. Olaiz
Notary Public for the State of ~~Idaho~~ Arizona
Residing at: Yuma
Commission Expires: March 21, 2004

SCANNED

216740 2-2

Township 12 South, Range 41 East of the Boise Meridian

Section 18: All that portion of the following described property lying East of Highway No. 34 as set forth in Highway Right of Way Deed recorded July 19, 1965, in Book 53 of Deeds, pages 183 and 395: LOT 4, and SE¼SW¼, ALSO, Commencing 80 rods North of the Southwest corner of said Section 18, and running thence East 160 rods; thence North 9 rods; thence West 160 rods; thence South 9 rods to THE POINT OF BEGINNING.

ALSO EXCEPTING: Portion of land deeded for highway purposes in Book 53 of Deeds, page 183 and 395, records of Franklin County, Idaho.

Subject to Easements and Restrictions of Record.

SCANNED

AUG 31 2023

5

Commencing at a point 897 feet North and 473 feet West of the Southeast corner of said Section 15, Township 15 South, Range 38 East of Boise Meridian, and running thence East 120 feet; thence South 130 feet, more or less, to the North side of the County Road; thence following along the North side of said Road to a point due South of the place of beginning; thence North 182 feet, more or less, to the place of beginning;

Less, also, any land taken for roads.

($ 3.30 U.S.I.R. Stamps duly affixed and cancelled).

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversions and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party or the second part, and to his heirs and assigns forever. And the said party of the first part, and her heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and her heirs, and against all and every person and person whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF Lucetta B. Archibald (SEAL)

P. M. Condie

STATE OF IDAHO,

County of Franklin--ss.

On this 22nd day of December, in the year 1962 before me P. M. Condie, a Notary Public in and for said State, personally appeared Lucetta B. Archibald, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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)

P. M. Condie

Notary Public, Residing at Preston, Idaho

STATE OF IDAHO,

County of Franklin--ss

Recorded at the request of Elmer R. Perry at 2:45 P.M., January 2, 1963.

Fee, $ 2.10

C. L. Swenson: Ex-Officio Recorder

By Carol P. Davis Deputy

- - - Compared - - -

Inst. No. 111360 $156.29

WARRANTY DEED
(IDAHO)

KNOW ALL MEN BY THESE PRESENTS, THAT CLYDE J. CONDIE and BERNICE CONDIE, his wife, of the County of Franklin, State of Idaho, parties of the first part, for and in consideration of the sum of TWENTY-NINE THOUSAND FIVE HUNDRED AND NO/100 Dollars ($29,500.00), in lawful money of the United States of America, and other valuable consideration, to them in hand paid by Wendell Forsgren and Donna C. Forsgren, his wife, hereinafter called party of the second part, do hereby GRANT, BARGAIN, SELL and CONVEY unto the party of the second part, as a community property estate, and to the heirs and assigns of the second party, all of the following-described property situate, lying and being in the County of Franklin, State of Idaho, to wit:

The Southeast Quarter of the Southwest Quarter and the South Half of the Southeast Quarter of Section 13, Township 12 South, Range 40 East of the Boise Meridian. ALSO, Lot 4, and the Southeast Quarter of the Southwest Quarter of Section 18, Township 12 South, Range 41 East of the Boise Meridian. ALSO, commencing 80 rods North of the Southwest corner of Section 18, and running thence East 160 rods, thence North 9 rods, thence West 320 rods, thence South 9 rods, thence East 160 rods to the place of commencement, being in Section 18, Township 12 South, Range 41 East of the Boise Meridian, and in Section 13, Township 12 South, Range 40 East of the Boise Meridian. RESERVING, HOWEVER, unto William G. Condie C.J.C. B.C. an undivided one-half interest in an existing easement for a ditch and flume, the latter to be replaced by a pipeline, across a portion of the above property, which carries and will continue to carry appurtenant water for the irrigation of the above land and appurtenant water for other land owned by William G. Condie C.J.C. B.C. it being understood and agreed between the parties hereto that all expenses of operation, maintenance and replacement of said ditch, flume and pipeline shall be shared equally by William G. Condie C.J.C. B.C. and the Second Parties, their respective heirs, successors and assigns.

*****

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including but not limited to rights to 2.76 c.f.s., with a priority of April 1, 1871, of the waters of Spring Creek. C.J.C. B.C. Subject to exceptions and reservations contained in patents from the United States.

SCANNED
AUG 31 2023

ject to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

($32.45 U.S.I.R. Stamps duly affixed and cancelled).

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all improvements, water and water rights appurtenant thereto or reasonably necessary to the use of the real property, and the rents, issues and profits thereof.

To Have and to Hold the said premises together with the appurtenances thereto unto the party of the second part, as community property, and to the heirs and assigns of the second party forever.

The parties of the first part, for themselves, and for their heirs, executors and administrators, do hereby covenant to and with the party of the second part, and with the heirs and assigns of second party, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, and that they will and their heirs, executors and administrators shall warrant and forever defend the title thereto against all lawful claims and demands whatsoever.

In Witness Whereof, the said parties of the first part have hereunto set their hand(s) and seal(s) this 3rd day of January, 1963.

Witnesses:

Clyde J Condie (Husband) (seal)
Clyde J. Condie
Bernice Condie (wife) (seal)
Bernice Condie

ACKNOWLEDGMENT

State of IDAHO)
County of Franklin) ss:

On this 3rd bay of January, 1963, before me, a Notary Public in and for said County and State, personally appeared CLYDE J. CONDIE and BERNICE CONDIE, his wife, to me known to be the identical individual (s) described in and who executed the within and foregoing instrument and whose name(s) are subscribed thereto, and acknowledged to me that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and official seal the day and year last above mentioned.

(SEAL)
(seal)

Ted B. Larsen
Notary Public in and for the State of Idaho
Residing at Preston, Idaho
My commission expires: May 12, 1966

Recorded in County, Idaho, on , in Book at Page

STATE OF IDAHO
County of Franklin--ss

Recorded at the request of J. N. Larsen Co. at 4:15 P. M., January 3, 1963.

C. L. Swenson: Ex-Officio Recorder
By Asael P. Davis Deputy

Fee: $2.40

- - -Compared- - -

Inst. No. 111361

WARRANTY DEED

THIS INDENTURE, made this 1st day of May, 1956, between Michael Guy Stenberg and Nellie Stenberg his wife of Preston, County of Franklin, State of Idaho the parties of the first part and Lloyd Balls and Arlene Balls his wife of Preston, County of Franklin, State of Idaho, the parties of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Six Thousand three hundred dollars ($6,300.00)Dollars lawful money of the United States of America, to them in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and by these presents, do grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their heirs and assigns, forever, all the following described real estate, situated in Preston, County of Franklin, State of Idaho,. to-wit:

Lots 1,26,27, and 28 in Block 2, in Oneida Park Addition, in Preston, Idaho

($7.15 U.S.I.R Stamps duly affixed and cancelled).

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

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

SCANNED
AUG 31 2023

4

1947

STATE OF IDAHO,
County of Franklin--ss.

On this 10th day of March, in the year 1948, before me, P. M. Condie, Notary Public in and for said State, personally appeared Christena O. Erickson known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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)

P. M. Condie
Notary Public in and for the State of Idaho,
residing at Preston, Franklin County therein.

STATE OF IDAHO,
County of Franklin--ss.

I hereby certify that this instrument was filed for record at the request of Lovenia C. Peterson at 2:10 P. M. December 15th, 1950.

C. L. Swenson: Ex-Officio Recorder

Fee $1.50

By [signature] Deputy

---Compared---

Inst. No. 86594

WARRANTY DEED

THIS INDENTURE, Made this tenth day of November, in the year of our Lord One Thousand Nine Hundred and forty-seven, between Mary E. Bennett, a widow, of Thatcher, County of Franklin, State of Idaho, the party of the first part, and Clyde J. Condie, of Thatcher, County of Franklin, State of Idaho, the party of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Thirteen thousand no/1000 Dollars, lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to his heirs and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Franklin, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast quarter of Southwest quarter, and South half of Southeast quarter of Section 13, Township 12 South, Range 40 East of Boise Meridian; and Lot 4 and the Southeast quarter of Southwest quarter of Section 18, Township 12 South, Range 41 East of Boise Meridian.

Also: Commencing 80 rods North of the Southwest corner of Section 18, running thence East 160 rods; thence North 9 rods; thence West 320 rods; thence South 9 rods; thence East 160 rods to the place of commencement, being in Section 18, Township 12 South, Range 41 East of Boise Meridian, and in Section 13, Township 12 South, Range 40 East of Boise Meridian.

Also: Commencing at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 19, Township 12 South, Range 41 East of Boise Meridian, and running thence East 60 rods; thence South 26-2/3 rods; thence West 60 rods; thence North 26-2/3 rods to the place of beginning.

Together with all water rights, and rights in ditches, canals and laterals, and rights of way therefor, appurtenant to said premises or used in connection therewith, including, but not limited to, the following:

All rights to waters of Warm Creek or Clear Creek, and Bridge Creek or Williams Creek, decreed to above lands by Court Decree dated July 14, 1920, and entered September 16, 1920, in Book 41 of Deeds at page 191, records of Bannock County, Idaho.

SCANNED
AUG 31 2023

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part and to his heirs and assigns forever. And the said party of the first part, and her heirs the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said party of the first part, and her heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

Signed, Sealed and Delivered in the Presence of Mary E. Bennett (SEAL)

($14.30 U.S.I.R. Stamps affixed and duly cancelled)

STATE OF CALIFORNIA,

County of Fresno--ss.

On this 17th day of November in the year 1947, before me, H. A. Thomsen a Notary Public in and for said County and State, personally appeared Mary E. Bennett, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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)

H. A. Thomsen
Notary Public.

Residence: Fresno, California
My Commission Expires 2-6-51

STATE OF IDAHO,

County of Franklin--ss.

I hereby certify that this instrument was filed for record at the request of J. N. Larsen at 10:40 A. M. , December 16, 1950.

C. L. Swenson: Ex-Officio Recorder

Fee $2.00

By [signature] Deputy

---Compared---

Inst. No. 86595

WARRANTY DEED

THIS INDENTURE, Made this 15th day of December in the year of our Lord one thousand nine hundred and Fifty between Clyde J. Condie and his wife, Bernice Condie of Preston County of Franklin State of Idaho the parties of the first part, and A. E. Bennett and his wife, Hannah Bennett, Joint tenants by entirety with full rights vested in the survivor and not as tenants in common. of Preston County of Franklin State of Idaho the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Dollar and other valuable considerations lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following desrribed real estate, situated in the County of Franklin, State of Idaho, to-wit:

Commencing at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 19, Township 12 South, Range 41 East of the Boise Meridian, and running thence East 60 rods more or less; thence South 26 2/3 rods; thence West 60 rods; thence North 26 2/3

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INSTRUMENT NO. 165180

DATE OF FILING:	TITLE OF CASE:	WHEN ATTACHED:	AMOUNT ATTACHED FOR:
Feb 6 1933 10 39 AM	J. B. Blackhurst, Plaintiff vs. H. B. Johnson and Thomas Panter, Defendants.	February 6th, 1933	$30.00 and costs, unless defendent shall give security by an undertaking of two sureties in an amount sufficient to satisfy said demand, besides costs.

DESCRIPTION OF PROPERTY:

W½ NE¼. N½ SE¼ Section Twenty-seven (27) Township Twelve (12) South, Range Forty (40).

Recorded Feb 6 1933 10 39 AM in Book 2 of Attach. page 160, records of Bannock County, State of Idaho, at request of M. J. Rossiter. Grace L. Hall, Recorder. Anna Keefe, Deputy. Fee $.50
Released 10/22/38 Book 10 Miscl P-536
Transcribed from Book 2 of Notice of Attachment, page 160, Records of Bannock County, Idaho.

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INSTRUMENT NO. 137076 DECLARATION OF HOMESTEAD

KNOW ALL MEN BY THESE PRESENTS: That I, Mary E. Bennett, of Thatcher, Bannock County, Idaho, the undersigned, do hereby declare that I am the widow of J. L. Bennett, deceased and the head of a family consisting of myself and eight minor children; that I do now, at the time of making this declaration actually reside on the premises hereinafter described; that the premises on which I reside are described as follows, to-wit:-

The Southeast quarter of the southwest quarter (SE¼SW¼), South Half of the Southeast quarter (S½SE¼) Section thirteen (13) Township twelve (12) South Range forty (40) East of the Boise Meridian;

Lot four (4) of Section eighteen (18) Township twelve (12) South Range forty-one East of the Boise Meridian;

The Southeast quarter of the Southwest quarter (SE¼SW¼) of Section eighteen (18) Towhship twelve (12) South Range forty-one (41) East of the Boise Meridian, containing one hundred ninety nine and 64/100 acres; Together with all ditches canals and water and water rights used in conveying water, to, over or upon said land used for irrigation, domestic of culinary purposes;

Also commencing eight rods north of the southwest corner of Section eighteen, in township twelve (12) South of range forty (40) East of the Boise Meridian, and running thence east One Hundred sixty (160) rods; Thence north nine rods; thence West three hundred twenty rods; thence South nine rods; thence East one hundred sixty (160) rods; to the place of beginning;

Also commencing at the northwest corner of the northeast quarter of the northwest quarter of Section nineteen (19) in Township twelve (12) South of Range forty one (41) East of the Boise Meridian; and running thence east sixty (60) rods;thence south twenty-six and 2/3 (26 2/3) rods; thence west sixty (60) rods; thence North twenty-six and two-thirds (26 2/3 rods, to the place of beginning, together with all water, water gights ditches, aqueducts used in conveying water to over or upon said land for irrigation, domestic of culinary purposes:

Also commencing eighty (80) rods North of the Southwest corner of Section eighteen (18) in Township twelve (12) South, Range forty (40) East of the Boise Meridian, Idaho, and running thence East one hundred sixty (160) rods; thence North nine (9) rods; thence West three hundred twenty (320) rods; thence south nine (9) rods; thence East one hundred sixty (160) rods to the place of beginning:

Also commencing at the northwest corner of the northeast quarter of the Northwest quarter of section nineteen (19) in Township twelve (12) South Range forty-one (41) East of the Boise Meridian, and running thence East sixty (60) rods; thence South twenty-six

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and two-thirds rods; thence West sixty (60) rods; thence North Twenty-six and two-thirds rods; to the place of beginning;

Together with all ditch and water rights however evidenced, belong to or used on said lands; lying and being in the County of Bannock, State of Idaho.

That I do by these presents claim the premises above described together with the dwelling house and appurtenances thereon as a Homestead; that the actual cash value I estimated to be $5000.00

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 9th day of April 1928

Mary E. Bennett

STATE OF IDAHO)
COUNTY OF BANNOCK) ss. On this 9th day of Apri, in the year 1928, before me R. D. Merrill, a Notary Public in and for said County and State, personally appeared Mary E. Bennett, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she 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.

R. D. Merrill, Notary Public
Residing at Pocatello, Idaho.

(SEAL)

Recorded Apr 9, 1928 at 3:24 P. M. in Book 2 of Homesteads, page 289 Records of Bannock County, State of Idaho, at the request of Mary E. Bennett, Lillian Spongberg, Recorder, Fee $1.40
Anna Keefe, Deputy.

Transcribed from Book 2 of Homesteads, page 289 of the records of Bannock County, Idaho.

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INSTRUMENT NO. 152923

Know all men by these presents: That I, David J. Coombs, of Thatcher, in Bannock County, State of Idaho, do hereby declare that I am the head of a family; that I am married, and the name of my wife is Ivy L. Coombs; and that my family conststs of my said wife and five children.

That I am, at the time of making this declaration, actually residing on the premises hereinafter described, and that I claim said premises as a homestead.

The premises so claimed by me are the real property situate in the County of Bannock, State of Idaho, and described as follows, to-wit:

Commencing at a point 32 rods West of the southeast corner of the Southwest quarter (SW¼) of the Northeast quarter(NE¼) of Section one (1), in Township twelve (12), South, Range forty (40), East of the Boise Meridian in Idaho, and running thence West 48 rods, thence North 15 rods and 6 feet, thence East 48 rods, thence South 15 rods and 6 feet, to the place of beginning, according to the Government survey thereof; together with the dwelling house thereon and the appurtenances.

That I estimate the actual cash value of said premises to be the sum of $5,000.00.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 8 day of Sept., 1930.

David J. Coombs (SEAL)

STATE OF IDAHO)
COUNTY OF CARIBOU) ss. On this 8 day of Sept. 1930, before me, A. T. Smith, a Notary Public in and for said County and state, personally appeared David J. Coombs, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he 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.

A. T. Smith, Notary Public in and for Idaho, residing at Cleveland, Idaho.

(SEAL) My Commission Expires May 10, 1933.

Recorded Sep. 13, 1930 9 21 A M in Book 2 of Homesteads, page 334, Records of Bannock County, State of Idaho, at request of David J. Coombs. Lilliam Spongberg, Recorded Fee $1.00.

Transcribed from Book 2 of Homesteads, page 334 of the records of Bannock County, Idaho.

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INSTRUMENT NO. 168288 WARRANTY DEED

THIS INDENTURE, Made this 25 day of November, in the year of Our Lord One Thousand Nine hundred and Twenty Six, between J. L. Bennett of Cleveland, County of Bannock, State of Idaho, the party of the first part, and Mary E. Bennett, of Cleveland, County of Bannock, State of Idaho, the party of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar Love and affection .... Dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these paresents, Grant Bargain, Sell and Convey and Confirm unto the said party of the second part, and to her heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast quarter of the southwest quarter (SE¼SW¼) South half of the South East quarter (S½SE¼) Section Thirteen (13) Township Twelve (12) South of range forty E. BM. Lot Four (4) of Section Eighteen (18) Township Twelve (12) South range Forty One (41) E. B. M. Southeast Quarter of Southwest Quarter (SE¼SW¼) of Section Eighteen (18) Township Twelve (12) South range Forty One E. B. M. containing one hundred ninety nine and 64/100 acres. together with all ditches canals and water and water rights used in conveying water to over or upon said land used for irrigation, domestic or culinary purposes.

Also commencing Eighty rods north of the southwest corner of Section eighteen, in township twelve south of range forty E. BM. and running thence East One Hundred Sixty Rods; thence north nine rods; thence west three hundred twenty rods; thence south 9 rods, thence east one hundred sixty rods; to the place of beginning.

Also commencing at the northwest corner of the northeast quarter of the northwest quarter of Section nineteen (19) in township twelve (12) South of Range Forty One (41) E. B. M. and running thence east sixty (60) rods; thence south twenty six and 2/3 26.2/3 rods; thence west sixty (60) rods; thence north twenty six and two thirds (26 2/3) rods; to the place of beginning, together with all water, water rights ditches aqueducts used in conveying water to, over or upon said land for irrigation, domestic or culinary purposes.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part, and to her heirs and assigns forever. And the said party of the first part, and her heirs the said premises in the quiet and peaceable possession of the said party of the second part, her heirs and assigns against the said party of the first part, and her heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

Signed, Sealed and Delivered in the Presence of Harold Bennett, Mrs. Florence Smith — J. L. Bennett (SEAL)

STATE OF IDAHO)
COUNTY OF BANNOCK) ss. On this 25th day of November, in the year 1927, before me A. R. Dawson, a Notary Public in and for said County and State, personally appeared J. L. Bennett known to me to be the person whose name .... subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL) Commission expires Dec 1-1927

A. R. Dawson, Notary Public
Residence Grace, Idaho

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I hereby certify that this instrument was filed for record at the request of B T A Co. at 31 minutes past 3 o'clock P. M., this 30 day of Oct. A. D. 1933., in Book 67 of Deeds, at page 310. Grace L. Hall, Ex-Officio Recorder, By Anna Keefe, Deputy. Fee, $1.00

Transcribed from Book 67 of Deeds, page 310 of the records of Bannock County, State of Idaho.

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INSTRUMENT NO. 168308 WARRANTY DEED

THIS INDENTURE, Made the 1st day of September in the year of Our Lord One Thousand Nine Hundred and Thirty-one, between Lamoni Taylor, a widower of County of Bannock, State of Idaho, the party of the first part, and Harold Taylor and Glen Taylor of County of Bannock, State of Idaho, the parties of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One & no/100 Dollars, lawful money of the United States of America, to him in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said parties of the second part, and to their heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

All of my undivided one-third interest in and to SE¼ of SW¼, W½ of SE¼, NE¼ of SE¼ & SE¼ of NE¼ Sec. 27; SE¼ of NE¼ & NE¼ of SE¼ Sec. 33; N½ of NW¼, SW¼ of NW¼, NW¼ of NE¼, N½ of SW¼, N½ of SE¼, SE¼ SW¼ & S½ of SE¼ Section 34; S½ of NW¼ & all of S½ of Sec. 35 Tp. 12 S. R. 39 E. B. M. and N½ of NE¼ & SW¼ of NE¼ Sec. 3 Tp. 13 S. R. 39 E. B. M. Together with 47½ shares of stock in the Treasureton Irrigation Ditch Company, also, Together with all water, water rights, ditches and ditch rights thereto appertaining or used thereon in any manner.

The grantor herein reserving unto himself in and to a one-third interest in and to said premises, a life estate, being the use and enjoyment of said premises for and during the natural life of this grantor, and on his death, said life estate to terminate and said property and each and every part and parcel thereof and all interest therein to be and belong to the grantees herein.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said parties of the second part, and to their heirs and assigns forever. And the said party of the first part, and his heirs warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said party of the first part, and his heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend. subject to the life estate herein reserved.

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

Signed, Sealed and Delivered in the presence of Lamoni Taylor (SEAL)

STATE OF IDAHO)
COUNTY OF BANNOCK) ss. On this 1st day of September, in the year 1931, before me, Orval M. Fox a Notary Public in and for said State and State, personally appeared Lamoni Taylor, a widower known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

Orval M. Fox, Notary Public
Residence Pocatello, Idaho.
(SEAL)

I hereby certify that this instrument was filed for record at the request of B T A Co. at 07 minutes past 3 o'clock P. M., this 1 day of Nov. A. D. 1933, in Book 67 of Deeds, at page 314. Grace L. Hall, Ex-Officio Recorder By Annd Keefe, Deputy. Fee, $1.00
Transcribed from Book 67 of Deeds, page 314 of the records of Bannock County, State of Idaho.

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to me that he executed the same.

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

A. T. Smith, Notary Public
Residence Cleveland

(SEAL) Comm Ex May 7, 1928.

I hereby certify that this instrument was filed for record at the request of Bannock Co at 05 minutes past 12 o'clock P. M., this 16 day of Feby, A. D. 1928, in Book 57 of Deeds, at page 412 Lillian Spongberg, Ex-Officio Recorder, By Anna Keefe, Deputy. Fee, ~~$~~ No. fee

Transcribed from Book 57 of Deeds, page 412 of the Records of Bannock County, State of Idaho.

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INSTRUMENT NO. 136047 WARRANTY DEED

THIS INDENTURE, Made this 25 day of November in the year of our Lord One Thousand Nine Hundred and Twenty six, between J. L. Bennett, of Cleveland, County of Bannock, State of Idaho, the party of the first part, and Mary E. Bennett, of Cleveland, County of Bannock, State of Idaho, the party of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar Love and affection Dollars, lawful money of the United States of America, to his in hand paid by the said party of the second part, receipt whereof is hereby acknowledged does by these presents, Grant Bargain, Sell and Convey and Confirm unto the said party of the second part and to her heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast quarter of the southwest quarter (SE¼SW¼) South half of the South East quarter (S½SE¼) Section Thirteen (13) Township Twelve (12) South of range forty E. B. M.

Lot Four (4) of Section Eighteen (18) Township Twelve (12) South range Forty one (41) E. B. M.

Southeast quarter of Southwest quarter (SE¼SW¼) of Section Eighteen (18) Township Twelve (12) South range Forty One E. B. M. containing one hundred ninety nine and 64/100 acres. Together with all ditchs canals and water and water rights used in conveying water to over or upon said land used for irrigation, domestice or culinary purposes.

Also commencing Eight rods north of the southwest corner of section eighteen, in Township twelve south of range forty E. B. M. and running thense east One Hundred Sixty Rods; thense North nine rods; thense west three hundred twenty rods; thense south 9 rods, thense east one hundred sixty rods; to the place of beginning.

Also commencing at the northwest corner of the northeast quarter of the northwest quarter of section nineteen (19) in township twelve (12) south of Range Forty One (41) E. B. M. and running thense east sixty (60) rods; thense south twenty six and 2/3 (26.2/3) rods; thense west sixty rods; thense north twenty six and two thirds (26 2/3) rods; to the place of beginning, together with all water, water rights ditches aqueducts used in conveying water to, over or upon said land for irrigation, domestic or culinary purpose.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part, and to her ----- and assigns forever. And the said party of the first part, and her heirs the said premises in the quiet and peaceable possession of the said party of the second part, her heirs and assigns against the said party of the first part, and her heirs and against all and every persons or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and forever defend.

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

J. L. Bennett (SEAL)

Signed, Sealed and Delivered in the Presence of
Harold Bennett, Mrs. Florence Smith

STATE OF IDAHO)
COUNTY OF BANNOCK) ss. On this 25th day of November, in the year 1927, before me A. R. Dawson, a Notary Public in and for said County and State, personally appeared J. L. Bennett, known to me to be the person whose name .... subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL) Commission expires Dec 1-1927

A. R. Dawson, Notary Public
Residence Grace, Idaho.

I hereby certify that this instrument was filed for record at the request of A. R. Dawson at 49 minutes past 1 o'clock P. M., this 27 day of Feb., A. D. 1928, in Book 57 of Deeds page 428 Lillian Spongberg, Ex-Officio Recorder By ..... Deputy. Fee, $1.20

Transcribed from Book 57 of Deeds, page 428 of the records of Bannock County, State of Idaho.

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INSTRUMENT NO. 136776 WARRANTY DEED

THIS INDENTURE, Made this 13th day of January in the year of our Lord One Thousand Nine Hundred and Twenty eight, between J. A. Carver and LaVerne O. Carver, husband and wife since April 8, 1924. of Preston, County of Franklin, State of Idaho, the parties of the first part, and J. Harold Johnson, of Preston, County of Franklin, State of Idaho, the party of the second part:

WITNESSETH: That the said party of the first part for and in consideration of the sum of $1.00, One dollar and other valuable consideration .... Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said party of the second part, and to his heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock and Franklin, State of Idaho, bounded and more particularly described as follows, to-wit:

Lots one and two and the south half of the Northeast quarter Section Four, Township fourteen South, Range thirty nine, East of the Boise Meridian in Idaho.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the rents, issues and profits thereof.

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

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

J. A. Carver (SEAL)
LaVerne O. Carver (SEAL)

Signed, Sealed and Delivered in the Presence of
E. B. Anderson

STATE OF IDAHO)
COUNTY OF FRANKLIN) ss. On this 16th day of January, in the year 1928, before me, Eber M. Wilson, a Notary Public in and for said County and State, personally appeared J. A. Carver LaVerne O. Carver, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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J. L. Bennett
married
Mary E. Bennett

teen South, Range Thirty-eight East of Boise Meridian, running thence east Seventy rods, thence South Twenty-two rods, thence east Twenty-seven and one quarter rods, thence North Sixty and one half rods, thence West Eighty and one quarter rods more or less to the east side of the county road, thence Southwesterly along the east side of the county road to the place of beginning.

This deed is made for the purpose of correcting descriptions and rectifying boundaries.

Dated this 17th day of Nov. 1920.

L. J. Petty,

Rose Petty.

STATE OF IDAHO,)
County of Bannock.) SS On this 17th day of Nov. 1920, before me, a notary public in and for the county and state aforesaid, personally appeared Lewis J. Petty and Rose Petty, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Given under my hand and official seal the day and year first above written.

(Notarial Seal) My commission expires March 19th, 1921. Adelbert Henderson, Notary Public.

Filed for record at the request of Turner Trust Company, at 34 minutes past 1 o'clock P. M. this 3 day of February, 1921, and recorded in Book 41 of Deeds, page 535, Records of Bannock County, State of Idaho. R. C. Earley, Recorder. Fee $.60. By Lillian Spongberg, Deputy.

Transcribed from Book 41 of Deeds, Page 536, Records of Bannock County, Idaho.

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Warranty Deed

INSTRUMENT NO. 81873.

THIS INDENTURE, Made this third day of January, in the year of our Lord one thousand nine hundred and twenty-one BETWEEN Hyrum J. Bennett and Sarah A. Bennett, his wife, of Hyde Park, County of Cache State of Utah, the parts of the first part, and J. L. Bennett, of Cleveland, County of Bannock, State of Idaho, the party of the second part,

WITNESSETH: That the said parts of the first part, for and in consideration of the sum of Four-thousand no/100 Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate situated in County of Bannock, State of Idaho, to-wit:

South East quarter of the Southwest quarter, & the South half of the south east quarter of Sec. thirteen, in township twelve south of range Forty east, & the lot numbered four of Sec. Eighteen, in township twelve south, of range forty-one east of Boise Meridian, in Idaho State, containing one hundred & fifty-nine acres, & sixty-four hundreths of an acre.

$4.00 I. R. S. Attached and duly cancelled.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part:

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

IN WITNESS WHEREOF, The said parties of the first part has hereunto set their hands and

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seal_ the day and year first above written.

Hyrum J. Bennett (Seal)

Signed, Sealed and Delivered in the presence of
Sylvia Cutler Sylvia Cutler

Sarah A. Bennett (Seal)

STATE OF UTAH)
County of Cache) SS On this 5th day of January, in the year 1921, before me, Sylvia Cutler a Notary Public in and for said County, personally appeared Hyrum J. Bennett and Sarah A. Bennett, known to me to be the persons whose names are 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.

Sylvia Cutler,
(Notarial Seal) My commission expires Jan. 23, 1922. Notary Public.

I hereby certify that this instrument was filed for record at request of J. L. Bennett, Grace, Idaho, at 31 minutes past 10 o'clock A.M., this 4 day of February, A.D. 1921, in my office and duly recorded in Book 41 of Deeds, at page 536.
R. C. Earley, Ex-Officio Recorder. Fee $1.20. By Lillian Spongberg, Deputy.

Transcribed from Book 41 of Deeds, Page 536, Records of Bannock County, Idaho.

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INSTRUMENT NO. 91383. QUITCLAIM DEED.

THIS INDENTURE, Made this 10th day of March in the year of our Lord one thousand nine hundred and twenty-two between Moroni Ericksen and Tonie Ericksen, Husband and Wife, of Swan Lake, County of Bannock, State of Idaho, the parties of the first part, and Idaho State Life Insurance Company, an Idaho Corporation, of Boise County of Ada, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE HUNDRED & NO/100 DOLLARS legal tender of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to its successors and assigns, all those certain lots, pieces or parcels of land, situate, lying and being in County of Bannock, State of Idaho, bounded and particularly described as follows, to wit:

The East Half of the Southeast Quarter (E½ SE¼), of Section Twenty-seven (27), Township Twelve (12) South, Range Thirty-nine (39) East of the Boise Meridian, Idaho, containing Eighty (80) Acres, more or less, according to government survey.

$.50 I. R. S. attached and duly cancelled.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the party of the second part, and to its successors and assigns forever.

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

Moroni Ericksen (Seal)

Signed, Sealed and Delivered in the Presence of
A. D. Ericksen

Tonie Ericksen (Seal)

STATE OF IDAHO,)
County of Bonneville.) SS. On this 27 day of March in the year 1922, before me A. D. Erickson a Notary Public in and for said State, personally appeared Moroni Ericksen and Tonie Ericksen, Husband and Wife, known to me to be the persons whose names are 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.

A. D. Ericksen

SCANNED
AUG 31 2023

seals the day and year first above written.

Signed, sealed and delivered in the presence of ---------

E. Floyd Tams (SEAL)
Elizabeth Tams (SEAL)

State of Idaho,)
Cassia County.) ss. On this 7th day of December, 1921, before me Harry Winterburn a Notary Public for the State of Idaho, personally appeared E. Floyd Tams and Elizabeth Tams, his wife, known to me to be the persons whose names are 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.

Harry Winterburn, Notary Public for the State of Idaho, Residing at Burley therein.

(Notarial Seal) My Commission expires June 19th, 1922.

Filed for Record at the Request of E. F. Tams at 01 minutes past 11 o'clock a.m., this 8 day of Dec. 1921 and recorded in Book 44 of Deeds page 438. Records of Bannock County, State of Idaho. R. C. Earley, Recorder. Fee $1.20 By Lillian Spongberg, Deputy.

Transcribed from Book 44 of Deeds, Page 438, records of Bannock County, Idaho.

****

INSTRUMENT NO. 88672

Warranty Deed

THIS INDENTURE, Made the Ninth day of December in the year of our Lord One Thousand Nine Hundred and Twenty-one (1921), between H. J. Bennett (also known as Hyrum J. Bennett) and Sarah A. Bennett, his wife of Hyde Park, County of Cache, State of Utah, the parties of the first part, and J. L. Bennett (also known as J. Leslie Bennett) of Cleveland, County of Bannock, State of Idaho the party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of One and No/100ths ($1.00) Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, together with othergood and valuable considerations, do by these presents, Grant, Bargain Sell and Convey and Confirm unto the said party of the second part, and to his heirs and assigns forever: All that certain Water Right, more particularly described as follows, to-wit:

WHEREAS, the said H. J. Bennett (also known as Hyrum J. Bennett) was adjudicated and decreed 2.74 C.F.S. of the Waters of WARM OR CLEAR CREEK with date of priortity dating from April 1, 1872 for the irrigation of 137 acres of land in the West half of Section 18, Township 12 South, Range 41 East of the Boise Meridian and the Southeast quarter of Section 13, Township 12 South Range 40 E., B. M., AND

According to decree this should read Bridge Creek R 412 & 416

WHEREAS, the said H. J. Bennett (also known as Hyrum J. Bennett) was adjudicated and decreed 0.38 C. F. S. of the Waters of WARM OR CLEAR CREEK* with date of priority as of April 1, 1885 for the irrigation of 22 acres of land in the south half of the Southwest quarter of Section 18 and the Northeast quarter of the Northeast quarter of Section 19, Township 12 South, Range 41 East of the Boise Meridian;

All of which is more fully shown in Book "41" of DEEDS at Page 191 thereof, of the Records of Bannock County, State of Idaho, AND

WHEREAS, the said H. J. Bennet (also known as Hyrum J. Bennett) and Sarah A. Bennett, his wife, did on the 3rd day of January, 1921 transfer by Warranty Deed to one J. L. Bennett (also known as J. Leslie Bennett)

the Southeast quarter of of the Southwest quarter, and the South half of the Southeast quarter of Section 13, Township 12 South of Range 40 E., B.M. in Bannock County, Idaho, and Lot numbered 4 of Section 18, in Township 12 South of Range 41 E., B.M., in Bannock County, Idaho, containing One Hundred fifty-nine and 64/100ths (159.64) acres, according to the Government Survey, AND

WHEREAS, the said H. J. Bennett (also known as Hyrum J. Bennett) and Sarah A. Bennett,

SCANNED AUG 31 2023

his wife, did on the 9th day of November, 1921 transfer by Warranty Deed to the said J. L. Bennett (also known as J. Leslie Bennett)

the Southeast quarter of the Southwest quarter of Section 18, Township 12 South of Range 41 E., B.M., in Bannock County, Idaho, containing Forty (40) acres, according to the Government Survey, NOW

THEREFORE, in justification, and in acknowledgement of the fact that the lands so deeded to the said J. L. Bennett (also known as J. Leslie Bennett) by the said H. J. Bennett (also known as Hyrum J. Bennett) and Sarah A. Bennett, his wife, as hereinbefore described, have been continuously irrigated by the Waters decreed to it from the Waters of WARM OR CLEAR CREEK, the said parties of the first part herein have executed and acknowledged these presents for the intent and purpose to Grant, Bargain, Sell and Convey and Confirm unto the said party of the second part, and to his heirs and assigns forever: One (1) C.F.S. of the Waters of WARM OR CLEAR CREEK for the irrigation of the Southeast quarter of the Southwest quarter and the South half of the Southeast quarter of Section Thirteen, in Township twelve South of Range Forty East of the Boise Meridian and Lot numbered Four of Section Eighteen, in Township Twelve South, Range Forty-one E., B.M., and the Southeast quarter of the Southwest quarter of Section Eighteen, Township Twelve South of Range Forty-one, E. B. M. in Bannock County, Idaho, containing One hundred ninety-nine and 64/100ths (199.64) acres, according to the Government Survey, subject to the terms and conditions of the said Decree.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtanances and privileges thereunto incident, unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

Signed, Sealed and Delivered in the
Presence of Jos. W. Peterson — H. J. Bennett (SEAL)
Margaret Bingham — Sarah A. Bennett (SEAL)

STATE OF UTAH,)
County of Cache,) ss. On this 12 day of December in the year 1921, before me Jos. W. Peterson a Notary Public in and for said County and State, personally appeared H. J. Bennett (also known as Hyrum J. Bennett and Sarah A. Bennett, his wife, known to me to be the persons whose names are 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.

Jos W. Peterson, Notary Public
Residing at Smithfield, Utah.

(Notarial Seal) My Commission expires February 9, 1924.

$.50 I. R. S. attached and duly cancelled.

Filed for Record at the Request of R. R. Wilson at 11 minutes past 4 o'clock P.M., this 17 day of Dec. 1921 and recorded in Book 44 of Deeds page 459. Records of Bannock County, State of Idaho
R. C. Earley, Recorder. Fee $1.40 By Lillian Spongberg, Deputy.

Transcribed from Book 44, Page 459, records of Bannock County, Idaho.

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INSTRUMENT NO. 89242.

THIS INDENTURE, Made this 9th day of January in the year of our Lord one thousand nine

SCANNED
AUG 31 2023

MAP #1

Point of Diversion/spring Creek

Place of use



Legend

Irrigation selection

WaterRightNumber

- 13-824
- 13-830 .3 CFS Pg 93
- 13-835 .15 CFS Pg 94

SB 14 more

N
W E
S

0 0.125 0.25 0.5 Miles

SCANNED
AUG 21 2023

IDAHO DEPARTMENT OF WATER RESOURCES **3/21/2023**
Proof Report

Water Right 13-808 (After Split)

Owner Type	**Name and Address**
Current Owner	H J BENNETT
	, ZZ

Priority Date: 4/1/1872
Basis: Decreed
Status: Active

Source	**Tributary**
SPRING CREEK	BEAR RIVER

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	04/20	09/30	1.900 CFS	
	Total Diversion		1.900 CFS	

Source and Point(s) of Diversion:

SPRING CREEK	SENW	Sec. 18, Twp 12S, Rge 41E, FRANKLIN County
SPRING CREEK	SWNE	Sec. 18, Twp 12S, Rge 41E, FRANKLIN County

Place Of Use:
IRRIGATION within FRANKLIN County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	40E	13															X	X	0.0
12S	41E	18											X L4	X					0.0

Right Acre Limit: 95.20
POU Total Acres: 0.0

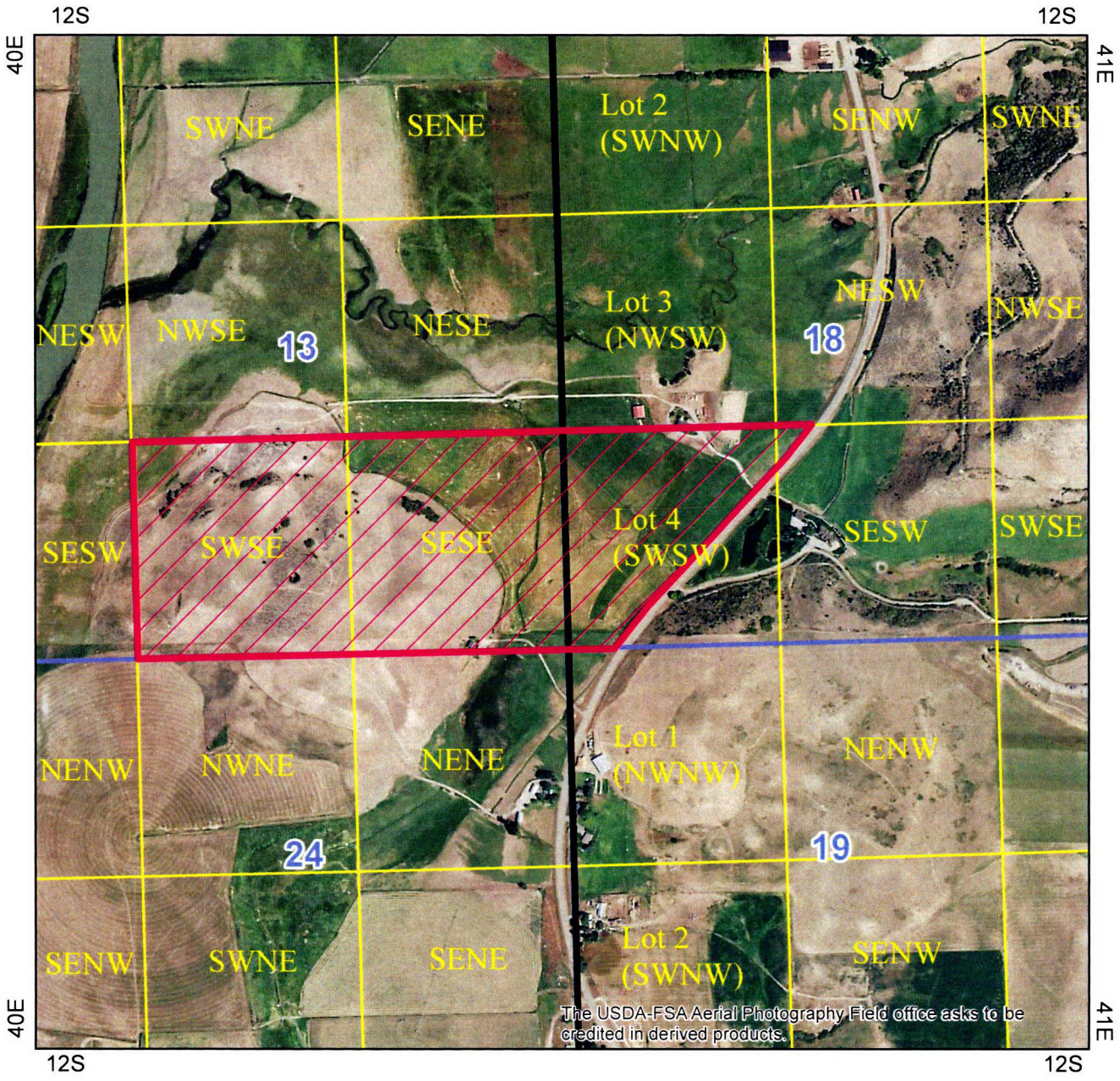
Conditions of Approval:

1.		P/D DITCH "C" LEGAL NEAR CENTER SEC. 18, T. 12S, R. 41E. USGS MAP SOURCE NAME SPRING CREEK.
2.	X27	This right is limited to the irrigation of 95.2 acres within the authorized place of use in a single irrigation season.
3.	X35	Rights 13-808, 13-830 and 13-835 when combined shall not exceed the irrigation of 110.5 acres.

SCANNED
MAR 2 2 2023

State of Idaho
Department of Water Resources

Water Right 13-808



Water Right POU
Townships
PLS Sections
Quarter Quarters

0 750 1,500 3,000 Feet

N

IDAHO DEPARTMENT OF WATER RESOURCES **3/21/2023**
Proof Report

Water Right 13-808 (Before Split)

Owner Type	**Name and Address**
Current Owner	H J BENNETT
	, ZZ

Priority Date: 4/1/1872
Basis: Decreed
Status: Active

Source	**Tributary**
SPRING CREEK	BEAR RIVER

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	4/20	9/30	2.740 CFS	
	Total Diversion		2.740 CFS	

Source and Point(s) of Diversion:

SPRING CREEK	SENW	Sec. 18, Twp 12S, Rge 41E, FRANKLIN County
SPRING CREEK	SWNE	Sec. 18, Twp 12S, Rge 41E, FRANKLIN County

Place of Use:
IRRIGATION within FRANKLIN County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	41E	13													X	X	X	X	0.0
12S	41E	18					X	X	X	X	X	X	X	X					0.0

POU Total Acres: 0.0

Conditions of Approval:

1. P/D DITCH "C" LEGAL NEAR CENTER SEC. 18, T. 12S, R. 41E. P/U AC. IRR. = 137. USGS MAP SOURCE NAME SPRING CREEK.

SCANNED
MAR 30 2023

Form 42-248/42-1409(6) Rev. 6/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 20 2023
Department of Water Resources
Eastern Region

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions. DB ✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 13-808	Yes ■	Yes ☐		Yes ☐	Yes ☐
⌐¬	Yes ☐	Yes ☐		Yes ☐	Yes ☐
13-808 13-8130	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Hyrum J. Bennett
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Post Hollow, LLC
   New owner(s) as listed on the conveyance document Name connector ☐ **and** ☐ **or**

   6768 E Post Hollow Rd — Mailing address
   Thatcher — City
   ID — State
   83283 — Zip
   208-851-2781 — Telephone
   Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ■ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: September 15, 2004.

6. Do you own the land identified as the water right place of use? Yes ■ No ☐
   - If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ■ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ■ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ■ Filing fee (see instructions for further explanation):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.

     SUPPORT DATA IN FILE # 13-808
   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: _____ (Signature of new owner/claimant) _____ (Title, if applicable) 3-20-23 (Date)
   Steven W Reeder (Print name)

   Signature: _____ (Signature of new owner/claimant) _____ (Title, if applicable) _____ (Date)
   Steven W Reeder (Print name)

For IDWR Office Use Only: $100.- for this app

Receipted by JB Date 3/20/2023 Receipt No. E0489946 Receipt Amt. $450.-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by JC Processed by JC Date 3/22/2023

MAR 22 2023

Date of Priority	Amount in Second Feet	Point of Diversion and Place of Use
		the Northeast quarter of Section 13, and the South half of the Southeast quarter of Section 12, Township 12 South, Range 40 East.
11-0741 385. *Leslie Wright*: 1872—April 1	2.2 c.f.s.	For the irrigation of 110 acres in the Northwest quarter of the Southwest quarter and the Southwest quarter of the Northwest quarter of Section 7, Township 12 South, Range 41 East, B.M., and the Northeast quarter of the Southeast quarter of Section 12, Township 12 South, Range 40 East.
742 386. *Thomas J. Panter*: 1872—April 1	0.2 c.f.s.	For the irrigation of 10 acres in the South half of the Southeast quarter and the South half of the Southwest quarter of Section 7, Township 12 South, Range 41 East.

Ditch "B," diverts on the North bank of said Warm or Clear Creek, near the center of Section 18, Township 12 South, Range 41 East, B.M. The following parties are entitled to divert through said Ditch "B," with priorities, and in the amounts hereinbelow set forth:

743 387. *J. P. Anderson*: 1872—April 1	0.2 c.f.s.	For the irrigation of 10 acres in the West half of the Northeast quarter and the East half of the Northwest quarter of Section 18, Township 12 South, Range 41 East.
744 388. *William W. Williams*: 1872—April 1	5.24 c.f.s.	For the irrigation of 274 acres in the West half of Section 18, Township 12 South, Range 41 East, and the East half of Section 13, Township 12 South, Range 40 East.
745 389. *Alpheus Anderson*: 1872—April 1	3.0 c.f.s.	For the irrigation of 150 acres in the West half of Section 18, Township 12 South, Range 41 East, and the East half of Section 13, Township 12 South, Range 40 East.

Ditch "C," diverts on the South bank of said Warm or Clear Creek, near the center of Section 18, Township 12 South, Range 41 East, B.M. The following named parties are entitled to divert through said Ditch "C," with priorities and in the amounts hereinbelow set forth:

746 390. *H. J. Bennett*: 1872—April 1	2.74 c.f.s.	For the irrigation of 137 acres in the West half of Section 18, Township 12 South, Range 41 East, and the Southeast quarter

MAR 22 2023

(1)

Water Location)
)
of) Gentile Valley Bingham Co, Idaho Ter. Sept 25" 1889
)
R. H. Williams et al)

Know all men by these presents that we R. H. Williams and J. H. Scheveldt have this day located and appropriated 300 hundred inches Miners Measurement of the waters of Warm Creek to flow through a ditch 6 feet wide on top, 3 feet on bottom 2 feet deep with a fall of 3 feet to one thousand. located on the north bank of said Warm Creek 1¼ miles from the mouth of said Creek. The said Creek to be diverted where this monument is set and notice posted.

Said water to be used on the North ½ of the S. E. Qr. of the N. W. Qr. and the north one half of lot No. 2 of Sec. 18 in Township 12 South of Range 41 East and the north ½ of the south ½ of North east quarter of Sec. 13 in Township 12 South of Range 40 east of Boise Meridian also S½ of the S. E. Qr. the S½ of N. W. qr. S½ Lot No. 2 of Sec. 18 in Township 12 South

of Range 41 East and the S½ of the S½ of the north east Qr. of Sec. 13 In. Township 12 south of Range 40 East of Boise Meridian In Gentile Valley Bingham Co. Idaho.

This is to certify that we the undersigned do upon our oths say that the above named water has been continuously used upon the above described land since the year 1872.

R. H. Williams
J. H. Bennett

Sworn to before me this 25" Day Sept, 1889 P.McMara Justice Peace Gentile Valley. (SEAL)
Recorded at the request of R. H. Williams Sept. 30" 1889 at 9 30 A.M. Geo. A. Robethan, Recorder.
Transcribed from Book C. of Water Locations Page 95 Records of Bingham County Idaho.
Transcribed from Book 1 of Water Locations, Page 332, records of Bannock County, Idaho.

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Water Location)
)
of) Gentile Valley Bingham Co, Idaho Ter. Sept. 25" 1889
)
R. H. Williams et al)

Notice is hereby given to all whom it may concern that we the undersigned locate and claim 575 inches of water taken out of Warm Creek left Bank Gentile, Valley, Idaho to be carried through a side ditch (or ditches) 3½ feet wide and 2 1/3 feet deep. 2 Inches fall to the rod, to be used for Agriculture and culinary purposes, covering the tracts of land belonging to R. H. Williams, H. J. Bennett and Ephriam Bennett. Said ditch be described as followed to-wit: Commencing about 1 1/8 miles above the mouth of said creek running in a south west direction to its destination. This ditch shall be known as the Williams and Bennett and Bennett Ditch located and claimed in the summer of 1872 and water used continually through ditch up to 1889 R. H.Williams, H. J. Bennett and Ephriam Bennett

R. H. Williams
H. J. Bennett
Eph. Bennett

Sworn to before me this 25" day of Sept. 1889 P. McNamara Justice Peace
Recorded at the request of R. H. Williams Sept. 30" 1889 at 9:30 A.M. Geo. A. Robethan, Recorder.
Transcribed from Book C of Water Locations Page 96 Records of Bingham County Idaho.
Transcribed from Book 1 of Water Locations, Page 333, records of Bannock County, Idaho.

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Water Location)
)
of)
)
A. B. Gray et al)

Notice is hereby given to whom it may concern that we the undersigned locate and claim 406

water location

MS 13-562

MAR 22 2023

inch of water taken out of Bridge Creek Gentile Valley Idaho to be carried through a ditch or flume 3½ feet wide and 1 1/3 feet deep with 1 1/3 inches fall to the rod. Said water to be used for agriculture and culinary purposes covering the tracts of land belonging to A. B. Gray and Joseph Perry said ditch being described as follows to-wit: Begining at 2 5/8 miles above the mouth of said Creek on left bank running in a south west direction to its place of destination. This ditch shall be known as the A. B. Gray and John Perry ditch located and claimed in the summer of 1880 and water used continually up to 1889.

A. B. Gray
John Perry

Gentile Valley Bingham County Idaho Section 30 Township 12 S. of range 41 East of Boise Meridian.
A. B. Gray, John Perry

Sworn to before me this 25" day of Sept. 1889 P. McNamara

Recorded at the request of of A. B. Gray Sept. 30" 1889 at 9 30 A.M. Geo. A. Robethan, Recorder

Transcribed from Book C. of Water Locations Page 97 Records of Bingham County, Idaho.

Transcribed from Book 1 of Water Locations, Page 334, records of Bannock County, Idaho.

****

Water Location)
)
of) Gentile Valley, Bingham County, Idaho Sept. 25" 1889
)
O. P. Cutler et al)

Know all men by these presents that we J. H. Hale and O. P. Cutler have this day located and appropriated (345) inches miners measurement of the water of Warm Creek to flow through a ditch 6 feet wide on top 4 feet wide on bottom 2 feet deep with a fall one foot to a thousand feet located on the north bank of said Warm Creek, 1 3/4 miles from the mouth of said Creek, the said creek to be diverted where this monument is set and notice posted said water is to be used on North E½ of South E½ of Sec. 12 in Township 12 Range 40 East and on lot No. 3 of Sec. 7 Township 12 south of Range 41 East and E^2 of NE^4 and N. W. Qr. E^4 and on S½ of SE¼ of Sec. 12 NE¼ of the NE¼ of Range 40 East and lot no. one of Section eighteen in Township 12 South of Range 41 East of Boise Meridian in Bingham Co. Idaho Territory and to be used for Domestic and Agricultural purposes. This is to certify that we the undersigned do swear that above described water have been continuously used upon the lands herein described since the year 1872.

O. P. Cutler
J. H. Hale

Sworn to before me this 25" day of Sept. 1889. P. McPherson, J.P.

Recorded at the request of O. J. Cutler Sept 30" 1889 at 9 30 A.M. Geo. A. Robethan, Recorder

Transcribed from Book C of Water Locations Page 98 of Records of Bingham County, Idaho.

Transcribed from Book 1 of Water Locations, Page 335, records of Bannock County, Idaho.

****

Water Location)
)
of) Gentile Valley Sept. 25" 1889
)
J. P. Clifford et al)

Notice is hereby given to all whom it may concern, that we the undersigned locate and claim 360 cubic inches of water taken out of Bridge Creek, Gentile Valley Idaho to be carried through a ditch 4½ feet wide and 3½ feet deep with one inch fall to the rod to be used for Agricultural and culinary purposes covering the tracts of land belonging to J. P. Clifford, E. B. Hale Joseph Ames and R. H. Williams said ditch being located as follows, to-wit: commencing at 2½ miles above the mouth of said creek running in a North Westerly direction to the place of Destination located and claimed in the spring and summer of 1881 and the water has been used through ditch continually up to 1889 this ditch shall be known as the Clifford, Hale, Ames and Williams Ditch

John P. Clifford
Ellen V. C. Hale
Joseph A. Ames
R. H. Williams

SCANNED MAR 22 2023

teen South, Range Thirty-eight East of Boise Meridian, running thence east Seventy rods, thence South Twenty-two rods, thence east Twenty-seven and one quarter rods, thence North Sixty and one half rods, thence West Eighty and one quarter rods more or less to the east side of the county road, thence Southwesterly along the east side of the county road to the place of beginning.

This deed is made for the purpose of correcting descriptions and rectifying boundaries.

Dated this 17th day of Nov. 1920. L. J. Petty,

Rose Petty.

STATE OF IDAHO,)
County of Bannock.) ss On this 17th day of Nov. 1920, before me, a notary public in and for the county and state aforesaid, personally appeared Lewis J. Petty and Rose Petty, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Given under my hand and official seal the day and year first above written.

(Notarial Seal) My commission expires March 19th, 1921. Adelbert Henderson, Notary Public.

Filed for record at the request of Turner Trust Company, at 34 minutes past 1 o'clock P. M. this 3 day of February, 1921, and recorded in Book 41 of Deeds, page 535, Records of Bannock County, State of Idaho. R. C. Earley, Recorder. Fee $.60. By Lillian Spongberg, Deputy.

Transcribed from Book 41 of Deeds, Page 536, Records of Bannock County, Idaho.

- - - - - - -

INSTRUMENT NO. 81873.

THIS INDENTURE, Made this third day of January, in the year of our Lord one thousand nine hundred and twenty-one BETWEEN Hyrum J. Bennett and Sarah A. Bennett, his wife, of Hyde Park, County of Cache State of Utah, the parts of the first part, and J. L. Bennett, of Cleveland, County of Bannock, State of Idaho, the party of the second part,

WITNESSETH: That the said parts of the first part, for and in consideration of the sum of Four-thousand no/100 Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate situated in County of Bannock, State of Idaho, to-wit:

South East quarter of the Southwest quarter, & the South half of the south east quarter of Sec. thirteen, in township twelve south of range Forty east, & the lot numbered four of Sec. Eighteen, in township twelve south, of range forty-one east of Boise Meridian, in Idaho State, containing one hundred & fifty-nine acres, & sixty-four hundreths of an acre.

$4.00 I. R. S. Attached and duly cancelled.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part:

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

IN WITNESS WHEREOF, The said parties of the first part has hereunto set their hands and

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seal_ the day and year first above written.

Signed, Sealed and Delivered in the presence of
Sylvia Cutler Sylvia Cutler

Hyrum J. Bennett (Seal)
Sarah A. Bennett (Seal)

STATE OF UTAH)
County of Cache) SS On this 5th day of January, in the year 1921, before me, Sylvia Cutler a Notary Public in and for said County, personally appeared Hyrum J. Bennett and Sarah A. Bennett, known to me to be the persons whose names are 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.

(Notarial Seal) My commission expires Jan. 23, 1922.

Sylvia Cutler,
Notary Public.

I hereby certify that this instrument was filed for record at request of J. L. Bennett, Grace, Idaho, at 31 minutes past 10 o'clock A.M., this 4 day of February, A.D. 1921, in my office and duly recorded in Book 41 of Deeds, at page 536.
R. C. Earley, Ex-Officio Recorder. Fee $1.20. By Lillian Spongberg, Deputy.

Transcribed from Book 41 of Deeds, Page 536, Records of Bannock County, Idaho.

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INSTRUMENT NO. 91383. QUITCLAIM DEED.

THIS INDENTURE, Made this 10th day of March in the year of our Lord one thousand nine hundred and twenty-two between Moroni Ericksen and Tonie Ericksen, Husband and Wife, of Swan Lake, County of Bannock, State of Idaho, the parties of the first part, and Idaho State Life Insurance Company, an Idaho Corporation, of Boise County of Ada, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE HUNDRED & NO/100 DOLLARS legal tender of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to its successors and assigns, all those certain lots, pieces or parcels of land, situate, lying and being in County of Bannock, State of Idaho, bounded and particularly described as follows, to wit:

The East Half of the Southeast Quarter (E½ SE¼), of Section Twenty-seven (27), Township Twelve (12) South, Range Thirty-nine (39) East of the Boise Meridian, Idaho, containing Eighty (80) Acres, more or less, according to government survey.

$.50 I. R. S. attached and duly cancelled.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the party of the second part, and to its successors and assigns forever.

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

Signed, Sealed and Delivered in the Presence of
A. D. Ericksen

Moroni Ericksen (Seal)
Tonie Ericksen (Seal)

STATE OF IDAHO,)
County of Bonneville.) SS. On this 27 day of March in the year 1922, before me A. D. Erickson a Notary Public in and for said State, personally appeared Moroni Ericksen and Tonie Ericksen, Husband and Wife, known to me to be the persons whose names are 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.

A. D. Ericksen

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seals the day and year first above written.

Signed, sealed and delivered in the presence of ---------

E. Floyd Tams (SEAL)
Elizabeth Tams (SEAL)

State of Idaho,)
Cassia County.) ss. On this 7th day of December, 1921, before me Harry Winterburn a Notary Public for the State of Idaho, personally appeared E. Floyd Tams and Elizabeth Tams, his wife, known to me to be the persons whose names are 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.

Harry Winterburn, Notary Public for the State of Idaho, Residing at Burley therein.

(Notarial Seal) My Commission expires June 19th, 1922.

Filed for Record at the Request of E. F. Tams at 01 minutes past 11 o'clock a.m., this 8 day of Dec. 1921 and recorded in Book 44 of Deeds page 438. Records of Bannock County, State of Idaho. R. C. Earley, Recorder. Fee $1.20 By Lillian Spongberg, Deputy.

Transcribed from Book 44 of Deeds, Page 438, records of Bannock County, Idaho.

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INSTRUMENT NO. 88672

Warranty Deed

THIS INDENTURE, Made the Ninth day of December in the year of our Lord One Thousand Nine Hundred and Twenty-one (1921), between H. J. Bennett (also known as Hyrum J. Bennett) and Sarah A. Bennett, his wife of Hyde Park, County of Cache, State of Utah, the parties of the first part, and J. L. Bennett (also known as J. Leslie Bennett) of Cleveland, County of Bannock, State of Idaho the party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of One and No/100ths ($1.00) Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, together with othergood and valuable considerations, do by these presents, Graht, Bargain Sell and Convey and Confirm unto the said party of the second part, and to his heirs and assigns forever: All that certain Water Right, more particularly described as follows, to-wit:

WHEREAS, the said H. J. Bennett (also known as Hyrum J. Bennett) was adjudicated and decreed 2.74 C.F.S. of the Waters of WARM OR CLEAR CREEK with date of priortity dating from April 1, 1872 for the irrigation of 137 acres of land in the West half of Section 18, Township 12 South, Range 41 East of the Boise Meridian and the Southeast quarter of Section 13, Township 12 South Range 40 E., B. M., AND

WHEREAS, the said H. J. Bennett (also known as Hyrum J. Bennett) was adjudicated and decreed 0.38 C. F. S. of the Waters of WARM OR CLEAR CREEK with date of priority as of April 1, 1885 for the irrigation of 22 acres* of land in the south half of the Southwest quarter of Section 18 and the Northeast quarter of the Northeast quarter of Section 19, Township 12 South, Range 41 East of the Boise Meridian;

All of which is more fully shown in Book "41" of DEEDS at Page 191 thereof, of the Records of Bannock County, State of Idaho, AND

WHEREAS, the said H. J. Bennet (also known as Hyrum J. Bennett) and Sarah A. Bennett, his wife, did on the 3rd day of January, 1921 transfer by Warranty Deed to one J. L. Bennett (also known as J. Leslie Bennett)

the Southeast quarter of of the Southwest quarter, and the South half of the Southeast quarter of Section 13, Township 12 South of Range 40 E., B.M. in Bannock County, Idaho, and Lot numbered 4 of Section 18, in Township 12 South of Range 41 E., B.M., in Bannock County, Idaho, containing One Hundred fifty-nine and 64/100ths (159.64) acres, according to the Government Survey, AND

WHEREAS, the said H. J. Bennett (also known as Hyrum J. Bennett) and Sarah A. Bennett,

* According to acres this should read Bridge Creek JP 412 & 416

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his wife, did on the 9th day of November, 1921 transfer by Warranty Deed to the said J. L. Bennett (also known as J. Leslie Bennett)

the Southeast quarter of the Southwest quarter of Section 18, Township 12 South of Range 41 E., B.M., in Bannock County, Idaho, containing Forty (40) acres, according to the Government Survey, NOW

THEREFORE, in justification, and in acknowledgement of the fact that the lands so deeded to the said J. L. Bennett (also known as J. Leslie Bennett) by the said H. J. Bennett (also known as Hyrum J. Bennett) and Sarah A. Bennett, his wife, as hereinbefore described, have been continuously irrigated by the Waters decreed to it from the Waters of WARM OR CLEAR CREEK, the said parties of the first part herein have executed and acknowledged these presents for the intent and purpose to Grant, Bargain, Sell and Convey and Confirm unto the said party of the second part, and to his heirs and assigns forever: One (1) C.F.S. of the Waters of WARM OR CLEAR CREEK for the irrigation of the Southeast quarter of the Southwest quarter and the South half of the Southeast quarter of Section Thirteen, in Township twelve South of Range Forty East of the Boise Meridian and Lot numbered Four of Section Eighteen, in Township Twelve South, Range Forty-one E., B.M., and the Southeast quarter of the Southwest quarter of Section Eighteen, Township Twelve South of Range Forty-one, E. B. M. in Bannock County, Idaho, containing One hundred ninety-nine and 64/100ths (199.64) acres, according to the Government Survey, subject to the terms and conditions of the said Decree.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtanances and privileges thereunto incident, unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

Signed, Sealed and Delivered in the
Presence of Jos. W. Peterson
Margaret Bingham

H. J. Bennett (SEAL)
Sarah A. Bennett (SEAL)

STATE OF UTAH,)
County of Cache,) ss. On this 12 day of December in the year 1921, before me Jos. W. Peterson a Notary Public in and for said County and State, personally appeared H. J. Bennett (also known as Hyrum J. Bennett and Sarah A. Bennett, his wife, known to me to be the persons whose names are 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.

Jos W. Peterson, Notary Public
Residing at Smithfield, Utah.

(Notarial Seal) My Commission expires February 9, 1924.

$.50 I. R. S. attached and duly cancelled.

Filed for Record at the Request of R. R. Wilson at 11 minutes past 4 o'clock P.M., this 17 day of Dec. 1921 and recorded in Book 44 of Deeds page 459. Records of Bannock County, State of Idaho
R. C. Earley, Recorder. Fee $1.40 By Lillian Spongberg, Deputy.

Transcribed from Book 44, Page 459, records of Bannock County, Idaho.

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INSTRUMENT NO. 89242.

THIS INDENTURE, Made this 9th day of January in the year of our Lord one thousand nine

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INSTRUMENT NO. 168288 WARRANTY DEED

THIS INDENTURE, Made this 25 day of November, in the year of Our Lord One Thousand Nine hundred and Twenty Six, between J. L. Bennett of Cleveland, County of Bannock, State of Idaho, the party of the first part, and Mary E. Bennett, of Cleveland, County of Bannock, State of Idaho, the party of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar Love and affection .... Dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these paresents, Grant Bargain, Sell and Convey and Confirm unto the said party of the second part, and to her heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast quarter of the southwest quarter (SE¼SW¼) South half of the South East quarter (S½SE¼) Section Thirteen (13) Township Twelve (12) South of range forty E. BM. Lot Four (4) of Section Eighteen (18) Township Twelve (12) South range Forty One (41) E. B. M. Southeast Quarter of Southwest Quarter (SE¼SW¼) of Section Eighteen (18) Township Twelve (12) South range Forty One E. B. M. containing one hundred ninety nine and 64/100 acres. together with all ditches canals and water and water rights used in conveying water to over or upon said land used for irrigation, domestic or culinary purposes.

Also commencing Eighty rods north of the southwest corner of Section eighteen, in township twelve south of range forty E. BM. and running thence East One Hundred Sixty Rods; thence north nine rods; thence west three hundred twenty rods; thence south 9 rods, thence east one hundred sixty rods; to the place of beginning.

Also commencing at the northwest corner of the northeast quarter of the northwest quarter of Section nineteen (19) in township twelve (12) South of Range Forty One (41) E. B. M. and running thence east sixty (60) rods; thence south twenty six and 2/3 26.2/3 rods; thence west sixty (60) rods; thence north twenty six and two thirds (26 2/3) rods; to the place of beginning, together with all water, water rights ditches aqueducts used in conveying water to, over or upon said land for irrigation, domestic or culinary purposes.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part, and to her heirs and assigns forever. And the said party of the first part, and her heirs the said premises in the quiet and peaceable possession of the said party of the second part, her heirs and assigns against the said party of the first part, and her heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

Signed, Sealed and Delivered in the Presence of Harold Bennett, Mrs. Florence Smith — J. L. Bennett (SEAL)

STATE OF IDAHO)
COUNTY OF BANNOCK) ss. On this 25th day of November, in the year 1927, before me A. R. Dawson, a Notary Public in and for said County and State, personally appeared J. L. Bennett known to me to be the person whose name .... subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL) Commission expires Dec 1-1927

A. R. Dawson, Notary Public
Residence Grace, Idaho

SCANNED MAR 22 2023

I hereby certify that this instrument was filed for record at the request of B T A Co. at 31 minutes past 3 o'clock P. M., this 30 day of Oct. A. D. 1933., in Book 67 of Deeds, at page 310. Grace L. Hall, Ex-Officio Recorder, By Anna Keefe, Deputy. Fee, $1.00

Transcribed from Book 67 of Deeds, page 310 of the records of Bannock County, State of Idaho.

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INSTRUMENT NO. 168308 WARRANTY DEED

THIS INDENTURE, Made the 1st day of September in the year of Our Lord One Thousand Nine Hundred and Thirty-one, between Lamoni Taylor, a widower of County of Bannock, State of Idaho, the party of the first part, and Harold Taylor and Glen Taylor of County of Bannock, State of Idaho, the parties of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One & no/100 Dollars, lawful money of the United States of America, to him in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said parties of the second part, and to their heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

All of my undivided one-third interest in and to SE¼ of SW¼, W½ of SE¼, NE¼ of SE¼ & SE¼ of NE¼ Sec. 27; SE¼ of NE¼ & NE¼ of SE¼ Sec. 33; N½ of NW¼, SW¼ of NW¼, NW¼ of NE¼, N½ of SW¼, N½ of SE¼, SE¼ SW¼ & S½ of SE¼ Section 34; S½ of NW¼ & all of S½ of Sec. 35 Tp. 12 S. R. 39 E. B. M. and N½ of NE¼ & SW¼ of NE¼ Sec. 3 Tp. 13 S. R. 39 E. B. M. Together with 47½ shares of stock in the Treasureton Irrigation Ditch Company, also, Together with all water, water rights, ditches and ditch rights thereto appertaining or used thereon in any manner.

The grantor herein reserving unto himself in and to a one-third interest in and to said premises, a life estate, being the use and enjoyment of said premises for and during the natural life of this grantor, and on his death, said life estate to terminate and said property and each and every part and parcel thereof and all interest therein to be and belong to the grantees herein.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said parties of the second part, and to their heirs and assigns forever. And the said party of the first part, and his heirs warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said party of the first part, and his heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend. subject to the life estate herein reserved.

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

Signed, Sealed and Delivered in the presence of ..... Lamoni Taylor (SEAL)

STATE OF IDAHO)
COUNTY OF BANNOCK) ss. On this 1st day of September, in the year 1931, before me, Orval M. Fox a Notary Public in and for said State and State, personally appeared Lamoni Taylor, a widower known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same./ IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.
(SEAL)
Orval M. Fox, Notary Public
Residence Pocatello, Idaho.

I hereby certify that this instrument was filed for record at the request of B T A Co. at 07 minutes past 3 o'clock P. M., this 1 day of Nov. A. D. 1933, in Book 67 of Deeds, at page 314. Grace L. Hall, Ex-Officio Recorder By Annd Keefe, Deputy. Fee, $1.00
Transcribed from Book 67 of Deeds, page 314 of the records of Bannock County, State of Idaho.

to me that he executed the same.

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

(SEAL) Comm Ex May 7, 1928.

A. T. Smith, Notary Public
Residence Cleveland

I hereby certify that this instrument was filed for record at the request of Bannock Co at 05 minutes past 12 o'clock P. M., this 16 day of Feby, A. D. 1928, in Book 57 of Deeds, at page 412 Lillian Spongberg, Ex-Officio Recorder, By Anna Keefe, Deputy. Fee, $ No. fee

Transcribed from Book 57 of Deeds, page 412 of the Records of Bannock County, State of Idaho.

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INSTRUMENT NO. 136047

WARRANTY DEED

THIS INDENTURE, Made this 25 day of November in the year of our Lord One Thousand Nine Hundred and Twenty six, between J. L. Bennett, of Cleveland, County of Bannock, State of Idaho, the party of the first part, and Mary E. Bennett, of Cleveland, County of Bannock, State of Idaho, the party of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar Love and affection Dollars, lawful money of the United States of America, to his in hand paid by the said party of the second part, receipt whereof is hereby acknowledged does by these presents, Grant Bargain, Sell and Convey and Confirm unto the said party of the second part and to her heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast quarter of the southwest quarter (SE¼SW¼) South half of the South East quarter (S½SE¼) Section Thirteen (13) Township Twelve (12) South of range forty E. B. M.

Lot Four (4) of Section Eighteen (18) Township Twelve (12) South range Forty one (41) E. B. M.

Southeast quarter of Southwest quarter (SE¼SW¼) of Section Eighteen (18) Township Twelve (12) South range Forty One E. B. M. containing one hundred ninety nine and 64/100 acres. Together with all ditchs canals and water and water rights used in conveying water to over or upon said land used for irrigation, domestice or culinary purposes.

Also commencing Eight rods north of the southwest corner of section eighteen, in Township twelve south of range forty E. B. M. and running thense east One Hundred Sixty Rods; thense North nine rods; thense west three hundred twenty rods; thense south 9 rods, thense east one hundred sixty rods; to the place of beginning.

Also commencing at the northwest corner of the northeast quarter of the northwest quarter of section nineteen (19) in township twelve (12) south of Range Forty One (41) E. B. M. and running thense east sixty (60) rods; thense south twenty six and 2/3 (26.2/3) rods; thense west sixty rods; thense north twenty six and two thirds (26 2/3) rods; to the place of beginning, together with all water, water rights ditches aqueducts used in conveying water to, over or upon said land for irrigation, domestic or culinary purpose.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part, and to her ----- and assigns forever. And the said party of the first part, and her heirs the said premises in the quiet and peaceable possession of the said party of the second part, her heirs and assigns against the said party of the first part, and her heirs and against all and every persons or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and forever defend.

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

Signed, Sealed and Delivered in the Presence of
Harold Bennett, Mrs. Florence Smith

J. L. Bennett (SEAL)

STATE OF IDAHO)
COUNTY OF BANNOCK) ss. On this 25th day of November, in the year 1927, before me A. R. Dawson, a Notary Public in and for said County and State, personally appeared J. L. Bennett, known to me to be the person whose name .... subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL) Commission expires Dec 1-1927

A. R. Dawson, Notary Public
Residence Grace, Idaho.

I hereby certify that this instrument was filed for record at the request of A. R. Dawson at 49 minutes past 1 o'clock P. M., this 27 day of Feb., A. D. 1928, in Book 57 of Deeds page 428 Lillian Spongberg, Ex-Officio Recorder By ..... Deputy. Fee, $1.20

Transcribed from Book 57 of Deeds, page 428 of the records of Bannock County, State of Idaho.

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INSTRUMENT NO. 136776 WARRANTY DEED

THIS INDENTURE, Made this 13th day of January in the year of our Lord One Thousand Nine Hundred and Twenty eight, between J. A. Carver and LaVerne O. Carver, husband and wife since April 8, 1924. of Preston, County of Franklin, State of Idaho, the parties of the first part, and J. Harold Johnson, of Preston, County of Franklin, State of Idaho, the party of the second part:

WITNESSETH: That the said party of the first part for and in consideration of the sum of $1.00, One dollar and other valuable consideration .... Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said party of the second part, and to his heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock and Franklin, State of Idaho, bounded and more particularly described as follows, to-wit:

Lots one and two and the south half of the Northeast quarter Section Four, Township fourteen South, Range thirty nine, East of the Boise Meridian in Idaho.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the rents, issues and profits thereof.

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

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

Signed, Sealed and Delivered in the Presence of
E. B. Anderson

J. A. Carver (SEAL)
LaVerne O. Carver (SEAL)

STATE OF IDAHO)
COUNTY OF FRANKLIN) ss. On this 16th day of January, in the year 1928, before me, Eber M. Wilson, a Notary Public in and for said County and State, personally appeared J. A. Carver LaVerne O. Carver, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

SCANNED MAR 22 2023

INSTRUMENT NO. 165180

DATE OF FILING:	TITLE OF CASE:	WHEN ATTACHED:	AMOUNT ATTACHED FOR:
Feb 6 1933 10 39 AM	J. B. Blackhurst, Plaintiff vs. H. B. Johnson and Thomas Panter, Defendants.	February 6th, 1933	$30.00 and costs, unless defendent shall give security by an undertaking of two sureties in an amount sufficient to satisfy said demand, besides costs.

DESCRIPTION OF PROPERTY:

W½ NE¼. N½ SE¼ Section Twenty-seven (27) Township Twelve (12) South, Range Forty (40).

Recorded Feb 6 1933 10 39 AM in Book 2 of Attach. page 160, records of Bannock County, State of Idaho, at request of M. J. Rossiter. Grace L. Hall, Recorder. Anna Keefe, Deputy. Fee $.50
Released 10/22/38 Book 10 Miscl P-536
Transcribed from Book 2 of Notice of Attachment, page 160, Records of Bannock County, Idaho.

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INSTRUMENT NO. 137076 DECLARATION OF HOMESTEAD

KNOW ALL MEN BY THESE PRESENTS: That I, Mary E. Bennett, of Thatcher, Bannock County, Idaho, the undersigned, do hereby declare that I am the widow of J. L. Bennett, deceased and the head of a family consisting of myself and eight minor children; that I do now, at the time of making this declaration actually reside on the premises hereinafter described; that the premises on which I reside are described as follows, to-wit:-

The Southeast quarter of the southwest quarter (SE¼SW¼), South Half of the Southeast quarter (S½SE¼) Section thirteen (13) Township twelve (12) South Range forty (40) East of the Boise Meridian;

Lot four (4) of Section eighteen (18) Township twelve (12) South Range forty-one East of the Boise Meridian;

The Southeast quarter of the Southwest quarter (SE¼SW¼) of Section eighteen (18) Towhship twelve (12) South Range forty-one (41) East of the Boise Meridian, containing one hundred ninety nine and 64/100 acres; Together with all ditches canals and water and water rights used in conveying water, to, over or upon said land used for irrigation, domestic of culinary purposes;

Also commencing eight rods north of the southwest corner of Section eighteen, in township twelve (12) South of range forty (40) East of the Boise Meridian, and running thence east One Hundred sixty (160) rods; Thence north nine rods; thence West three hundred twenty rods; thence South nine rods; thence East one hundred sixty (160) rods; to the place of beginning;

Also commencing at the northwest corner of the northeast quarter of the northwest quarter of Section nineteen (19) in Township twelve (12) South of Range forty one (41) East of the Boise Meridian; and running thence east sixty (60) rods; thence south twenty-six and 2/3 (26 2/3) rods; thence west sixty (60) rods; thence North twenty-six and two-thirds (26 2/3 rods, to the place of beginning, together with all water, water gights ditches, aqueducts used in conveying water to over or upon said land for irrigation, domestic of culinary purposes:

Also commencing eighty (80) rods North of the Southwest corner of Section eighteen (18) in Township twelve (12) South, Range forty (40) East of the Boise Meridian, Idaho, and running thence East one hundred sixty (160) rods; thence North nine (9) rods; thence West three hundred twenty (320) rods; thence south nine (9) rods; thence East one hundred sixty (160) rods to the place of beginning:

Also commencing at the northwest corner of the northeast quarter of the Northwest quarter of section nineteen (19) in Township twelve (12) South Range forty-one (41) East of the Boise Meridian, and running thence East sixty (60) rods; thence South twenty-six

SCANNED MAR 29 2023

and two-thirds rods; thence West sixty (60) rods; thence North Twenty-six and two-thirds rods; to the place of beginning;

Together with all ditch and water rights however evidenced, belong to or used on said lands; lying and being in the County of Bannock, State of Idaho.

That I do by these presents claim the premises above described together with the dwelling house and appurtenances thereon as a Homestead; that the actual cash value I estimated to be $5000.00

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 9th day of April 1928

Mary E. Bennett

STATE OF IDAHO)
COUNTY OF BANNOCK) ss. On this 9th day of Apri, in the year 1928, before me R. D. Merrill, a Notary Public in and for said County and State, personally appeared Mary E. Bennett, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she 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)

R. D. Merrill, Notary Public
Residing at Pocatello, Idaho.

Recorded Apr 9, 1928 at 3:24 P. M. in Book 2 of Homesteads, page 289 Records of Bannock County, State of Idaho, at the request of Mary E. Bennett, Lillian Spongberg, Recorder, Fee $1.40
Anna Keefe, Deputy.

Transcribed from Book 2 of Homesteads, page 289 of the records of Bannock County, Idaho.

- - - - - - - - - - -

INSTRUMENT NO. 152923

Know all men by these presents: That I, David J. Coombs, of Thatcher, in Bannock County, State of Idaho, do hereby declare that I am the head of a family; that I am married, and the name of my wife is Ivy L. Coombs; and that my family conststs of my said wife and five children.

That I am, at the time of making this declaration, actually residing on the premises hereinafter described, and that I claim said premises as a homestead.

The premises so claimed by me are the real property situate in the County of Bannock, State of Idaho, and described as follows, to-wit:

Commencing at a point 32 rods West of the southeast corner of the Southwest quarter (SW¼) of the Northeast quarter(NE¼) of Section one (1), in Township twelve (12), South, Range forty (40), East of the Boise Meridian in Idaho, and running thence West 48 rods, thence North 15 rods and 6 feet, thence East 48 rods, thence South 15 rods and 6 feet, to the place of beginning, according to the Government survey thereof; together with the dwelling house thereon and the appurtenances.

That I estimate the actual cash value of said premises to be the sum of $5,000.00.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 8 day of Sept., 1930.

David J. Coombs (SEAL)

STATE OF IDAHO)
COUNTY OF CARIBOU) ss. On this 8 day of Sept. 1930, before me, A. T. Smith, a Notary Public in and for said County and state, personally appeared David J. Coombs, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he 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) My Commission Expires May 10, 1933.

A. T. Smith, Notary Public in and for Idaho, residing at Cleveland, Idaho.

Recorded Sep. 13, 1930 9 21 A M in Book 2 of Homesteads, page 334, Records of Bannock County, State of Idaho, at request of David J. Coombs. Lilliam Spongberg, Recorded Fee $1.00.

Transcribed from Book 2 of Homesteads, page 334 of the records of Bannock County, Idaho.

MAR 2 2 2023

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STATE OF IDAHO,
County of Franklin--ss.

On this 10th day of March, in the year 1948, before me, P. M. Condie, Notary Public in and for said State, personally appeared Christena O. Erickson known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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)

P. M. Condie
Notary Public in and for the State of Idaho,
residing at Preston, Franklin County therein.

STATE OF IDAHO,
County of Franklin--ss.

I hereby certify that this instrument was filed for record at the request of Lovenia C. Peterson at 2:10 P. M. December 15th, 1950.

C. L. Swenson: Ex-Officio Recorder

Fee $1.50

By [signature] Deputy

---Compared---

Inst. No. 86594

WARRANTY DEED

THIS INDENTURE, Made this tenth day of November, in the year of our Lord One Thousand Nine Hundred and forty-seven, between Mary E. Bennett, a widow, of Thatcher, County of Franklin, State of Idaho, the party of the first part, and Clyde J. Condie, of Thatcher, County of Franklin, State of Idaho, the party of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Thirteen thousand no/1000 Dollars, lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to his heirs and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Franklin, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast quarter of Southwest quarter, and South half of Southeast quarter of Section 13, Township 12 South, Range 40 East of Boise Meridian; and Lot 4 and the Southeast quarter of Southwest quarter of Section 18, Township 12 South, Range 41 East of Boise Meridian.

Also: Commencing 80 rods North of the Southwest corner of Section 18, running thence East 160 rods; thence North 9 rods; thence West 320 rods; thence South 9 rods; thence East 160 rods to the place of commencement, being in Section 18, Township 12 South, Range 41 East of Boise Meridian, and in Section 13, Township 12 South, Range 40 East of Boise Meridian.

Also: Commencing at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 19, Township 12 South, Range 41 East of Boise Meridian, and running thence East 60 rods; thence South 26-2/3 rods; thence West 60 rods; thence North 26-2/3 rods to the place of beginning.

Together with all water rights, and rights in ditches, canals and laterals, and rights of way therefor, appurtenant to said premises or used in connection therewith, including, but not limited to, the following:

All rights to waters of Warm Creek or Clear Creek, and Bridge Creek or Williams Creek, decreed to above lands by Court Decree dated July 14, 1920, and entered September 16, 1920, in Book 41 of Deeds at page 191, records of Bannock County, Idaho.

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Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part and to his heirs and assigns forever. And the said party of the first part, and her heirs the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said party of the first part, and her heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

Signed, Sealed and Delivered in the Presence of Mary E. Bennett (SEAL)

($14.30 U.S.I.R. Stamps affixed and duly cancelled)

STATE OF CALIFORNIA,
County of Fresno--ss.

On this 17th day of November in the year 1947, before me, H. A. Thomsen a Notary Public in and for said County and State, personally appeared Mary E. Bennett, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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)

H. A. Thomsen
Notary Public.

Residence: Fresno, California
My Commission Expires 2-6-51

STATE OF IDAHO,
County of Franklin--ss.

I hereby certify that this instrument was filed for record at the request of J. N. Larsen at 10:40 A. M. , December 16, 1950.

C. L. Swenson: Ex-Officio Recorder

Fee $2.00 By [signature] Deputy

---Compared---

Inst. No. 86595

WARRANTY DEED

THIS INDENTURE, Made this 15th day of December in the year of our Lord one thousand nine hundred and Fifty between Clyde J. Condie and his wife, Bernice Condie of Preston County of Franklin State of Idaho the parties of the first part, and A. E. Bennett and his wife, Hannah Bennett, Joint tenants by entirety with full rights vested in the survivor and not as tenants in common. of Preston County of Franklin State of Idaho the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Dollar and other valuable considerations lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following desrribed real estate, situated in the County of Franklin, State of Idaho, to-wit:

Commencing at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 19, Township 12 South, Range 41 East of the Boise Meridian, and running thence East 60 rods more or less; thence South 26 2/3 rods; thence West 60 rods; thence North 26 2/3

SCANNED MAR 22 2023

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Commencing at a point 897 feet North and 473 feet West of the Southeast corner of said Section 15, Township 15 South, Range 38 East of Boise Meridian, and running thence East 120 feet; thence South 130 feet, more or less, to the North side of the County Road; thence following along the North side of said Road to a point due South of the place of beginning; thence North 182 feet, more or less, to the place of beginning;

Less, also, any land taken for roads.

($ 3.30 U.S.I.R. Stamps duly affixed and cancelled).

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversions and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party or the second part, and to his heirs and assigns forever. And the said party of the first part, and her heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and her heirs, and against all and every person and person whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF Lucetta B. Archibald (SEAL)

P. M. Condie

STATE OF IDAHO,

County of Franklin--ss.

On this 22nd day of December, in the year 1962 before me P. M. Condie, a Notary Public in and for said State, personally appeared Lucetta B. Archibald, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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)

P. M. Condie

Notary Public, Residing at Preston, Idaho

STATE OF IDAHO,

County of Franklin--ss

Recorded at the request of Elmer R. Perry at 2:45 P.M., January 2, 1963.

Fee, $ 2.10

C. L. Swenson: Ex-Officio Recorder

By Carol P. Davis Deputy

- - - Compared - - -

Inst. No. 111360

$156.29

WARRANTY DEED
(IDAHO)

KNOW ALL MEN BY THESE PRESENTS, THAT CLYDE J. CONDIE and BERNICE CONDIE, his wife, of the County of Franklin, State of Idaho, parties of the first part, for and in consideration of the sum of TWENTY-NINE THOUSAND FIVE HUNDRED AND NO/100 Dollars ($29,500.00), in lawful money of the United States of America, and other valuable consideration, to them in hand paid by Wendell Forsgren and Donna C. Forsgren, his wife, hereinafter called party of the second part, do hereby GRANT, BARGAIN, SELL and CONVEY unto the party of the second part, as a community property estate, and to the heirs and assigns of the second party, all of the following-described property situate, lying and being in the County of Franklin, State of Idaho, to wit:

The Southeast Quarter of the Southwest Quarter and the South Half of the Southeast Quarter of Section 13, Township 12 South, Range 40 East of the Boise Meridian. ALSO, Lot 4, and the Southeast Quarter of the Southwest Quarter of Section 18, Township 12 South, Range 41 East of the Boise Meridian. ALSO, commencing 80 rods North of the Southwest corner of Section 18, and running thence East 160 rods, thence North 9 rods, thence West 320 rods, thence South 9 rods, thence East 160 rods to the place of commencement, being in Section 18, Township 12 South, Range 41 East of the Boise Meridian, and in Section 13, Township 12 South, Range 40 East of the Boise Meridian. RESERVING, HOWEVER, unto William G. Condie C.J.C. B.C. an undivided one-half interest in an existing easement for a ditch and flume, the latter to be replaced by a pipeline, across a portion of the above property, which carries and will continue to carry appurtenant water for the irrigation of the above land and appurtenant water for other land owned by William G. Condie C.J.C. B.C. it being understood and agreed between the parties hereto that all expenses of operation, maintenance and replacement of said ditch, flume and pipeline shall be shared equally by William G. Condie C.J.C. B.C. and the Second Parties, their respective heirs, successors and assigns.

*****

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including but not limited to rights to 2.76 c.f.s., with a priority of April 1, 1871, of the waters of Spring Creek. C.J.C. B.C. Subject to exceptions and reservations contained in patents from the United States.

SCANNED
MAR 22 2023

Subject to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

($32.45 U.S.I.R. Stamps duly affixed and cancelled).

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all improvements, water and water rights appurtenant thereto or reasonably necessary to the use of the real property, and the rents, issues and profits thereof.

To Have and to Hold the said premises together with the appurtenances thereto unto the party of the second part, as community property, and to the heirs and assigns of the second party forever.

The parties of the first part, for themselves, and for their heirs, executors and administrators, do hereby covenant to and with the party of the second part, and with the heirs and assigns of second party, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, and that they will and their heirs, executors and administrators shall warrant and forever defend the title thereto against all lawful claims and demands whatsoever.

In Witness Whereof, the said parties of the first part have hereunto set their hand(s) and seal(s) this 3rd day of January, 1963.

Witnesses:

Clyde J Condie (Husband) (seal)
Clyde J. Condie
Bernice Condie (wife) (seal)
Bernice Condie

ACKNOWLEDGMENT

State of IDAHO)
County of Franklin) ss:

On this 3rd bay of January, 1963, before me, a Notary Public in and for said County and State, personally appeared CLYDE J. CONDIE and BERNICE CONDIE, his wife, to me known to be the identical individual (s) described in and who executed the within and foregoing instrument and whose name(s) are subscribed thereto, and acknowledged to me that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and official seal the day and year last above mentioned.

(SEAL)
(seal)

Ted B. Larsen
Notary Public in and for the State of Idaho
Residing at Preston, Idaho
My commission expires: May 12, 1966

Recorded in County, Idaho, on , in Book at Page

STATE OF IDAHO
County of Franklin--ss

Recorded at the request of J. N. Larsen Co. at 4:15 P. M., January 3, 1963.

Fee: $2.40

C. L. Swenson: Ex-Officio Recorder
By Ann P. Davis Deputy

- - -Compared- - -

Inst. No. 111361

WARRANTY DEED

THIS INDENTURE, made this 1st day of May, 1956, between Michael Guy Stenberg and Nellie Stenberg his wife of Preston, County of Franklin, State of Idaho the parties of the first part and Lloyd Balls and Arlene Balls his wife of Preston, County of Franklin, State of Idaho, the parties of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Six Thousand three hundred dollars ($6,300.00)Dollars lawful money of the United States of America, to them in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and by these presents, do grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their heirs and assigns, forever, all the following described real estate, situated in Preston, County of Franklin, State of Idaho, to-wit:

Lots 1,26,27, and 28 in Block 2, in Oneida Park Addition, in Preston, Idaho
($7.15 U.S.I.R Stamps duly affixed and cancelled).

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

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

SCANNED
MAR 2 2 2023

PR14505

6

my property
no mention of water

216740 1-2

Recorded at the request of
FIRST AMERICAN TITLE

2:m. APR 0 1 2002 3:25 p.m.

V. ELLIOTT LARSEN, RECORDER
By Suzanna Geddes Deputy
FRANKLIN COUNTY, IDAHO

ORDER NO.:

QUITCLAIM DEED

FOR VALUE RECEIVED, Wendell Forsgren and Donna C. Forsgren, husband and wife

Do(es) hereby convey, release, remise and forever quit claim unto

Ben Forsgren and Janet Forsgren, husband and wife

whose current address is::

HC 67 Box 300, Stanley, ID 83278

the following described premises:

See Exhibit "A"

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

March 14, 2002

Wendell Forsgren
Wendell Forsgren

Donna C Forsgren
Donna C. Forsgren

State of Arizona
County of Yuma } }ss

On this 15th day of March, 2002, before me, a Notary Public in and for said state, personally appeared Wendell Forsgren and Donna C. Forsgren known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed 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.

OFFICIAL SEAL
MONICA L. OLAIZ
Notary Public - State of Arizona
YUMA COUNTY
My Comm. Expires MAR 21, 2004

Monica L. Olaiz
Notary Public for the State of ~~Idaho~~ Arizona
Residing at: Yuma
Commission Expires: March 21, 2004

SCANNED
MAR 2 2 2023

216740 2-2

Township 12 South, Range 41 East of the Boise Meridian

Section 18: All that portion of the following described property lying East of Highway No. 34 as set forth in Highway Right of Way Deed recorded July 19, 1965, in Book 53 of Deeds, pages 183 and 395: LOT 4, and SE¼SW¼, ALSO, Commencing 80 rods North of the Southwest corner of said Section 18, and running thence East 160 rods; thence North 9 rods; thence West 160 rods; thence South 9 rods to THE POINT OF BEGINNING.

ALSO EXCEPTING: Portion of land deeded for highway purposes in Book 53 of Deeds, page 183 and 395, records of Franklin County, Idaho.

Subject to Easements and Restrictions of Record.

SCANNED

MAR 2 3 2023

7

227545 1-2

Recorded at the request of
Steve Fuller

a.m. SEP 22 2004 2:20 p.m.

V. ELLIOTT LARSEN, RECORDER
By Camille Larsen Deputy
FRANKLIN COUNTY, IDAHO

PR16229

WARRANTY DEED

FOR VALUE RECEIVED

BEN ROY FORSGREN and JANET T. FORSGREN, husband and wife,

do hereby grant, bargain, sell and convey unto

STEVEN W. REEDER and KAREN F. REEDER, Trustees of the REEDER FAMILY TRUST,

whose current address is: 3145 West 5400 South, Weston, Idaho 83286
the Grantees, the following described premises in Franklin County, Idaho to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantees, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: September 15th, 2004.

BEN ROY FORSGREN

Janet T. Forsgren
JANET T. FORSGREN

STATE OF IDAHO)
)
County of Custer)

On this 15th day of September, 2004, before me, the undersigned a Notary Public in and for said State, personally appeared **BEN ROY FORSGREN and JANET T. FORSGREN**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

SELMA LAMB NOTARY PUBLIC STATE OF IDAHO

Selma Lamb
NOTARY PUBLIC for State of Idaho
Residing at: Stanley, Idaho
Comm. Exp.: 10/15/05

SCANNED
MAR 22 2023

227545 2-2

EXHIBIT "A"

Township 12 South, Range 41 East of the Boise Meridian

Section 18: All that portion of the following described property lying East of Highway No. 34 as set forth in Highway Right of Way Deed recorded July 19, 1965, in Book 53 of Deeds, pages 183 and 395: LOT 4, and SE1/4SW1/4, ALSO, Commencing 80 rods North of the Southwest corner of said Section 18, and running thence East 160 rods; thence North 9 rods; thence West 160 rods; thence South 9 rods to THE POINT OF BEGINNING. (243.00)

ALSO EXCEPTING: Portion of land deeded for highway purposes in Book 53 of Deeds, page 183 and 395, records of Franklin County, Idaho.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD

TOGETHER WITH THE EQUIVALENT OF 12 MINERS INCHES OF IRRIGATION WATER IN THE GEM VALLEY DITCH COMPANY.

SCANNED

MAR 2 2 2023

4

256871 1-2

When recorded, return to:

Douglas R. Brewer, Esq.
1706 S. 500 W., Suite 200
Bountiful, UT 84010

Recorded at the request of
Steven W. Reeder
Time 10:34
DEC 12 2012
SHAUNA T GEDDES, RECORDER
BY R.H. Rawlins Deputy
FRANKLIN COUNTY IDAHO

QUIT CLAIM DEED

STEVEN W. REEDER AND KAREN F. REEDER, TRUSTEES OF THE REEDER FAMILY TRUST, GRANTORS, hereby quit claim to POST HOLLOW LLC, an Idaho limited liability company, GRANTEE, of 6768 E. Post Hollow Road, Thatcher, Idaho 83283, for the sum of Ten Dollars ($10.00) and other good and valuable consideration, the following described real property in FRANKLIN COUNTY, IDAHO:

See the attached **Exhibit A**.

IN WITNESS WHEREOF, GRANTORS have caused this instrument to be executed this 12 day of December 2012.

THE REEDER FAMILY TRUST

By: _____
Steven W. Reeder, Trustee

By: Karen F. Reeder
Karen F. Reeder, Trustee

STATE OF IDAHO)
: ss.
COUNTY OF Franklin)

On this 12 day of December 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared STEVEN W. REEDER, Trustee, and KAREN F. REEDER, Trustee of THE REEDER FAMILY TRUST, known or identified to me to be Trustees of THE REEDER FAMILY TRUST, the trust that executed the instrument or the persons who executed the instrument on behalf of said trust, and acknowledged to me that such trust executed the same.

ROCIO GOMEZ
Notary Public
State of Idaho

Rocio Gomez
Notary Public
5-2-17

SCANNED
MAR 22 2023

256871 2.2

EXHIBIT A

Township 15 South, Range 41 East of the Boise Meridian

Section 18: All that portion of the following described property lying East of Highway No. 34 as set forth in Highway Right of Way Deed recorded July 19, 1965, in Book 53 of Deeds, pages 183 and 395: LOT 4, and SE¼SW¼, ALSO, Commencing 80 rods North of the Southwest corner of said Section 18, and running thence East 160 rods; thence North 9 rods; thence West 160 rods; thence South 9 rods to THE POINT OF BEGINNING. (243.00)

ALSO EXCEPTING: Portion of land deeded for highway purposes in Book 53 of Deeds, page 183 and 395, records of Franklin County, Idaho.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD

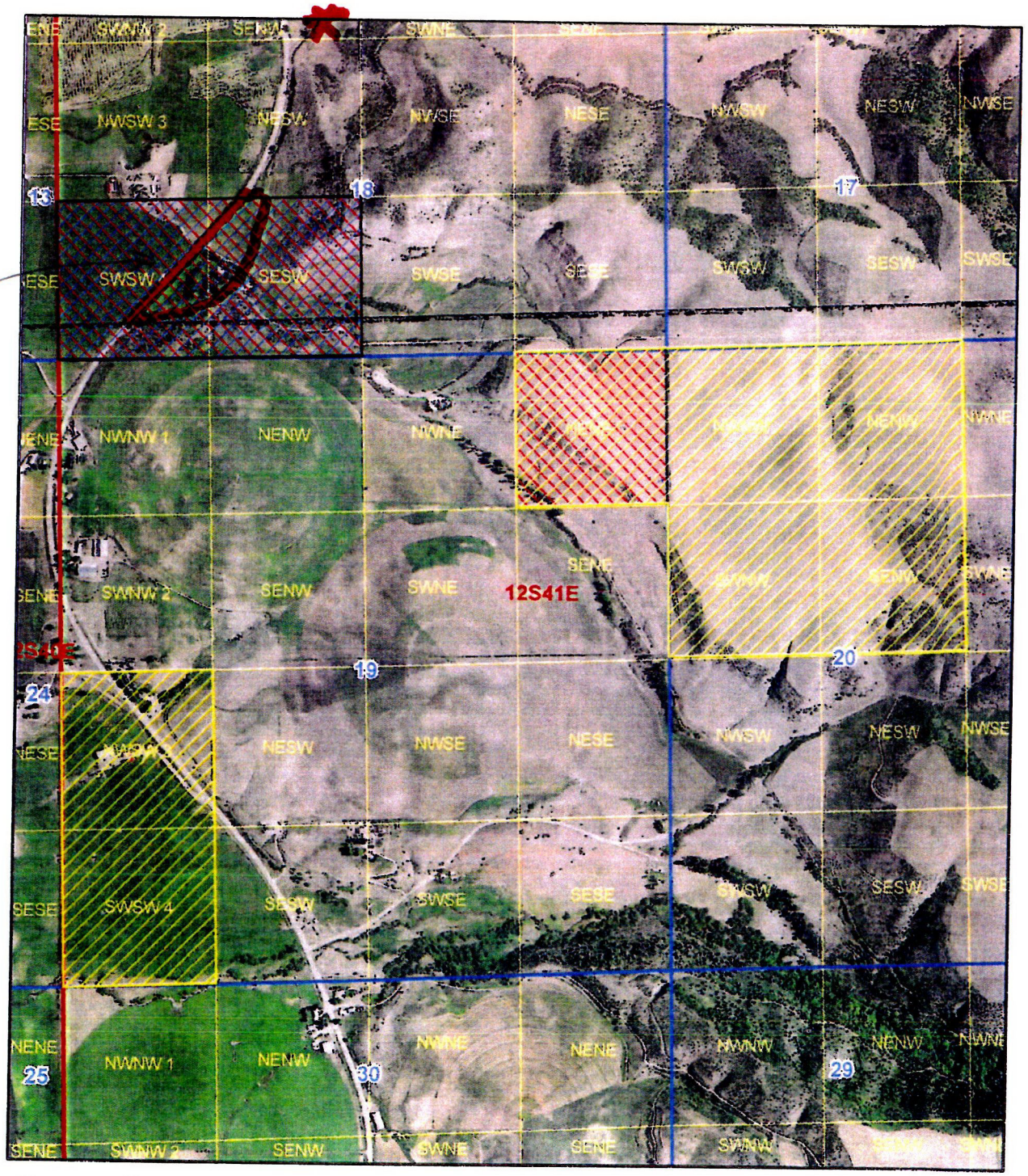
TOGETHER WITH THE EQUIVALENT OF 12 MINERS INCHES OF IRRIGATION WATER IN THE GEM VALLEY DITCH COMPANY.

SCANNED

MAR 2 2 2023

MAP #1

Point of Diversion



PLACE of USE

Legend

Irrigation selection

WaterRightNumber

- 13-824 Claim 1 Pg 95
- 13-830 .3 CFS
- 13-835 .05 CFS Pg 94

SB 14 notes

N
W E
S

0 0.125 0.25 0.5 Miles

SCANNED
MAR 22 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

9/1/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 13-808

Hyrum J.

Owner Type	Name and Address
Current Owner	H J BENNETT

Forsgren

Priority Date: 04/01/1872

Basis: Decreed

Status: Active

Source	Tributary
SPRING CREEK	BEAR RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/20	9/30	2.74 CFS	
Total Diversion			2.74 CFS	

Location of Point(s) of Diversion:

SPRING CREEK	SWNE	Sec. 18	Township 12S	Range 41E	FRANKLIN County
SPRING CREEK	SENW	Sec. 18	Township 12S	Range 41E	FRANKLIN County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FRANKLIN County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	41E	13		NESE			NWSE			SWSE			SESE	
		18		NENW			NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	

Conditions of Approval:

1. P/D DITCH "C" LEGAL NEAR CENTER SEC. 18, T. 12S, R. 41E. P/U AC. IRR. = 137. USGS MAP SOURCE NAME SPRING CREEK.

SCANNED
MAR 2 2 2023

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plantiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED

MAR 2 2 2023

State of Idaho
Department of Water Resources

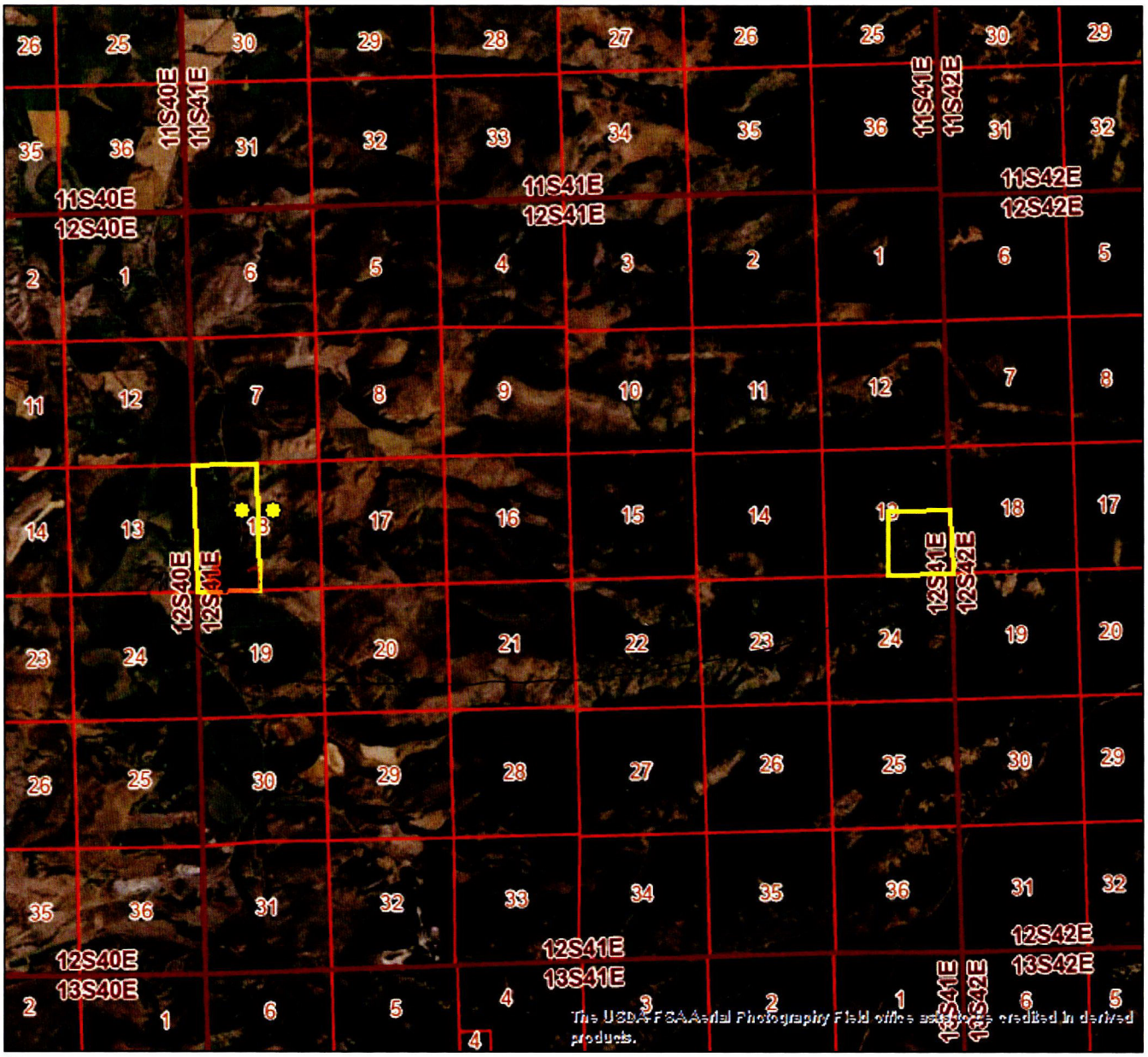
Water Right

13-808

IRRIGATION

Probably a mistake they should be together

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



188.2

Recorded at the request of:
Steven Fuller

Dixon Portion

197174 1-2

WARRANTY DEED

10:10 a.m. SEP 30 1996 p.m.
V. ELLIOTT LARSEN, RECORDER
By Pamela Larsen Deputy
FRANKLIN COUNTY, IDAHO

FOR VALUE RECEIVED

WENDELL FORSGREN and DONNA C. FORSGREN, husband and wife

do hereby grant, bargain, sell and convey unto

BEN ROY FORSGREN and JANET T. FORSGREN, husband and wife,

whose current address is: 15342 North Highway 34, Thatcher, Idaho 83283, the Grantees, the following described premises in Franklin County, Idaho to wit:

SEE EXHIBIT "A" ATTACHED HERETO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: September 27, 1996

Wendell Forsgren
WENDELL FORSGREN

Donna C Forsgren
DONNA C. FORSGREN

STATE OF IDAHO)
)
County of Franklin)

On this 27th day of September, 1996, before me, the undersigned a Notary Public in and for said State, personally appeared **WENDELL FORSGREN and DONNA C. FORSGREN**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

STEVEN R. FULLER NOTARY PUBLIC STATE OF IDAHO

Steven R. Fuller
NOTARY PUBLIC for State of Idaho
Residing at:
Comm. Exp.:

SCANNED
MAR 22 2023

197174 2-2

EXHIBIT A

Township 12 South, Range 40 East of the Boise Meridian
Section 13: S½SE¼, SE¼SW¼, ALSO, Commencing 80 rods North of the Southeast corner of Section 13, and running thence West 160 rods; thence North 9 rods; thence East 160 rods; thence South 9 rods to the point of beginning.
ALSO, Beginning at a point located at the Southeast corner of the N½SW¼ of Section 13, and running thence North 691 feet, more or less, to the South bank of Warm Creek; thence in a Westerly direction along the South bank of Warm Creek approximately 146 feet to the East bank of the Bear River; thence in a Southwesterly direction along the East bank of the Bear River to a point where the South line of the N½SW¼ intersects the East bank of the Bear River; thence East 483 feet, more or less, to the point of beginning.
EXCEPTING THEREFROM, all that portion of land owned by the Grantors lying West of the Bear River in the S½SW¼ of Section 13 and more particularly described as follows:
Beginning at the Northeast corner of the SW¼SW¼ and running thence East 519 feet, more or less, to the West Bank of the Bear River, thence in a Southwesterly direction along the West bank of the Bear River to a point approximately 640 feet South of the point of beginning, thence North 640 feet, more or less to the point of beginning.

Township 12 South, Range 41 East of the Boise Meridian
Section 18: All that portion of the following described property lying West of Highway No. 34 as set forth in Highway Right of Way Deed recorded July 19, 1965, in Book 53 of Deeds, pages 183 and 395:
LOT 4, and SE¼SW¼, ALSO, Commencing 80 rods North of the Southwest corner of said Section 18, and running thence East 160 rods; thence North 9 rods; thence West 160 rods; thence South 9 rods to the point of beginning.
RESERVING THEREFROM unto William G. Condie an undivided one-half interest in an existing flume, as recorded in Book 52 of Deeds, page 327.
ALSO EXCEPTING: Portion of land deeded for highway purposes in Book 53 of Deeds, page 183 and 395, records of Franklin County, Idaho.

TOGETHER WITH 2.0 c.f.s. water right, with a priority date of April 1, 1871, of the Waters of Spring Creek.

TOGETHER WITH any and all mineral and oil rights, in, on, or upon the above described premises.

Subject to Easements and Restrictions of Record.

SCANNED
MAR 22 2023

88/2

Dixon

Received at the request of
Steven Fuller

197175 1-2

10:15 a.m. SEP 30 1996 p.m.

V. ELLIOTT LARSEN, RECORDER
By Camille Larsen Deputy
FRANKLIN COUNTY, IDAHO

WARRANTY DEED

FOR VALUE RECEIVED

BEN ROY FORSGREN and JANET T. FORSGREN, husband and wife

do hereby grant, bargain, sell and convey unto

DIXON LEE HAMILTON and EVELYN MARLENE HAMILTON, husband and wife,

whose current address is: 4344 South Highway 23, Wellsville, Utah 84339, the Grantees, the following described premises in Franklin County, Idaho to wit:

SEE EXHIBIT "A" ATTACHED HERETO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: September 27, 1996

BEN ROY FORSGREN

Janet T. Forsgren
JANET T. FORSGREN

STATE OF IDAHO)
)
County of Franklin)

On this 27th day of September, 1996, before me, the undersigned a Notary Public in and for said State, personally appeared **BEN ROY FORSGREN and JANET T. FORSGREN**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

STEVEN R. FULLER NOTARY PUBLIC STATE OF IDAHO

Steven R. Fuller
NOTARY PUBLIC for State of Idaho
Residing at: Franklin, County
Comm. Exp.: 2/19/99

SCANNED
MAR 22 2023

EXHIBIT A

Township 12 South, Range 40 East of the Boise Meridian
Section 13: S½SE¼, SE¼SW¼, ALSO, Commencing 80 rods North of the Southeast corner of Section 13, and running thence West 160 rods; thence North 9 rods; thence East 160 rods; thence South 9 rods to the point of beginning.
ALSO, Beginning at a point located at the Southeast corner of the N½SW¼ of Section 13, and running thence North 691 feet, more or less, to the South bank of Warm Creek; thence in a Westerly direction along the South bank of Warm Creek approximately 146 feet to the East bank of the Bear River; thence in a Southwesterly direction along the East bank of the Bear River to a point where the South line of the N½SW¼ intersects the East bank of the Bear River; thence East 483 feet, more or less, to the point of beginning.
EXCEPTING THEREFROM, all that portion of land owned by the Grantors lying West of the Bear River in the S½SW¼ of Section 13 and more particularly described as follows:
Beginning at the Northeast corner of the SW¼SW¼ and running thence East 519 feet, more or less, to the West Bank of the Bear River, thence in a Southwesterly direction along the West bank of the Bear River to a point approximately 640 feet South of the point of beginning, thence North 640 feet, more or less to the point of beginning.

Township 12 South, Range 41 East of the Boise Meridian
Section 18: All that portion of the following described property lying West of Highway No. 34 as set forth in Highway Right of Way Deed recorded July 19, 1965, in Book 53 of Deeds, pages 183 and 395:
LOT 4, and SE¼SW¼, ALSO, Commencing 80 rods North of the Southwest corner of said Section 18, and running thence East 160 rods; thence North 9 rods; thence West 160 rods; thence South 9 rods to the point of beginning.
RESERVING THEREFROM unto William G. Condie an undivided one-half interest in an existing flume, as recorded in Book 52 of Deeds, page 327.
ALSO EXCEPTING: Portion of land deeded for highway purposes in Book 53 of Deeds, page 183 and 395, records of Franklin County, Idaho.

TOGETHER WITH 2.0 c.f.s. water right, with a priority date of April 1, 1871, of the Waters of Spring Creek.

TOGETHER WITH any and all mineral and oil rights, in, on, or upon the above described premises.

Subject to Easements and Restrictions of Record.

SCANNED
MAR 22 2023

295063 1-2

Recorded at the request of
Dixon Hamilton
Time: 1:28 Amount $ 13.00
AUG 03 2023
CAMILLE LARSEN, RECORDER
By C. Larsen Deputy
Franklin County, Idaho

Water Use Agreement

Entered into between:

DIXON HAMILTON and MARLENE HAMILTON as Trustees of the DIXON and MARLENE HAMILTON REVOCABLE TRUST dated September 14, 2017.

RILEY TRENT HAMILTON of 15405 North Hwy 34, Thatcher, Idaho 83283.

POST HOLLOW LLC, an Idaho Limited Liability Company of 6768 E. Post Hollow Road, Thatcher, Idaho 83283

The above parties having ownership of the South half of the SE ¼ of section 13, township 12 South, Range 41 East Boise meridian, Franklin County, Idaho and the South half of the SW ¼ of section 18, township 12 South, Range 41 East, Boise Meridian, Franklin County Idaho, along with deeded water rights 13-808, 13-8130 (Spring Creek) 13-830, 13-835, 13-8131 and 13-8132 (Bridge Creek/Williams Creek) as defined by the State of Idaho Department of Water Resources.

It is hereby agreed that 2.6 cfs of the Spring Creek deeded water as described in the above rights shall belong to the DIXON AND MARLENE HAMILTON REVOCABLE TRUST and .14 cfs shall belong to POST HOLLOW LLC.

Additionally all deeded water, .38 cfs from Bridge Creek/Williams Creek as described in the above rights shall belong to POST HOLLOW LLC.

Additionally RILEY TRENT HAMILTON claims no right to any water described in the above rights so defined by the Idaho Department of Water Resources.

SCANNED
AUG 31 2023

295063 2-2

In Agreement hereto:

Dated August 3rd 2023

DIXON HAMILTON, Trustee

MARLENE HAMILTON, Trustee

RILEY TRENT HAMILTON

POST HOLLOW, LLC
STEVEN W. REEDER MBR

STATE OF IDAHO)
: ss.
COUNTY OF FRANKLIN)

On the 3rd day of August 2023, personally appeared before me DIXON HAMILTON, MARLENE HAMILTON, RILEY TRENT HAMILTON, STEVEN W. REEDER MBR POST HOLLOW, LLC, the signers of the within instrument, who duly acknowledged to me that they executed the same.

Residing: Weston, ID
Expires: 2-21-2026

CAMILLE LARSEN
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 24176
MY COMMISSION EXPIRES 2-21-2026

SCANNED
AUG 31 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

August 30, 2023

POST HOLLOW LLC
6768 E POST HOLLOW RD
THATCHER ID 83283

Re: Water Use Agreement/Change in Ownership for Water Right No(s): 13-808, 13-830, 13-835, 13-8130 (13-8131 and 13-8132 are no longer valid, returned to original unsplit state)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of your August 10, 2023, letter and a Water Use Agreement between the Dixon and Marlene Hamiton Revocable Trust, Riley Trent Hamilton, and Post Hollow LLC. The water rights listed above were updated to reflect the agreement, these updates will affect the previous ownership change that was complete. The Department has modified its records, to reflect the agreement and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact James Cefalo at (208)525-7161.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: Dixon and Marlene Hamiton Revocable Trust
Water District 11

SCANNED
AUG 31 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

August 30, 2023

DIXON AND MARLENE HAMILTON REVOCABLE TRUST
15405 N HIGHWAY 34
THATCHER ID 83283-5825

Re: Change in Ownership for Water Right No(s): 13-808

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: Post Hollow LLC
Water District 11

SCANNED
AUG 31 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

March 22, 2023

Post Hollow LLC
c/o Steven W. Reeder
6768 East Post Hollow Rd
Thatcher, ID 83283

RE: Proposal to Update Ownership for Rights 13-808, 13-813, 13-824, 13-830, 13-835, 13-843

Dear Mr. Reeder:

On March 20, 2023, you filed four Notices of Change in Water Right Ownership, seeking to update the ownership records for water rights 13-808, 13-813, 13-824, 13-830, 13-835, and 13-843. I have spent some time reviewing the water rights and the deeds you provided. I was able to update the ownership records for some of the water rights, but not all. This letter is meant to provide a summary of my analysis and an explanation of why some of the ownership notices are being returned to you unprocessed.

Water rights 13-808, 13-830 and 13-835 were described in the Dietrich Decree (Record Nos. 390, 412 and 417). In combination, the three rights described 159 acres of irrigation. H.J. Bennett was listed as the owner of all three rights. You provided a copy of a January 1921 deed from H.J. Bennett to J.L. Bennett. That deed conveyed the SESW and the S1/2SE of Section 13, T12S, R40E and Lot 4 (SWSW) of Section 18, T12S, R41E to J.L. Bennett. The deed from H.J. Bennett to J.L. Bennett covered approximately 159 acres. It appears the 159 acres conveyed to J.L. Bennett was all the property H.J. Bennett owned in the area in 1920. Based on the evidence available at this time, I believe water rights 13-808, 13-830 and 13-835 were appurtenant to the 159 acres conveyed to J.L. Bennett in 1921. I completed a split of the three rights in proportion to the number of acres you own. Reports for the updated rights are enclosed.

Subsequent deeds for subdivided portions of the 159 acres refer to an April 1, 1871, water right from Spring Creek for 2.76 cfs. The H.J. Bennett right from Spring Creek (13-808) bears a priority date of April 1, 1872 and a diversion rate of 2.74 cfs. Without additional information, I can't be sure that the water right referred to in subsequent deeds is in fact water right 13-808. Therefore, I ignored the references to an April 1, 1871, 2.76 cfs water right from Spring Creek because I could not identify such a right in the Dietrich Decree.

You propose to update the ownership records for water right 13-824, which is currently in the name of Charles Harris, the owner listed in the Dietrich Decree. The place of use for water right 13-824 included, along with other ground, the NENE of Section 19, T12S, R41E. You currently own a portion of the NENE of Section 19. Based on the deeds provided with your ownership change, it does not appear that Charles Harris owned the NENE of Section 19 in 1920. In fact, the NENE of Section 19 was owned by J.T. Williams at that time and was described under water rights held by J.T. Williams. You were not able to trace property

SCANNED
MAR 22 2023

ownership back to Charles Harris for the NENE of Section 19. Therefore, you have not demonstrated ownership of any portion of water right 13-824.

Water rights 13-813 and 13-843 (Record Nos. 395 and 425 in the Dietrich Decree) are also currently in the name of Charles Harris. The Dietrich Decree described the same place of use for water rights 13-813 and 13-843: NE1/4 of Section 20, SENE of Section 19, T12S, R41E. This area encompasses 200 acres. Water right 13-813 is limited to 25 acres. Water right 13-843 is limited to 50 acres. It is not clear where the 75 irrigated acres for the two rights are located within the 200 acres described in the Dietrich Decree. Even though recent deeds refer to portions of water rights 13-813 and 13-843, the Harris property was split prior to those deeds being executed. The Department does not currently have enough information to update the ownership records for water rights 13-813 or 13-843.

In conjunction with your ownership change notices, you paid a filing fee of $450. I was able to complete ownership change splits on three rights (filing fee $300). Because I was not able to complete the remining ownership changes, I am returning those notices and refunding $150 of your filing fee. I encourage you to consider updating the ownership records and place of use for the remaining water rights within the Bear River Basin Adjudication (BRBA). The BRBA Court has the authority to declare you the owner of water rights to overcome any ambiguity in the chain of title. Further, the BRBA Court can recognize accomplished transfers, thereby correcting any place of use errors in the Dietrich Decree.

Feel free to contact me if you have any questions.

Sincerely,

James Cefalo
208-525-7161

SCANNED
MAR 2 2 2023

Baily, Jonie

From: Baily, Jonie
Sent: Wednesday, March 22, 2023 1:05 PM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt(1).PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E048996
Amount: $150.00
Payable to STEVEN REEDER
6768 E POST HOLLOW RD
THATCHER ID 83283

Reason: Ownership Change filed for several water rights. Review determined some could be updated but others could not. A portion of the ownership change was not complete; therefore, the applicant is entitled to a partial refund. Receipt total $450.00, 3 splits complete ($300.00) Refund of $150.00 is required.

Let me know if you have any questions or need additional information. Have a great day!!!

IDAHO DEPARTMENT OF
WATER RESOURCES
Jonie Baily | Technical Records Specialist
900 N Skyline Drive Ste. A, Idaho Falls, ID 83402
Phone number: (208) 525-7161
Fax number: (208) 525-7177
Email: jonie.barg@idwr.idaho.gov
Website: www.idwr.idaho.gov

SCANNED
MAR 22 2023

Post Hollow, LLC
Steven W. Reeder
6768 E. Post Hollow Rd.
Thatcher, ID 83283
208-851-2781

RECEIVED
MAR 20 2023
Department of Water Resources
Eastern Region

March 20, 2023

Idaho Department of Water Resource
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Notice of change in water right ownership
Water right # 13-808

Gentlemen:

Attached are copies of deeds and other documents relating to the above water right beginning with a water location document dated September 25, 1889 and the transfer of ownership up to the ownership by Post Hollow, LLC.

The water was originally decreed to H. J. Bennett (Hyrum J. Bennett). See Dietrich Decree paragraph 390, page 89. The land parcel and deeded water was intact until September 27, 1996 when the owners Ben and Janet Forsgren (deed 197174 & 197175 see attached) sold the portion as described to Dixon Lee Hamilton and Evelyn Marlene Hamilton along with 2.0 C.F.S. of the 2.74 C.F.S. originally decreed to H.J. Bennett, right # 13-808. The remaining portion of that parcel was Quitclaimed to Ben and Janet Forsgren, deed #216740 dated March 14, 2002. However, that deed was silent regarding the remaining .74 C.F.S of the original 2.74 C.F.S, 2 C.F.S being deeded to Dixon Hamilton as previously mentioned.

When I purchased the remaining parcel September 15, 2004, I was told the .74 C.F.S. was deeded to me. However, the deed is silent in this regard. Obviously the .74 C.F.S. was intended to go with my parcel, now in the name of Post Hollow, LLC, owned by the Reeder Family.

SCANNED
MAR 22 2023

In an effort to bring the water right current, I'm requesting that the ownership of .74 C.F.S. be changed from H.J. Bennett to Post Hollow, LLC and a new water right number be assigned.

As a matter of convenience, it would probably make sense to assign a new water right to the Dixon Hamilton property, 2 C.F.S as all the necessary documentation is herein provided.

Sincerely,

Steven W. Reeder
Representing Post Hollow, LLC

Footnote:

In reviewing water right #13-808 at an earlier date with your department in Idaho Falls, it was determined that a mapping error had been made in that the 2 rights shown on the attached map should be together, ie. the smaller part should adjoin the larger part being in range 40 E. not 41 E.

Attachments:

Notice of change in water right ownership form

Water location document and deed chain

Aerial photograph map /place of use/ point of diversion

Water right report/ Right # 13-808 with map

Hamilton deed / other part of split