

OCT 22 2024

DEPT. OF WATER RESOURCES

Form No.42-1409-1 (Internet 06/21)

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS****IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM****CIVIL CASE NUMBER: 79576**Claim ID: 13-2067

Date Received: _____

Receipt No: _____

Claim Fee: _____ By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW****Please type or print clearly**

1. Name of claimant(s) United States on behalf of USFWS Phone (503) 231-6167
Mailing address USDOJ, 550 West Fort Street, MSC 033 Boise Idaho Zip 83724
Street or Box City State
Email address (optional) Rachel_Esralew@fws.gov
2. Date of priority: (Only one per claim) 5/22/1915 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Oxford Creek
which is tributary to (b) Bear River
4. a. Location of point of diversion is: Township 13S, Range 38E, Section 28,
NE 1/4 of NE 1/4, Govt. Lot _____, BM, County of Franklin
Parcel no. RP00350.00
Additional points of diversion, if any: _____
If available, GPS Coordinates -112.017092, 42.270216 (WGS84)
- b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

See Addendum A for details.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD)

(cfs)

(acre-feet)

For Irrigation purposes from 01/01 to 12/31 amount 0.80 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.80 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Water is used to irrigate approximately 40 acres of land to grow hay, alfalfa, and grass.

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	38E	27							23	2									25
13S	38E	28				15													15

Parcel no(s). RP00344.00; RP00350.00

Total number of acres irrigated 40

10. In which county(ies) are lands listed above as place of use located? Franklin

11. Do you own the property listed above as place of use? Yes (☒) No (☐)

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (☒)

13. Remarks (Include an explanation of the priority date selected):

See Addendum A for more information regarding Questions #2, #4, #5, #6, and #9.

Name of claimant(s) U.S. Fish and Wildlife Service

Claim ID _____

Scale: 2 inches equals 1 mile

[illegible]

Claim ID _____

14. Basis of claim (Check one) Beneficial Use () Posted Notice (✓) License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 13-2067
(Originally License No. 11273)

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not (✓) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2 Addendums / 2 Maps / Title Docs / Change in Water Right Ownership / Notice of Appearance

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Water Resources Branch Chief of U.S. Fish and Wildlife Service, Region 1
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature] Date 10/18/2024

Printed Name of Authorized Agent Rachel Esralew

16. Notice of Appearance:

Notice is hereby given that I, (please print) U.S. DOJ - see attached Entry of Appearance, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) U.S. Fish and Wildlife Service Claim ID _____

Addendum A for Claim 13-2067

U.S. Fish and Wildlife Service (FWS)

Regarding Questions #2

Priority Date.

The priority date of 05/22/1915 is established from the water right application date associated with Water License No. 11273, which is the parent right for 13-2067, the basis of this claim. The application date is indicated in License 11273 on page 8 of the 'Water Right Backfile' archived in the IDWR water right records associated with 13-2067. Page 11 of the backfile document shows that the water right application was also received by the State Engineer's office on 05/22/1915. Note that the priority date claimed in this claim differs from the priority date currently listed in the IDWR 'Water Right Report' document for 13-2067.

Regarding Questions #4 and #5

Point of Diversion and Description of Diversion Works.

The point of diversion (POD) for this right is located along a 'feeder ditch' that conveys water from Oxford Creek eastward to a storage reservoir (the 'Oxford Reservoir') in Township 13S, Range 38E, B.M.¹ Oxford Creek water is diverted from the ditch at the POD through a 24" corrugated metal pipe by adjusting a slide gate along the ditch. The water is conveyed briefly southward into a small pond near the ditch where it is impounded or released into another diversion pipe that conveys water to the place of use about ¼ mile to the south and east of the pond.

The location of the POD in the NE ¼ NE ¼ of Section 28, T 13S, R 38E, is a change from the POD locations indicated in the water right that is the basis for this claim, License No. 13-2067², to more accurately reflect where water is diverted from the feeder ditch into the Oxford Slough Waterfowl Production Area. In practice, the new POD functions as a 're-diversion' of water sourced from Oxford Creek at the northernmost of the two original PODs. The PODs are currently managed by the Oxford Water District.

Regarding Questions #6 and #9

Place of Use (POU) and Flow Rate. An administrative split is required for 13-2067 to split the POU described in the water right into multiple parts that reflect appurtenance to several properties, one of which is owned by the FWS³. The split is performed using the POU described and authorized in the parent right for 13-2067, License No. 11273. The total POU in License 11273 consists of 160 acres⁴ and

¹ The 'feeder ditch' starts on Oxford Creek in the NE ¼ SE ¼ of Section 20, R 13S, T 38E, B.M. and runs about 2 miles eastward before terminating at the storage reservoir in the NW ¼ SW ¼ of Section 22 in the same Township/Range.

² There are two points of diversion listed in water right 13-2067, one in the NE ¼ SE ¼ of Section 20, R 13S, T 38E, and one in the SW ¼ NE ¼ of Section 29 in the same Township/Range.

³ The FWS owns parcel RP00344.00 in Franklin County which is the original parcel appurtenant to 13-2067. As described later, the FWS is changing the POU to cover two parcels which FWS both owns: RP00344.00 and RP00350.00.

⁴ The total POU for 13-2067 includes fragments in PLSS sections 15, 23, and 27, all within T 13S, R 38E, B.M.

25% of this acreage is appurtenant to FWS lands. The 40-acre portion of the licensed POU owned by the FWS is depicted on a map attached to this claim. The other parts of the POU are currently owned by several different parties according to maps of parcels in Franklin County⁵ and Bannock County.⁶

Per water right 13-2067, the flow rate allocated for irrigation and domestic use in the total POU is 3.20 cfs⁷. The flow rate the FWS claims, 0.80 cfs, reflects the percentage of acres within the total POU that are on FWS lands:

(Percentage of 13-2067 POU on FWS lands) x (Total Diversion Rate Per 13-2067) = (FWS Diversion Rate)

$$\rightarrow 25\% \times 3.20 \text{ cfs} = \mathbf{0.80 \text{ cfs}}$$

For this claim, the FWS is also changing the location of its 40-acre portion of the original POU from one area on FWS property to another to more accurately reflect where water is used. The acreage of the POU portion remains the same in the new area and no enlargement occurs. An attached map depicts the new FWS place of use in relation to the original POU described in License 11273.

⁵ Website for Franklin County Parcel Map:

<https://experience.arcgis.com/experience/d77ace3c532f441a91e36ff821805867/>

⁶ Website for Bannock County Parcel Map:

<https://bannock.maps.arcgis.com/apps/webappviewer/index.html?id=dfc86cb077844d8f8b68ba01ac6f7087>

⁷ The flow rates indicated in water right 13-2067 and its parent right, License No. 11273, are both 3.20 cfs.

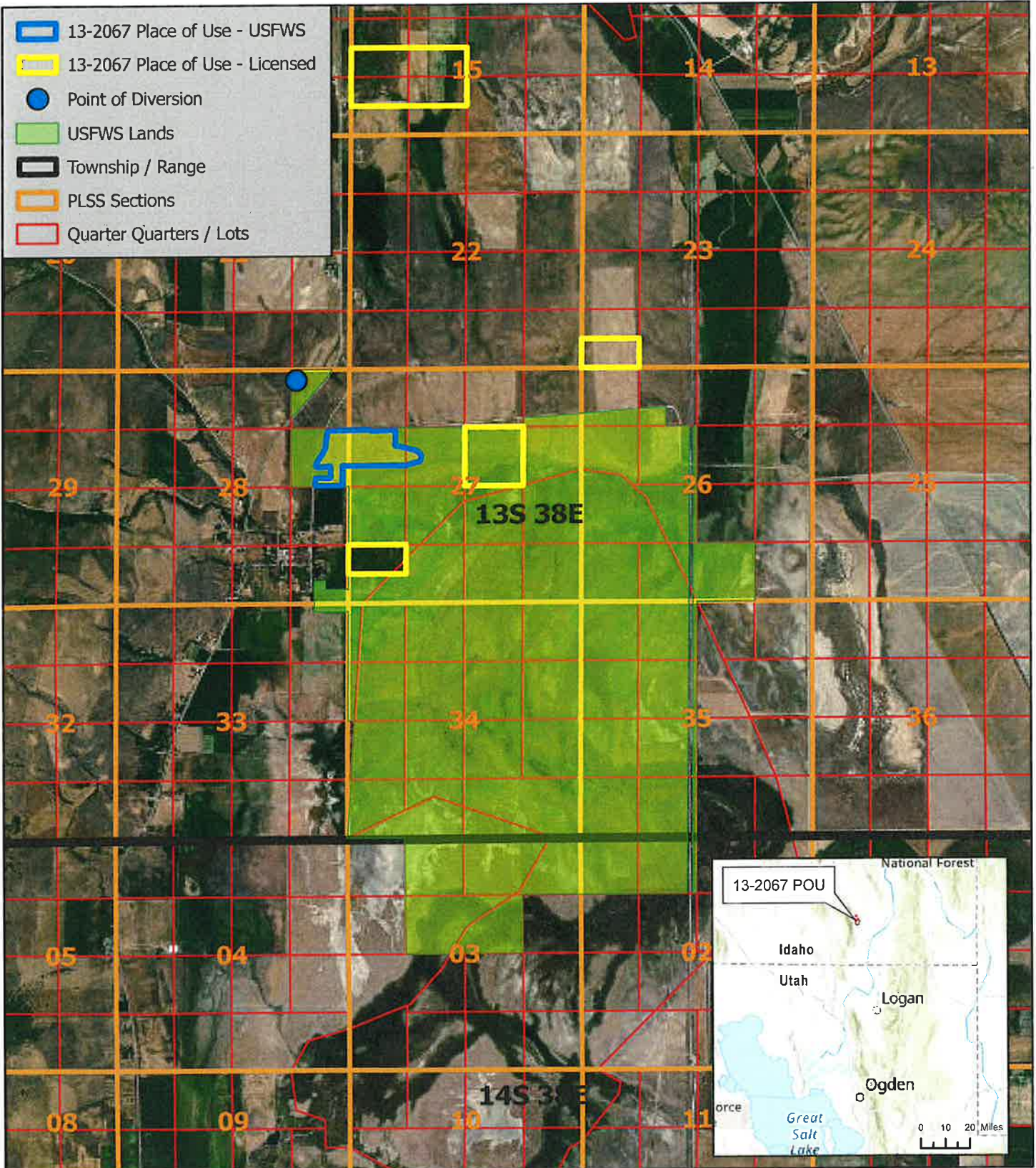


**NATIONAL
WILDLIFE
REFUGE SYSTEM**

Oxford Slough Waterfowl Production Area

Claim 13-2067

R 38E, B.M.



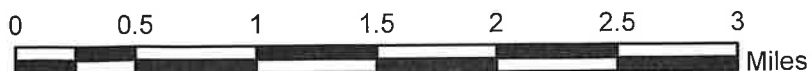
T 13S
B.M.

T 14S
B.M.



PRODUCED BY THE PACIFIC REGIONS WATER RESOURCES BRANCH
U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR
PORTLAND, OREGON
MAP DATE: 07/31/2024

DATA SOURCES:
Basemap- Esri, Maxar, Earthstar Geographics, and the GIS User
Community; 'USFWS Lands' Layer: U.S. Fish and Wildlife Service,
National Wildlife Refuge System, Division of Realty.



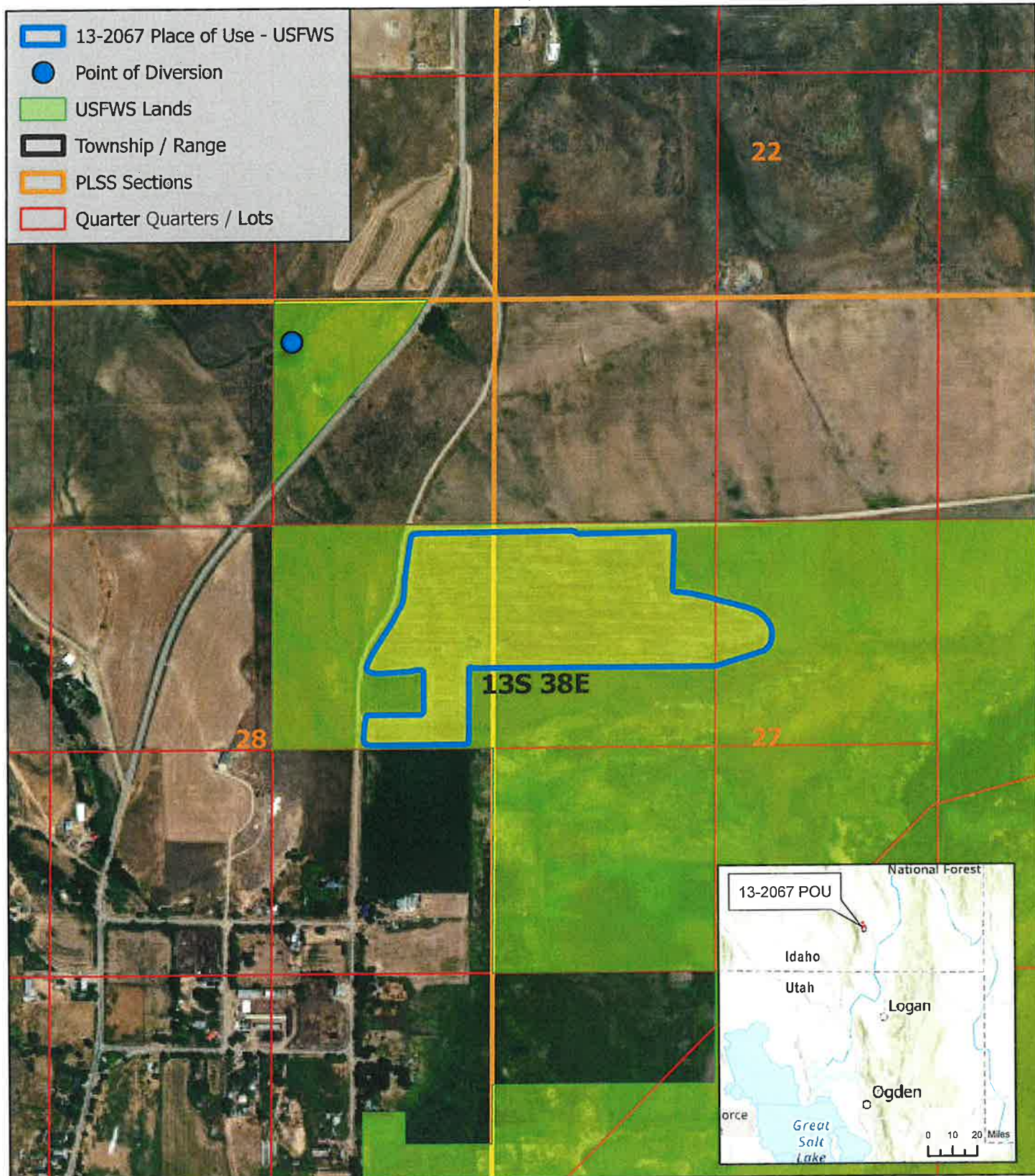


**NATIONAL
WILDLIFE
REFUGE SYSTEM**

Oxford Slough Waterfowl Production Area

Claim 13-2067

R 38E, B.M.



PRODUCED BY THE PACIFIC REGIONS WATER RESOURCES BRANCH
U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR
PORTLAND, OREGON
MAP DATE: 07/31/2024

DATA SOURCES:
Basemap- Esri, Maxar, Earthstar Geographics, and the GIS User
Community; 'USFWS Lands' Layer: U.S. Fish and Wildlife Service,
National Wildlife Refuge System, Division of Realty.

0 0.1 0.2 0.3 0.4 0.5
Miles

Map 2 of 2



DISTRICT COURT - BRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN 17 2023

By _____

Clerk

Deputy Clerk

Todd Kim
Assistant Attorney General
R. Lee Leininger
Katharine Laubach
Mark Widerschein
Natural Resources Section
Environment and Natural Resources Division
U.S. Department of Justice
550 West Fort Street, MSC 033
Boise, Idaho 83724
lee.leininger@usdoj.gov
katharine.laubach@usdoj.gov
mark.widerschein@usdoj.gov

Attorneys for the United States

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re BRBA

Case No. 79576

United States'
Notice of Appearance

PLEASE TAKE NOTICE that R. Lee Leininger, Katharine Laubach, and Mark Widerschein enter their appearances on behalf of the United States in the above titled action and in the subcases resulting from this action. Undersigned counsel enter their appearances under the direction of the Attorney General of the United States and pursuant to 28 U.S.C. §§516 through 519, which authorizes Department of Justice attorneys to conduct litigation on behalf of the United States in any suit before any state court.

CERTIFICATE OF SERVICE

I certify that on 17 January, 2023, I served true and correct copies of the foregoing

UNITED STATES' NOTICE OF APPEARANCE as follows:

Original via fax (208) 736-2121:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, ID 83303-2707

Copies via First Class U.S. Mail, pre-paid:

DIRECTOR OF IDWR
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010



Matthew Smith

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 22 2024

DEPT. 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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
13-2067	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: See Addendum B

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): United States on behalf of USFWS

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

USDOJ, 550 West Fort Street, MSC 033

Boise

ID

83724

Mailing address

City

State

Zip

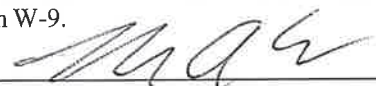
(503) 231-6167

Rachel_Esralew@fws.gov

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: April 25th, 1985
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: 
- Signature of new owner/claimant
- Rachel Esralew
- Print name

Water Resources Branch Chief

Region 1, Columbia Pacific Northwest

U.S. Fish and Wildlife Service

10/18/2024

Date

Signature: _____

Signature of new owner/claimant

Print name

Title, if applicable

Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 _____

Processed by _____

Date _____

Addendum B for Change in Water Right Ownership for 13-2067

U.S. Fish and Wildlife Service (FWS)

Regarding Question #2

As of this writing, the owner of water right 13-2067 listed in the IDWR water right database is the Oxford Reservoir and Irrigation Company (ORIC). A portion of water right 13-2067 is appurtenant to Franklin County parcel RP00344.00, which was previously owned by Federal Land Bank of Spokane and currently by the FWS.

The parent right for 13-2067, Water License No. 11273, mapped the individual properties (and their owners) to which the authorized place of use for ORIC was appurtenant.¹ ORIC was considered inactive by the State of Idaho starting in 2013² and several individuals formerly affiliated with the company who were contacted about its current status could not provide further information. However, 25% of the place of use for the water right currently in its name remains appurtenant to FWS lands.

Attached is the warranty deed that demonstrates FWS ownership of lands to which a portion of 13-2067 is appurtenant. A chain of previous titles is also attached.

¹ See page 6 of the '*Water Right Backfile*' archived in the IDWR water rights records associated with 13-2067 for the map of original landowners.

² See the attached document, '*2013_06_Business Status of the Oxford Reservoir and Irrigation Co., Idaho Secretary of State*', for more details.

The Grantor, FEDERAL LAND BANK OF SPOKANE, a Corporation, for and in consideration of the sum of Five Hundred Thirty Thousand and 00/100 Dollars (\$530,000.00) the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the UNITED STATES OF AMERICA and its assigns, the following real property located in the counties of Bannock and Franklin, State of Idaho, to-wit:

TOWNSHIP 13 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, Franklin and Bannock Counties, Idaho.

Section 26: Government Lots 1 and 2, and the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
EXCEPT that portion conveyed to the Oregon
Short Line and Utah Northern Railway Company
by deed recorded June 16, 1890, in Book 42,
Page 173;

ALSO, Commencing at the Southwest corner of
the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, and running thence
East 41 rods and 4 feet, more or less, to
the elevator property line; thence North 24
rods 6 feet, more or less, along said eleva-
tor property line to the center of the County
road; thence Westerly along the center of
said County road, 41 rods 4 feet, more or
less, to the West boundary line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$
of said Section 26; thence South along said
Quarter Section line 21 rods 13 feet, more or
less, to the place of beginning;

Government Lots 3 and 4, EXCEPT a strip 40
feet wide being 20 feet each side of what
is known as Harkness Drainage Ditch as now
constructed;

Section 26: ALSO, Beginning at the Northeast corner of
and Government Lot 3, said Section 26, and run-
ning thence North to the center of the County
road; thence West along the center of County
road 160 rods; thence South to the Northwest
corner of Lot 1, Section 27, thence running
East 160 rods, more or less, to the place of
beginning;

Government Lot 5, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 27: Government Lots 1, 2, 7 and 8, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Recorded at the request of

American Land Title

1:30⁰ a.m. MAY 13 1985 — p.m.

CORRIE L. KELLER, RECORDER

By *La Rae G. Johnson* Deputy
FRANKLIN COUNTY, IDAHO

4-2

Section 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$;

ALSO, Commencing 260 feet West from the Northeast corner of Section 28, and running thence West on Section line 1060 feet; thence South following West line of NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1,215 feet, more or less, to State Highway; thence Northeasterly following the North side of State Highway 1,600 feet, more or less, to the place of beginning;

The south 47 feet of Block 1, OXFORD TOWNSITE; Lot 1 of Block 2, OXFORD TOWNSITE; Lot 1, Block 7, Lot 5, Block 7, OXFORD TOWNSITE;

ALSO, Beginning at the Southeast corner of Section 28, Said Township and Range, and running thence West 40 rods; thence North 16 rods; thence East 40 rods, thence South 16 rods to the place of beginning;

ALSO, Commencing at the Southwest corner of Lot 1, Block 8, OXFORD TOWNSITE; thence North 172 feet along the East boundary line of Harkness Street; thence East at right angles to last described line, a distance of 253.26 feet; thence South at right angles to last described line 172 feet to South line of Lot 1, in said Block; thence West at right angles to last described line, a distance of 253.26 feet to the place of beginning;

Lot 3, Block 9, OXFORD TOWNSITE, EXCEPT the South 149.6 feet thereof.

Section 33: Commencing at the Northeast corner of Section 33, and running thence South 3 chains 56 links; thence West 11 chains 25 links; thence North 3 chains and 56 links; thence East 11 chains 25 links to the place of beginning.

Section 34: ALL, EXCEPT Government Lots 3 and 4.

Section 35: SW $\frac{1}{4}$, NW $\frac{1}{4}$.

TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, Franklin County, Idaho.

Section 2: Government Lots 10 and 11.

Section 3: Government Lot 9.

4-3

TOGETHER with the Grantor's right, title, and interest in and to all mineral and water rights appurtenant to said property.

The land is conveyed subject to existing easements for public roads and highways, railroads, pipelines, and public utilities.

The Grantor further remises, releases, and forever quitclaims to the United States and its assigns, all right, title and interest which the Grantor may have in the banks, beds, and waters of any streams, together with all interest in any alleys, roads, streets, ways, strips, gores, or railroad rights-of-way abutting or adjoining said land, and in any means of ingress or egress appurtenant thereto.

TO HAVE AND TO HOLD the above described premises to the United States of America and its assigns forever.

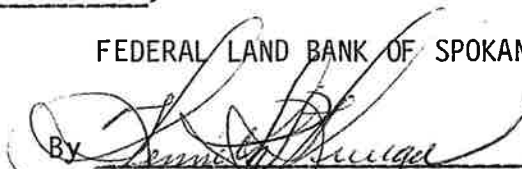
The land is being acquired by the Department of the Interior, Fish and Wildlife Service.

The Grantor hereby covenants to and with the United States and its assigns, that Grantor is lawfully seized in fee simple of the above granted premises, has a good and lawful right and power to sell and convey the same, that the same are free and clear of all encumbrances and that Grantor will warrant and forever defend the title thereto and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Dated this 25th day of April, 1985.

FEDERAL LAND BANK OF SPOKANE

By


Kenneth P. Krueger, President

By


Cheryl A. Staley, Assistant Sec'y.

169257

4-4

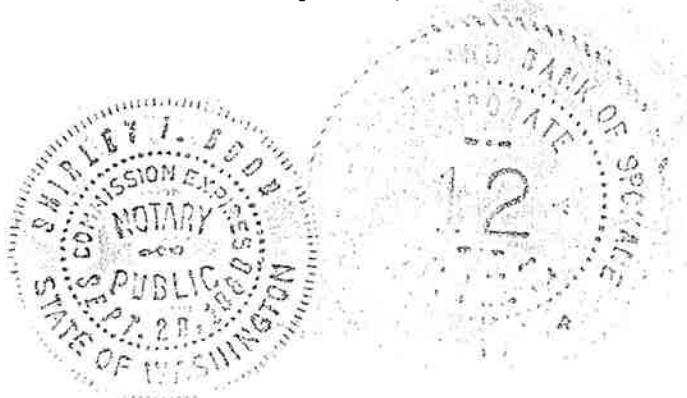
749437

CORPORATION ACKNOWLEDGMENT

State of Washington)
 County of Spokane) ss

On this 25th day of April, 1985, before me personally appeared Kenneth P. Krueger and Cheryl A. Staley, known to me to be the President and Assist. Secretary of the corporation that executed the within instrument or the persons who executed the instrument on behalf of said corporation and acknowledged to me that such corporation 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.



Shirley J. Bood
 Notary Public in and for the State of
Washington residing at Spokane

My Commission Expires: 9-28-86

NO 749437
 RECORDED AT REQUEST OF
 AMERICAN LAND TITLE CO.

'85 MAY 16 A8:24

OFFICIAL RECORD BK. NO. 424
 BANNOCK COUNTY, IDAHO
 LARRY W. CHAN RECORDER
 FEE 8.00 DEPUTY 124

Warranty Deed
 Oxford Slough (10)
 Page 4 of 4 Pages

Business Search

Searching starts with your entered keyword.

oxford reservoir and irrigation



Advanced Search Options

Results: 1

Form Info

OXFORD RESERVOIR AND IRRIGATION CO. (THE) (21186)
Non-Profit Corporation (D)

Status

Inactive-Dissolved (Administrative)

Filing Date

03/25/1899

Agent

NO AGENT



Business Certificate

OXFORD RESERVOIR AND IRRIGATION CO. (THE) (21186)
Non-Profit Corporation (D)

Filing Type
Status
Non-Profit Corporation (D)
Inactive-Dissolved (Administrative)

Formed In
IDAHO

Term of Duration
Perpetual

Principal Address
N/A

Mailing Address
195 E ONEIDA ST
PRESTON, ID 83263

Initial Filing Date
03/25/1899

Inactive Filing Date
06/12/2013

AR Due Date
03/31/2013

Registered Agent
Noncommercial
0000000

NO AGENT
AGENT RESIGNED OR
INVALID

BOISE, ID 83702



View History

169257

1-4

WARRANTY DEED

The Grantor, FEDERAL LAND BANK OF SPOKANE, a Corporation, for and in consideration of the sum of Five Hundred Thirty Thousand and 00/100 Dollars (\$530,000.00) the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the UNITED STATES OF AMERICA and its assigns, the following real property located in the counties of Bannock and Franklin, State of Idaho, to-wit:

TOWNSHIP 13 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, Franklin and Bannock Counties, Idaho.

Section 26: Government Lots 1 and 2, and the SE $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPT that portion conveyed to the Oregon Short Line and Utah Northern Railway Company by deed recorded June 16, 1890, in Book 42, Page 173;

ALSO, Commencing at the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, and running thence East 41 rods and 4 feet, more or less, to the elevator property line; thence North 24 rods 6 feet, more or less, along said elevator property line to the center of the County road; thence Westerly along the center of said County road, 41 rods 4 feet, more or less, to the West boundary line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26; thence South along said Quarter Section line 21 rods 13 feet, more or less, to the place of beginning;

Government Lots 3 and 4, EXCEPT a strip 40 feet wide being 20 feet each side of what is known as Harkness Drainage Ditch as now constructed;

Section 26: ALSO, Beginning at the Northeast corner of Government Lot 3, said Section 26, and running thence North to the center of the County road; thence West along the center of County road 160 rods; thence South to the Northwest corner of Lot 1, Section 27, thence running East 160 rods, more or less, to the place of beginning;

Government Lot 5, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 27: Government Lots 1, 2, 7 and 8, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Recorded at the request of

American Land Title

11:30 a.m. MAY 13 1905 p.m.

CORRIE L. KELLER, RECORDER

By *John G. Johnson* Deputy
FRANKLIN COUNTY, IDAHO

Section 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$;

ALSO, Commencing 260 feet West from the Northeast corner of Section 28, and running thence West on Section line 1060 feet; thence South following West line of NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1,215 feet, more or less, to State Highway; thence Northeasterly following the North side of State Highway 1,600 feet, more or less, to the place of beginning;

The south 47 feet of Block 1, OXFORD TOWNSITE; Lot 1 of Block 2, OXFORD TOWNSITE; Lot 1, Block 7, Lot 5, Block 7, OXFORD TOWNSITE;

ALSO, Beginning at the Southeast corner of Section 28, Said Township and Range, and running thence West 40 rods; thence North 16 rods; thence East 40 rods, thence South 16 rods to the place of beginning;

ALSO, Commencing at the Southwest corner of Lot 1, Block 8, OXFORD TOWNSITE; thence North 172 feet along the East boundary line of Harkness Street; thence East at right angles to last described line, a distance of 253.26 feet; thence South at right angles to last described line 172 feet to South line of Lot 1, in said Block; thence West at right angles to last described line, a distance of 253.26 feet to the place of beginning;

Lot 3, Block 9, OXFORD TOWNSITE, EXCEPT the South 149.6 feet thereof.

Section 33: Commencing at the Northeast corner of Section 33, and running thence South 3 chains 56 links; thence West 11 chains 25 links; thence North 3 chains and 56 links; thence East 11 chains 25 links to the place of beginning.

Section 34: ALL, EXCEPT Government Lots 3 and 4.

Section 35: SW $\frac{1}{4}$, NW $\frac{1}{4}$.

TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, Franklin County, Idaho.

Section 2: Government Lots 10 and 11.

Section 3: Government Lot 9.

TOGETHER with the Grantor's right, title, and interest in and to all mineral and water rights appurtenant to said property.

The land is conveyed subject to existing easements for public roads and highways, railroads, pipelines, and public utilities.

The Grantor further remises, releases, and forever quitclaims to the United States and its assigns, all right, title and interest which the Grantor may have in the banks, beds, and waters of any streams, together with all interest in any alleys, roads, streets, ways, strips, gores, or railroad rights-of-way abutting or adjoining said land, and in any means of ingress or egress appurtenant thereto.

TO HAVE AND TO HOLD the above described premises to the United States of America and its assigns forever.

The land is being acquired by the Department of the Interior, Fish and Wildlife Service.

The Grantor hereby covenants to and with the United States and its assigns, that Grantor is lawfully seized in fee simple of the above granted premises, has a good and lawful right and power to sell and convey the same, that the same are free and clear of all encumbrances and that Grantor will warrant and forever defend the title thereto and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Dated this 25th day of April, 1985.

FEDERAL LAND BANK OF SPOKANE

By 

Kenneth P. Krueger, President

By 

Cheryl A. Staley, Assistant Sec'y.

CORPORATION ACKNOWLEDGMENT

State of Washington)
County of Spokane) ss

On this 25th day of April, 1985, before me personally appeared Kenneth P. Krueger and Cheryl A. Staley, known to me to be the President and Assist. Secretary of the corporation that executed the within instrument or the persons who executed the instrument on behalf of said corporation and acknowledged to me that such corporation 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.

Shirley J. Bann
Notary Public in and for the State of
Washington residing at Spokane

My Commission Expires: 9-28-86

11:30 a.m. DEC 20 1984 — p.m.

UNITED STATES MARSHAL'S DEED

CORRELL L. KETCH, RECORDER

EJ John E. Johnson Deputy
FRANKLIN COUNTY, IDAHO

THIS DEED made and entered into this 10th day of December, 1984, between BLAINE SKINNER, United States Marshal for the District of Idaho, by virtue of his office, of the first part, and THE FEDERAL LAND BANK OF SPOKANE, West 601 First Avenue, TAF-C4, Spokane, Washington 99220, of the second part;

WHEREAS, in and by a judgment and decree made and entered on the 19th day of October, 1983, in and by the District Court of the United States, held in and for the District of Idaho, in a suit then pending in said Court, wherein THE FEDERAL LAND BANK OF SPOKANE, a corporation, was plaintiff, and GALEN R. DANCE and MYRNA E. DANCE, husband and wife; WILLIAM HEGERHORST and VALERE H. HEGERHORST, husband and wife; STANTON YEARSLEY and GLENNA JOY YEARSLEY, husband and wife; UNITED STATE OF AMERICA, acting through the Farmers Home Administration; JACK H. HILL; JAY H. HULET and GERTRUDE HULET; husband and wife; HILLCO AGRICULTURE, INC., an Idaho corporation; IDAHO GRANGE CO-OP, an Idaho corporation; RAUL GARZA and NEOLIA GARZA, husband and wife; RANGEN, INC., an Idaho corporation; UNITED STATES OF AMERICA, acting through the Department of Treasury, Internal Revenue Service; WILBUR-ELLIS COMPANY, a corporation; STATE OF IDAHO, acting through the Department of Revenue and Taxation; IVAN E. CANTRELL; DARYL CRAIN; TWIN FALLS TRUCK & EQUIPMENT, INC., an Idaho corporation; IDAHO FIRST NATIONAL BANK; and the FEDERAL LAND BANK ASSOCIATION OF PRESTON, a Corporation, were defendants, it was, among other things, ordered adjudged and decreed that the mortgaged premises described in the complaint and decree in said action be sold at public auction by the United States Marshal for the District of Idaho in the manner directed by law, a certified copy of which decree, with an order of sale thereon, was duly issued and delivered to said Marshal, requiring him to make sale of said premises as therein directed;

AND WHEREAS, in obedience to said decree and order of sale, and after due public notice given as required by law, the said Marshal did, on the 2nd day of December, 1983, at 1:08 P.M. of said day, duly sell at public auction on the steps of the County Courthouse, Preston, Franklin County, Idaho, the premises in said decree and hereinafter described to The Federal Land Bank of Spokane for the sum of \$473,687.11, that being the highest and best bid and it being the highest and best bidder, which will more fully appear by reference to a Certificate of Sale given to said The Federal Land Bank of Spokane by the said United States Marshal, bearing date the 2nd day of December, 1983, by virtue of which purchase and certificate the said Federal Land Bank of Spokane became entitled to a deed for the said premises from the said United States Marshal, because the said premises were not redeemed according to law.

NOW, THEREFORE, I, BLAINE SKINNER, United States Marshal of said District, by virtue of my office, and by force of the statute in such case made and provided, for and in consideration of \$473,687.11 in hand paid to me by The Federal Land Bank of Spokane, have granted, bargained, and sold, and by these presents do grant, bargain and sell unto The Federal Land Bank of Spokane all the real property situate in the County of Franklin, State of Idaho, described as follows, to-wit:

Township 13 South, Range 38 East of the Boise Meridian,
Franklin County, Idaho

Section 26: Government Lots 3 and 4, EXCEPT, a strip 40 feet wide being 20 feet each side of what is known as Harkness Drainage Ditch as now constructed.

Lot 5, SW1/4SW1/4.

ALSO, Beginning at the Northeast corner of Government Lot 3, said Section 26, and running thence North to the center of the County road; thence West along the center of County road 160 rods; thence South to the Northwest corner of Lot 1, Section 27, thence running East 160 rods, more or less, to the place of beginning.

Lot 1, Except that portion being in the SW1/4SE1/4.
 ALSO, Lot 2 and the SE1/4NW1/4 of Section 26, EXCEPT, a strip 75 feet wide off the East side of Lot 2, in the SW1/4 of said Section; also a strip of land 225 feet wide off the East side of the SE1/4NW1/4 of Section 26, heretofore conveyed to the Oregon Short Line and Utah Northern Railway Company.

Township 13 South, Range 38 East of the Boise Meridian,
 Franklin County, Idaho

Section 26: ALSO, Commencing at the Southwest corner of the NE1/4NW1/4 of Section 26, and running thence East 41 rods and 4 feet, more or less, to the elevator property line; thence North 24 rods 6 feet, more or less, along said elevator property line to the center of the County road; thence Westerly along the center of said County road, 41 rods 4 feet, more or less, to the West boundary line of the NE1/4NW1/4 of said Section 26; thence South along said Quarter Section line 21 rods 13 feet, more or less, to the place of beginning.

Section 27: Government Lots 1, 2, 7 and 8, S1/2NW1/4, S1/2SE1/4, E1/2SW1/4, NW1/4SW1/4, S1/2SW1/4SW1/4.

Section 28: SE1/4NE1/4; ALSO, Commencing 260 feet West from the Northeast corner of Section 28, and running thence West on Section line 1060 feet; thence South following West line of NE1/4NE1/4 1215 feet, more or less, to State Highway; thence Northeasterly following the North side of State Highway 1600 feet, more or less, to the place of beginning. The South 47 feet of Block 1, OXFORD TOWNSITE, Lot 1 of Block 2, OXFORD TOWNSITE, Lot 1, Block 7; Lot 5, Block 7, OXFORD TOWNSITE: ALSO, Beginning at the Southeast corner of Section 28, said Township and Range, and running thence West 40 rods; thence North 16 rods; thence East 40 rods; thence South 16 rods to the place of beginning.

ALSO, Commencing at the Southwest corner of Lot 1, Block 8, OXFORD TOWNSITE, thence North 172 feet along the East boundary line of Harkness Street, thence East at right

angles to last described line, a distance of 253.26 feet; thence South at right angles to last described line 172 feet to South line of Lot 1, in said Block, thence West at right angles to last described line, a distance of 253.26 feet to the place of beginning.

ALSO, Lot 3, Block 9, OXFORD TOWNSITE, EXCEPT, the South 149.6 feet thereof.

Section 33: Commencing at the Northeast corner of Section 33, and running thence South 3 chains 56 links; thence West 11 chains 25 links; thence North 3 chains and 56 links; thence East 11 chains 25 links to the place of beginning.

Section 34: All, except Government Lots 3 and 4.

Section 35: SW1/4, NW1/4.

Township 14 South, Range 38 East of the Boise Meridian, Franklin County, Idaho.

Section 2: Government Lots 10 and 11.

Section 3: Government Lot 9.

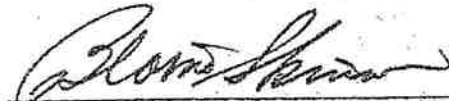
Also, together with a 40 H.P. U.S. Electric Motors electric Motor, Serial No. 1225673, with a Western Pump Co. turbine Pump, Serial No. 13760, and 5000 feet of 8 to 6 inch steel and PVC mainline, and 3000 feet of 6 inch PVC mainline, and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

Together with all water and water rights used upon or appurtenant to said property, and however evidenced, and particularly 43.5 shares meadow, 92 shares farm, 16 shares double lot, and 2 shares single lot stock, all in Oxford Canal and Irrigation Company. Also, together with Permit No. 13-7185 and any successor license of said permit issued to completion of final survey as issued by State of Idaho Department of Water Resources.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

TO HAVE AND TO HOLD, the above described premises with the appurtenances unto said grantee and assigns forever.

IN WITNESS WHEREOF, said grantor as Marshal aforesaid, doth hereunto set his hand the day and year first above written.



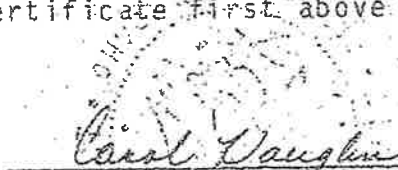
BLAINE SKINNER, United States
Marshal for the District of Idaho

STATE OF IDAHO

County of

On this 10th day of December, 1984, before me, the undersigned, a Notary Public in and for said State, personally appeared BLAINE SKINNER, U. S. Marshal for the District of Idaho, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same as said U. S. Marshal.

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



Carol Daugherty
NOTARY PUBLIC for State of Idaho

Residing at: Blaine, Idaho

Deputy Clerk, US District Court
District of Idaho

WARRANTY DEED

For Value Received

WILLIAM HEGERHORST and VALERE H. HEGERHORST, husband and wife,
Oxford Route, Clifton, Idaho 83228

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

GALEN R. DANCE and MYRNA E. DANCE, husband and wife,
Box 418, Wendell, Idaho 83355

FRANKLIN & BRUNCKEN

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

All that certain property described on Exhibit A attached hereto
and by this reference made a part hereof as fully as though set
out in length herein,subject to a mortgage in favor of the Federal Land Bank which
grantee hereby assumes and agrees to pay as part consideration
hereof.TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grant-
ee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the
Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above de-
scribed and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 8, 1979

William Hegerhorst
Valere HegerhorstSTATE OF IDAHO, COUNTY OF GOODING
On this 8th day of June, 1979
before me, a notary public in and for said State, per-
sonally appeared
WILLIAM HEGERHORST and VALERE
HEGERHORST, husband and wifeSTATE OF IDAHO, COUNTY OF ~~GOODING~~ FRANKLIN
I hereby certify that this instrument was filed for record
at the request of American Land Title Co.
at 55 minutes past 3 o'clock p.m.
this 26th day of December
1979, in my office, and duly recorded in Book
of Deeds at pageknown to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.Michael D. Long
Ex-Officio RecorderBy Tina Bryant
Deputy.Fees \$
Mail feeNotary Public
Gooding, IdahoPUBLISHED
Gooding, Idaho
Gale, Inc., Printing

Instrument No.

vnship 13 South, Range 38 East of the Boise Meridian, Franklin County
aho

Section 26: Government Lots 3 and 4, EXCEPT, a strip 40 feet wide
being 20 feet each side of what is known as Harkness
Drainage Ditch as now constructed.

Lot 5, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

ALSO, Beginning at the Northeast corner of Government
Lot 3, said Section 26, and running thence North to the
center of the County road; thence West along the center
of County road 160 rods; thence South to the Northwest
corner of Lot 1, Section 27, thence running East 160 rods,
more or less, to the place of beginning.

Lots numbered 1 and 2 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, EXCEPT,
a strip 25 feet wide off the West side of Lot 1 in the
SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, also a strip of land 75 feet wide
off the East side of part of Lot 2 in the SW $\frac{1}{4}$ of said
Section; also a strip of land 225 feet wide off the East
side of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, heretofore conveyed to
the Oregon Short Line and Utah Northern Railway Company.

ALSO, Commencing at the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of
Section 26, and running thence East 41 rods and 4 feet,
more or less, to the elevator property line; thence North
24 rods 6 feet, more or less, along said elevator property
line to the center of the County road; thence Westerly
along the center of said County road, 41 rods 4 feet, more
or less, to the West boundary line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said
Section 26; thence South along said Quarter Section line
21 rods 13 feet, more or less, to the place of beginning.

Section 27: Government Lots 1, 2, 7 and 8, S $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$,
NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$; ALSO, Commencing 260 feet West from the Northeast
corner of Section 28, and running thence West on Section
line 1060 feet; thence South following West line of NE $\frac{1}{4}$ NE $\frac{1}{4}$
1215 feet, more or less, to State Highway; thence North-
easterly following the North side of State Highway 1600
feet, more or less, to the place of beginning.

ALSO, the South 47 feet of Block 1, OXFORD TOWNSITE; Lot 1
of Block 2, OXFORD TOWNSITE; Lot 1, Block 7; Lot 5, Block 7,
OXFORD TOWNSITE; ALSO, Beginning at the Southeast corner of
Section 28, said Township and Range, and running thence
West 40 rods; thence North 16 rods; thence East 40 rods;
thence South 16 rods to the place of beginning.

ALSO, Commencing at the Southwest corner of Lot 1, Block 8,
OXFORD TOWNSITE, thence North 172 feet along the East
boundary line of Harkness Street, thence East at right
angles to last described line, a distance of 253.26 feet;
thence South at right angles to last described line 172
feet to South line of Lot 1, in said Block; thence West at
right angles to last described line, a distance of 253.26
feet to the place of beginning.

ALSO, Lot 3, Block 9, OXFORD TOWNSITE, EXCEPT, the South
149.6 feet thereof.

Section 33: Commencing at the Northeast corner of Section 33, and
running thence South 3 chains 56 links; thence West 11 chains
25 links; thence North 3 chains and 56 links; thence East
11 chains 25 links to the place of beginning.

Section 34: All

Section 35: SW $\frac{1}{4}$, NW $\frac{1}{4}$.

Township 14 South, Range 38 East of the Boise Meridian, Franklin
County, Idaho

Section 2: Government Lots 10 and 11.

Section 3: Government Lot 9.

SUBJECT to existing easements for roads, highways, ditches, canals,
laterals, power and transmission lines, and all railroad rights-of-
way.

SUBJECT to a reservation of Mineral rights to the extent of an
undivided three-eighths of an interest in all existing underground
oil, gas, and mineral rights, which were reserved by Frank Beal and
Iva Pearl Beal, his wife.

SUBJECT to a retention of an undivided one-fourth interest in the
underground mineral and oil rights reserved by Russell A. Koller and
Dorothy W. Koller, his wife.

SUBJECT to all prior reservation of mineral rights, all easements,
all rights-of-way and any and all encumbrances of record, including
but not limited to, a Mortgage in behalf of the Federal Land Bank
of Spokane.

TOGETHER with all existing water rights.

END OF EXHIBIT "A"

WARRANTY DEED

For Value Received

DIXON CHRISTENSEN and FLORENCE CHRISTENSEN, husband and wife
the grantor s, do hereby grant, bargain, sell and convey unto

WILLIAM HEGERHORST and VALERE H. HEGERHORST, husband and wife,
the grantee s, the following described premises, in Franklin County Idaho, to wit:

See attached Exhibit "A" for property description

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
heirs and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantee s that t he y are the owner s in fee simple of said premises; that they are free
from all incumbrances

and that t hey will warrant and defend the same from all lawful claims whatsoever.

Dated: 25 day of January, 1974.

Dixon Christensen
Florence Christensen

Carhe

STATE OF ~~IDAHO~~ COUNTY OF UTAH
On this 25th day of January, 1974,
before me, a notary public in and for said State, personally
appeared

DIXON CHRISTENSEN and FLORENCE
CHRISTENSEN, husband and wife,

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

Shirley D. Kirby
Notary Public
Residing at 1406 Park View
Comm. Expires FEB '77

149262

Recorded at the request of

Chambers Land Title

APR 4 1979 3:35 p.m.

MICHAEL D. KUNZ, RECORDER
By *LaRue E. Johnson* Deputy
FRANKLIN COUNTY, IDAHO

EXHIBIT "A"

Township 13 South, Range 38 East of the Boise Meridian, Franklin County
Idaho

Section 26: Government Lots 3 and 4, EXCEPT, a strip 40 feet wide being 20 feet each side of what is known as Harkness Drainage Ditch as now constructed.
Lot 5, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

ALSO, Beginning at the Northeast corner of Government Lot 3, said Section 26, and running thence North to the center of the County road; thence West along the center of County road 160 rods; thence South to the Northwest corner of Lot 1, Section 27, thence running East 160 rods, more or less, to the place of beginning.

Lots numbered 1 and 2 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, EXCEPT, a strip 25 feet wide off the West side of Lot 1 in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, also a strip of land 75 feet wide off the East side of part of Lot 2 in the SW $\frac{1}{4}$ of said Section; also a strip of land 225 feet wide off the East side of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, heretofore conveyed to the Oregon Short Line and Utah Northern Railway Company.

ALSO, Commencing at the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, and running thence East 41 rods and 4 feet, more or less, to the elevator property line; thence North 24 rods 6 feet, more or less, along said elevator property line to the center of the County road; thence Westerly along the center of said County road, 41 rods 4 feet, more or less, to the West boundary line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26; thence South along said Quarter Section line 21 rods 13 feet, more or less, to the place of beginning.

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ALSO, the South 47 feet of Block 1, OXFORD TOWNSITE; Lot 1 of Block 2, OXFORD TOWNSITE; Lot 1, Block 7; Lot 5, Block 7, OXFORD TOWNSITE; ALSO, Beginning at the Southeast corner of Section 28, said Township and Range, and running thence West 40 rods; thence North 16 rods; thence East 40 rods; thence South 16 rods to the place of beginning.

ALSO, Commencing at the Southwest corner of Lot 1, Block 8, OXFORD TOWNSITE, thence North 172 feet along the East boundary line of Harkness Street, thence East at right angles to last described line, a distance of 253.26 feet; thence South at right angles to last described line 172 feet to South line of Lot 1, in said Block; thence West at right angles to last described line, a distance of 253.26 feet to the place of beginning.

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Section 34: All except Government Lots 3 and 4.

Section 35: SW $\frac{1}{4}$, NW $\frac{1}{4}$.

(Continued)

EXHIBIT "A"

Page 2.

Township 14 South, Range 38 East of the Boise Meridian, Franklin
County, Idaho

Section 2: Government Lots 10 and 11.

Section 3: Government Lot 9.

SUBJECT to existing easements for roads, highways, ditches, canals,
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way.

SUBJECT to a reservation of Mineral rights to the extent of an
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oil, gas, and mineral rights, which were reserved by Frank Beal and
Iva Pearl Beal, his wife.

SUBJECT to a retention of an undivided one-fourth interest in the
underground mineral and oil rights reserved by Russell A. Koller and
Dorothy W. Koller, his wife.

SUBJECT to all prior reservation of mineral rights, all easements,
all rights-of-way and any and all encumbrances of record, including
but not limited to, a Mortgage in behalf of the Federal Land Bank
of Spokane.

TOGETHER with all existing water rights.

END OF EXHIBIT "A"

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, MARS LARSEN RANCH CORPORATION, a corporation organized and existing under the laws of the State of Utah, with its principal office at Salt Lake City of the County of Salt Lake, State of Utah, grantor, hereby conveys or grants and warrants to DIXON CHRISTENSEN and FLORENCE CHRISTENSEN, husband and wife, grantees, the following described tracts of land in Franklin County, State of Idaho:

Township 13 South, Range 38 East of the Boise Meridian

Section 26: Government Lots 3 and 4. EXCEPT, a strip 40 feet wide being 20 feet each side of what is known as Harkness Drainage Ditch as now constructed.

Lot 5. SW $\frac{1}{4}$ SW $\frac{1}{4}$.

ALSO, Beginning at the Northeast corner of Government Lot 3, said Section 26, and running thence North to the center of the County road; thence West along the center of County road 160 rods; thence South to the Northwest corner of Lot 1, Section 27, thence running East 160 rods, more or less, to the place of beginning.

Lots numbered 1 and 2 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, EXCEPT, a strip 25 feet wide off the West side of Lot 1 in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, also a strip of land 75 feet wide off the East side of part of Lot 2 in the SW $\frac{1}{4}$ of said Section; also a strip of land 225 feet wide off the East side of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, heretofore conveyed to the Oregon Short Line and Utah Northern Railway Company.

Township 13 South, Range 38 East of the Boise Meridian

Section 26: ALSO, Commencing at the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, and running thence East 41 rods and 4 feet, more or less, to the elevator property line; thence North 24 rods 6 feet, more or less, along said elevator property line to the center of the County road; thence Westerly along the center of said County road, 41 rods 4 feet, more or less, to the West boundary line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26; thence South along said Quarter Section line 21 rods 13 feet, more or less, to the place of beginning.

Section 27: Government Lots 1, 2, 7 and 8. S $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$; ALSO, Commencing 260 feet West from the Northeast corner of Section 28, and running thence West on Section line 1060 feet; thence South following West line of NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1215 feet, more or less, to State Highway; thence Northeasterly following the North side of State Highway 1600 feet, more or less, to the place of beginning.

ALSO, the South 47 feet of Block 1, OXFORD TOWNSITE, Lot 1 of Block 2, OXFORD TOWNSITE, Lot 1, Block 7; Lot 5, Block 7, OXFORD TOWNSITE; ALSO, Beginning at the Southeast corner of Section 28, said Township and Range, and running thence West 40 rods; thence North 16 rods; thence East 40 rods; thence South 16 rods to the place of beginning.

Recorded at the request of

American Land Title

APR 4 1979 J.M.

MICHAEL D. KUNZ, RECORDER

By *John E. Johnson* Deputy
FRANKLIN COUNTY, IDAHO

Township 13 South, Range 38 East of the Boise Meridian
Section 28: ALSO, Commencing at the Southwest corner of
(Continued) Lot 1, Block 8, OXFORD TOWNSITE, thence North
172 feet along the East boundary line of
Harkness Street, thence East at right angles
to last described line, a distance of 253.26
feet; thence South at right angles to last
described line 172 feet to South line of Lot
1, in said Block; thence West at right angles
to last described line, a distance of 253.26
feet to the place of beginning.

ALSO, Lot 3, Block 9, OXFORD TOWNSITE, EXCEPT,
the South 149.6 feet thereof.

Section 33: Commencing at the Northeast corner of Section 33,
and running thence South 3 chains 56 links;
thence West 11 chains 25 links; thence North 3
chains and 56 links; thence East 11 chains 25
links to the place of beginning.

Section 34: All except Government Lots 3 and 4.

Section 35: SW $\frac{1}{4}$, NW $\frac{1}{4}$.

Township 14 South, Range 38 East of the Boise Meridian

Section 2: Government Lots 10 and 11.

Section 3: Government Lot 9.

Subject to existing easements for roads, highways, ditches, canals, laterals,
power and transmissions lines, and all railroad rights-of-way.

Subject to a reservation of mineral rights to the extent of an undivided
three-eighths of an interest in all existing underground oil, gas, and mineral rights,
which were reserved by Frank Beal and Iva Pearl Beal, his wife.

Subject to a retention of an undivided one-fourth interest in the underground
mineral and oil rights reserved by Russell A. Koller and Dorothy W. Koller, his wife.

Subject to all prior reservation of mineral rights, all easements, all rights-of-
way, and any and all encumbrances of record, including but not limited to, a mortgage
in behalf of the Federal Land Bank of Spokane.

Together with all existing water rights

The officers who sign this deed hereby certify that this deed and the transfer
represented thereby was duly authorized under a resolution duly adopted by the board
of directors of the grantor at a lawful meeting duly held and attended by a quorum.

IN WITNESS WHEREOF, the grantor has caused its corporate name and seal to be here-
unto affixed by its duly authorized officers this 29 day of MARCH, 1979.

MARS LARSEN RANCH CORPORATION

By: Mars Larsen
Mars Larsen, President

Attest: Grant Kesler
Grant Kesler, Secretary

STATE OF UTAH)
COUNTY OF SALT LAKE)

On the 29th day of March, 1979, personally appeared before me Mars Larsen
and Grant Kesler, who being by me duly sworn did say, each for himself, that he, the
said Mars Larsen, is the President, and he, the said Grant Kesler, is the secretary
of Mars Larsen Ranch Corporation, and that the within and foregoing instrument was signed
in behalf of said corporation by authority of a resolution of its board of directors,
said Mars Larsen and Grant Kesler each duly acknowledged to me that said corporation
executed the same and that the seal affixed is the seal of said corporation.

My commission expires 10/1/83

Robert L. Bunting
Notary Public
Residing at Salt Lake County

149260

Recorded at the request of

Quinn's Land Title

APR 4 1979 3:25pm

MICHAEL D. KUNZ, RECORDER

By *John E. Johnson* Deputy
FRANKLIN COUNTY, IDAHO

WARRANTY DEED

FRANK BEAL and IVA PEARL BEAL, his wife,
of Oxford, County of Franklin, State of Idaho, hereby
WARRANT and CONVEY to

grantors

MARS LARSEN RANCH CORPORATION,
of Salt Lake City, Utah

grantees

for the sum of TEN (\$10.00) DOLLARS and other valuable considerations -----
the following described tracts of land situate in Franklin County, Idaho:

Township 13 South, Range 38 East, Boise Meridian Section 26:

Government lots 3,4 EXCEPT a strip 40 feet wide being 20 feet each side of what is known as Harkness drainage ditch as now constructed. Lot 5, SW $\frac{1}{4}$ SW $\frac{1}{4}$. Also beginning at the Northeast corner of Government lot 3, said Section 26, and running thence North to the center of the County Road; thence West along the center of County road 160 rods; thence South to the Northwest corner of Lot 1, Section 27, thence running East 160 rods more or less to the place of beginning.

Lots numbered 1 & 2 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, saving and excepting however, from the operation of this grant a strip 25 feet wide off the West side of lot 1 in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, also a strip of land 75 feet wide off the East side of part of Lot 2 in the SW $\frac{1}{4}$ of said Section; also a strip of land 225 feet wide off the East side of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, heretofore conveyed to the Oregon Short Line & Utah Northern Railway Company.

Township 13 South, Range 38 East, Boise Meridian: Section 26:

Commencing at the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, and running thence East 41 rods and 4 feet, more or less, to the elevator property line; thence North 24 rods 6 feet, more or less, along said elevator property line to the center of the County Road; thence Westerly along the center of said County Road, 41 rods 4 feet, more or less, to the West boundary line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26; thence South along said quarter Section line 21 rods 13 feet, more or less, to the place of beginning.

Section 27: Government lots 1, 2, 7 and 8; S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$; also commencing 260 feet West from the Northeast corner of Section 28, and running thence West on Section line 1060 feet; thence South following West line of NE $\frac{1}{4}$ 1215 feet, more or less, to State Highway; thence Northeasterly following the North Side of State Highway 1600 feet, more or less, to the place of beginning. The South 47 feet of Block 1, Oxford townsite, Lot 1 of Block 2, Oxford Townsite, lot 1, Block 7; Lot 5 Block 7, Oxford Townsite; Also beginning at the Southeast corner of Section 28, Said Township & range and running thence West 40 rods; Thence North 16 rods; thence East 40 rods; thence South 16 rods to the place of beginning. Also, commencing at the Southwest corner of Lot 1, Block 8, Townsite Oxford, thence North 172 feet along the East boundary line of Harkness Street, thence East at right angles to last described line, a distance of 253.26 feet; thence South at right angles to last described line 172 feet to South line of Lot 1, in said block; thence West at right angles to last described line, a distance of 253.26 feet to the place of beginning. Also Lot 3, Block 9, Oxford Townsite, EXCEPT, the South 149.6 feet thereof.

Section 33: Commencing at the Northeast corner of Section 33, and running thence South 3 Chas. 56 links; thence West 11 Chains 25 links; thence North 3 chains and 60 links; thence East 11 chains 25 links to the place of beginning.

Section 34: ALL EXCEPT, Government lots 3 and 4.

Section 35: SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Township 14 South, Range 38 East, Boise Meridian.

Section 2: Government Lots 10 and 11.

Section 3: Government Lot 9.

The Grantors hereby retain and reserve unto themselves an undivided (3/8) three-eighths interest in all existing underground oil, gas and mineral rights.

Subject to all roads, ditches, transmission lines which now exist, together with all water rights and ditch rights consisting of but not limited to 1.66 cubic foot well with pump and 127 hours on Oxford Creek water. (1836 acres, more or less.)

All hay on property, included in sale.

WITNESS the hands of said grantors this 20th day of December 1972.

Signed in the presence of:

Frank Beal
Iva Pearl Beal

STATE OF UTAH)
(COUNTY OF BOX ELDER) SS



On the 20 day of December, 1972, Personally appeared before me, Robert Lee, Notary Public, the undersigned, who duly acknowledged to me that they executed the same.

My Commission expires:
March 9, 1975

Notary Public
Tremonton, Utah

WARRANTY DEED

FOR VALUE RECEIVED RUSSELL A. KOLLER AND DOROTHY W. KOLLER, husband and wife, the Grantors do hereby grant, bargain, sell and convey unto Frank Beal and Iva Pearl Beal, husband and wife as joint tenants with full rights of survivorship and not as tenants in common, the Grantees the following described premises in Franklin County, Idaho, to-wit:

TOWNSHIP 13 South, Range 38 East, Boise Meridian

Section 26: Government lots 3, 4 EXCEPT a strip 40 feet wide being 20 feet each side of what is known as Harkness drainage ditch as now constructed. Lot 5, SW $\frac{1}{4}$ SW $\frac{1}{4}$. Also beginning at the Northeast corner of Government lot 3, said Section 26, and running thence North to the center of the County Road; thence West along the center of County Road 160 rods; thence South to the Northwest corner of Lot 1, Section 27, thence running East 160 rods, more or less to the place of beginning.

Lots numbered 1 & 2 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, saving and excepting however, from the operation of this grant a strip 25 feet wide off the West side of Lot 1 in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, also a strip of land 75 feet wide off the East side of part of Lot 2 in the SW $\frac{1}{4}$ of said Section; also a strip of land 225 feet wide off the East side of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, heretofore conveyed to the Oregon Short Line & Utah Northern Railway Company.

Township 13 South, Range 38 East, Boise Meridian:

Section 26: Commencing at the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, and running thence East 41 rods and 4 feet, more or less, to the elevator property line; thence North 24 rods 6 feet, more or less, along said elevator property line to the center of the County road; thence Westerly along the center of said County road, 41 rods 4 feet, more or less, to the West boundary line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26; thence South along said quarter section line 21 rods 13 feet, more or less, to the place of beginning.

Section 27: Government lots 1, 2, 7 and 8; S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$; also commencing 260 feet West from the Northeast corner of Section 28, and running thence West on Section line 1060 feet; thence South following West line of NE $\frac{1}{4}$ 1215 feet, more or less, to State Highway; thence Northeasterly following the North side of State Highway 1600 feet, more or less, to the place of beginning. The South 47 feet of Block 1, Oxford Townsite, Lot 1 of Block 2, Oxford Townsite, Lot 1, Block 7; Lot 5, Block 7 Oxford Townsite; Also beginning at the Southeast corner of Section 28, said township & Range and running thence West 40 rods; thence North 16 rods; thence East 40 rods; thence South 16 rods to the place of beginning. Also, commencing at the Southwest corner of Lot 1, Block 8, Townsite Oxford, thence North 172 feet along the East boundary line of Harkness Street, thence East at right angles to last described line, a distance of 253.26 feet; thence South at right angles to last described line 172 feet to South line of Lot 1, in said block; thence West at right angles to last described line, a distance of 253.26 feet to the place of beginning. Also lot 3, Block 9, Oxford Townsite.

Section 33: Commencing at the Northeast corner of Section 33, and running thence South 3 chains 56 links; thence West 11 chains 25 links; thence North 3 chains and 56 links; thence East 11 chains 25 links to the place of beginning.

Section 34: ALL EXCEPT, Government lots 3 and 4

Section 35: SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Township 14 South, Range 38 East, Boise Meridian

Section 2: Government lots 10 and 11

Section 3: Government lot 9

Subject to all roads, ditches, transmission lines which now exist, together with all water rights and ditch-rights consisting of but not limited to 1.66 cubic foot well with pump and 127 hours on Oxford Creek water.

Subject to Mortgage dated May 11, 1967 executed by Russell A. Koller and Dorothy W. Koller husband and wife to the Federal Land Bank of Spokane to secure payment of \$55,300.00 and interest, recorded May 17, 1967 in Book 67 of Mortgages, page 179, under Instrument No. 120754, records Franklin County, Idaho.

The Grantors hereby retain an undivided one-fourth interest of the underground mineral and oil rights

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said 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 this 30th day of June, 1967.

Russell A. Koller
Dorothy W. Koller

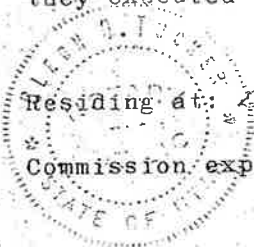
State of Utah }
County of Davis } ss.

On this 30th day of June, 1967, before me, a Notary Public in and for said State, personally appeared Russell A. Koller and Dorothy W. Koller, 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.

Alton R. Tucker
Notary Public

Residing at: Bountiful, Utah

Commission expires: Nov. 13, 1971



123704

Russell A. Koller, et al

TO

Franklin County, Idaho

Recorded at the request of
Wm. C. Wood

12:51 a.m. DEC 16 1968

CLEO L. SWENSON, RECORDER

By Franklin County Deputy

FRANKLIN COUNTY, IDAHO

300

RECEPTION ☒
FEE BOOK ☒
RECORDED ☒
INDEXED ☒

Alton, Idaho 83408

WARRANTY DEED

For Value Received

Hazel Garner, the grantor, does hereby grant, bargain, sell and convey unto Russell A. Koller and Dorothy W. Koller, husband and wife the grantees, the following described premises, in Franklin ^{& Bannock} County Idaho, to-wit:

Commencing at the Southwest corner of the Northeast quarter of the Northwest quarter of Section 26, Township 13 South, Range 38 East of the Boise Meridian, and running thence East 41 rods and 4 feet; more or less, to the elevator property line; thence North 24 rods 6 feet, more or less along said elevator property line to the center of the County road; thence Westerly along the center of said county road, 41 rods 4 feet, more or less, to the West boundary line of the Northeast quarter of the Northwest quarter of said Section 26; thence South along said quarter section line 21 rods 13 feet, more or less, to the place of beginning, and containing 5 7/8 acres, more or less.

ALSO, Lots numbered 1 and 2 and the Southeast quarter of the Northwest quarter, Section 26, Township 13 South of Range 38 East of the Boise Meridian, Idaho, containing 121 acres saving and excepting however from the operation of this grant a strip of land 25 feet wide off the West side of Lot number 1 in the Southwest quarter of the Southeast Quarter, Section 26, Township 13 South, Range 38 East of the Boise Meridian, also a strip of land 75 feet wide off the East side of part of Lot 2 in the Southwest quarter of said Section, Township and Range. Also a strip of land 225 feet wide off the east side of the Southeast Quarter of the Northwest Quarter of Section 26, Township 13 South, Range 38 East of the Boise Meridian, heretofore conveyed to the Oregon Short Line and Utah Northern Railway Company.

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

Dated: May 1, 1967

(\$3.85 U.S.I.R. Stamps duly affixed and cancelled)

Hazel Garner

STATE OF IDAHO, COUNTY OF

On this 1st day of May, 1967, before me, a notary public in and for said State, personally appeared Hazel Garner known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Seal

J. P. Garner

Notary Public

Residing at Preston, Idaho

Comm. Expires 6-11-67

STATE OF IDAHO

County of Franklin - ss.

Recorded at the request of Star Company at 10:55 A.M., May 3, 1967.

Fee: \$1.80

C. L. Swenson: Ex-Officio Recorder

By Marilyn Swenson Deputy

-- Compared --

Inst. No. 120690

WARRANTY DEED

THIS INDENTURE, made this 14th day of March, 1967, between Greta W. Corbridge, Phyllis W. Kingsford, Margaret W. Jamison, Vanona W. Geddes, Elma W. Porter, and Adele W. Hyer of Preston, County of Franklin, State of Idaho, the parties of the first part and Mrs. Sadie Carter, a widow of Preston, County of Franklin, 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 TEN DOLLARS (\$10.00) and other valuable consideration Dollars lawful money of the United States of America, to them in hand paid by the party 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 party of the second part, and to her heirs and assigns, forever, all the following described real estate, situated in Preston, County of Franklin, State of Idaho, to-wit:

Beginning at a point 95 rods South and 252 feet East of the Northwest corner of Section 26, Township 15 South, Range 39 East of the Boise Meridian, and running thence South 155 feet; thence East 52 feet; thence North 155 feet; thence West 52 feet to the place of beginning.

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 party of the second part, and to her 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, her 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 have hereunto set their hands and seals the day and year first above written.

Executed and Delivered in the Presence of

Gretta W. Corbridge	(Seal)
Gretta W. Corbridge	
Phyllis W. Kingsford	(SEAL)
Phyllis W. Kingsford	
Maggie W. Jamison	(SEAL)
Maggie W. Jamison	
Vanona W. Geddes	(SEAL)
Vanona W. Geddes	
Elma W. Porter	(SEAL)
Elma W. Porter	
Adele W. Hyer	(Seal)
Adele W. Hyer	

STATE OF IDAHO,
County of Franklin)^{ss.}

On this 14th day of March in the year 1967, before me Dell W. Smith, a Notary Public in and for said State, personally appeared Gretta W. Corbridge, Phyllis W. Kingsford, Margaret W. Jamison, Vanona W. Geddes, Elma W. Porter, and Adele W. Hyer 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.

Seal

Dell W. Smith

Notary Public for the State of Idaho,

Residing at Preston,, Idaho.

STATE OF IDAHO

County of Franklin—ss.

Recorded at the request of Sadie Carter at 4:15 P.M., May 3, 1967.

Fee:\$1.80

C. L. Swenson: Ex-Officio Recorder

By *Justin L. Swenson* Deputy

-- Compared --

Inst. No. 120693

C.D. No. 49924

O. S. L. - DEED

L. & T. No. 8653

AUDIT OSL-LS 620

QUITCLAIM DEED

THIS INDENTURE, made this 13th day of April, 1967, between OREGON SHORT LINE RAILROAD COMPANY, a corporation of the State of Utah, GRANTOR, and UNION PACIFIC RAILROAD COMPANY, a corporation of the State of Utah, GRANTEE:

WITNESSETH, that the said Grantor, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00), lawful money of the United States of America, to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the said Grantee, and to its successors and assigns, the following parcels of land lying and being in Franklin County, Idaho, being more particularly described as follows, to-wit:

A triangular parcel of land situate in the North Half of Section 13, Township 16 South, Range 38 East of the Boise Meridian, in Franklin County, Idaho, bounded and described as follows:

Beginning at a point in the east and west center line of said Section 13 that is 150.0 feet distant southwesterly, measured at right angles, from the center line of the main track of the Oregon Short Line Railroad Company as now constructed and operated;

thence West along said east and west center line of Section 13 a distance of 174 feet; more or less, to the center of said section;

(\$55 U. S. I. R. Stamps duly affixed and cancelled.)

thence Northwesterly along the westerly right of way line of said Railroad Company a distance of 490.0 feet (which right of way line forms an angle of approximately 10° from north to northwest with the north-south center line of said Section 13, and is a straight line drawn from the center of said Section 13 to an intersection with a line parallel with and 50 feet distant southwesterly measured at right angles, from said center line of main track at a point 500 feet distant northwesterly from the north and south center line of said Section 13, measured along said parallel line);

thence Southeasterly along a straight line a distance of 554 feet, more or less, to the point of beginning.

Containing an area of 41,550 square feet, more or less.

STATE OF ~~UTAH~~, Utah

County of ~~Franklin~~. Box Elder ss

On this 25 day of April in the year 1967, before me Ted B. Larsen a Notary Public in and for said State, personally appeared Charles Stevenson and his wife Janeal Stevenson, 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.

Seal

Hiro Nagae

Notary Public, Residing at

Honeyville Utah

State of Colorado

County of Denver ss

On this 5th day of May in the year 1967, before me Rosella M. Smith a Notary Public in and for said state, personally appeared Duane Stevenson and his wife Barbara Stevenson 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.

Rosella M. Smith

Notary Public

Residing at Denver, Colo.

x

My Commission expires July 6, 1968

Seal

State of Idaho

County of Franklin - ss.

Recorded at the request of Mrs. John Sparrow at 2:15 P.M., May 8th, 1967.

Fee: \$2.10

C. L. Swenson: Ex-Officio Recorder

By *Justin J. Swenson* Deputy

- Compared -

Inst. No. 120706

QUIT CLAIM DEED

THIS INDENTURE, made this 29th day of September in the year, A. D. one thousand nine hundred Fifty three, between Samuel E. Gates and his wife Louisa N. Gates Heirs of H. V. Gates deceased of the County of San Deigo, State of California, parties of the first part, and Russell A. Koller of the county of Franklin, State of Idaho, party of the second part,

WITNESSETH:--That the said parties of the first part, for and in consideration of the sum of One -----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 demise, release and forever quitclaim unto the said party of the second part, and to his heirs and assigns forever, all that S.E.C. certain lot, piece, or parcel of land, situate, lying and being in Franklin County, State of Idaho, and L.N.C. bounden and particularly described as follows to-wit:

The Northeast quarter of Northwest quarter of Section 35, Township 13 South, Range 38 East of Boise Meridian, less Oregon Short Line Rail Road right-of-way.

We the parties of the First part do hereby certify that S.E.Gates also known as Samuel E.Gates , O.B.Gates and Helen Gates Heim are the children of H.V.Gates and the heirs at law and only heirs at law of H.V.Gates deceased.

(\$.55 U.S.I.R. Stamps duly affixed and cancelled)

Together with all and singular, the tenements, water rights, hereditaments, and appurtenances thereunto belonging, or in any wise appertaining, and the reversion, reversions, remainder, and remainders, rents, the issues, and the profits thereof;

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

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

Signed in the presence of

Samuel E. Gates

Louisa N. Gates

STATE OF California)

County of San Diego,) ss.

On this 29th day of September in the year 1953, before me, Patricia Cameron a Notary Public in and for said County, personally appeared Samuel E. Gates and Louisa N. Gates, 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. My commission expires -----

Seal

My Commission Expires September 13, 1955

Patricia Cameron

Notary Public

Address 914 So. Coast Blvd

La Jova, Calif.

STATE OF IDAHO,

County of Franklin - ss.

Recorded at the request of Star Company at 2:45 P.M., May 8, 1967.

Fee: \$1.80

C. L. Swenson: Ex-Officio Recorder

By Patricia Cameron Deputy

-- Compared --

Inst. No. 120723

WARRANTY DEED

THIS INDENTURE, made this 6th day of April in the year of our Lord one thousand nine hundred and Sixty-seven between JAMES D. McELFISH and Maxine E. McELISH, husband and wife of MinkCreek County of Franklin State of Idaho the parties of the first part, and CHARLES DICKIE, MILTON CANTOR, GEORGE GARR, DR. RICHARD BURKE, PAUL DEATS, JOHN HANBERY, E. BOYETTE, DR. L. BOWTON, ELLIOT M. THOMPSON, CLYDE LYNCH, JERRY M. RHYNE of Long Beach County of Los Angeles State of California the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of \$1.00 and other good and 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 their heirs and assigns forever, all the following described real estate, situated in the County of Franklin, State of Idaho, to-wit:

TO EACH AND UNDIVIDED INTEREST ALL AS TENANTS IN COMMON,

THE FOLLOWING: A portion of the SW1/4 of Section 6, Township 14 South, Range 41 East, Boise Meridian, described as; Commencing at a point 1117.1 feet East of the SW corner of said Section 6, running thence East 161 feet to center of county road; thence North 13°30' East 9.90 feet along center of county road, thence North 78° West 160 feet; thence South 9° West 43 feet to the place of beginning.

Also, a portion of the NW1/4 of Section 7, Township 14 South, Range 41 East, Boise Meridian, described as: Commencing at a point 1117.1 feet East of the NW corner of said Section 7, running thence East 161 feet to center of county road; thence South 13°30' West 127.10 feet along center of County road; thence North 73°30' West 151 feet; thence North 9° East 82 feet to the place of beginning.

(\$ 2.75 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 reversion 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 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 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 have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

James D. McElfish

(SEAL)

x Maxine E. McElfish

(SEAL)

STATE OF IDAHO,

County of Franklin - ss.

On this 6th day of April in the year 1967, before me Connie Westover a Notary Public in and for said State, personally appeared JAMES D. McELFISH 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 this certificate first above written.

Seal

Connie Westover

Notary Public, Residing at Preston, Idaho

STATE OF CALIFORNIA

County of Los Angeles ss



United States Department of the Interior

FISH AND WILDLIFE SERVICE
911 NE 11th Avenue
Portland, Oregon 97232-4181



In Reply Refer to:
FWS/R1

10/18/2024

RECEIVED

OCT 22 2024

DEPT. OF WATER RESOURCES

Memorandum

To: Mathew Weaver, Director
Idaho Department of Water Resources
Idaho Water Center
322 East Front Street Suite 648
Boise, ID 83702-7371

From: Rachel Esralew
Supervisor, Regional Water Rights Manager, Water Resources Branch
U.S. Fish and Wildlife Service

Re: **United States on behalf of U.S. Fish and Wildlife Service submission of Notice of Claim under the Bear River Basin Adjudication within Idaho Department of Water Resources Administrative Basin 13**

The United States on behalf of the U.S. Fish and Wildlife Service (Service) is submitting a Notice of Claim under the Bear River Basin Adjudication (BRBA) that represents claimed water use at the Oxford Slough Wildlife Production Area within Idaho Department of Water Resources (IDWR) Administrative Basin 13.

As an agent of the Service, I am the signatory on Item 15 of the Notice of Claim. Under Item 16 of the Notice of Claim, a separate document is included in the Claim Package documenting Notice of Appearance (Entry of Appearance) of individuals from the U.S. Department of Justice (U.S. DOJ) on behalf of the United States.

Idaho Code § 42-1414 requires each person who files a Notice of Claim to pay a filing fee. However, the United States does not have the authority to pay state filing fees for the BRBA. Congress enacted the McCarran Amendment, 43 U.S.C. § 666, to allow the joinder of the United States in state general stream adjudications. Under the U.S. Supreme Court's decision in *United States v. Idaho*, 508 U.S. 1 (1993), the McCarran Amendment does not waive the United States' sovereign immunity from general stream adjudication fees.

A separate email will be sent to idwrinfo@idwr.idaho.gov to confirm submission of this package. The Service requests confirmation of receipt of this notice of claim by IDWR in writing. Please contact me or the U.S. DOJ attorneys listed in the Entry of Appearance with any questions.

Sincerely,

REGION 1

Columbia-Pacific Northwest

Washington, Oregon, Idaho, Pacific Islands

REGION 8

Pacific Southwest

California, Nevada, Oregon (Klamath Basin)

Rachel Esralew Water Resources Branch Chief - Supervisory Hydrologist
U.S. Fish and Wildlife Service
Columbia Pacific Northwest and Pacific Southwest Region
911 NE 11th Avenue
Portland, OR 97232-4171

CC:

Michael Jeletic (Service)
Katherine Laubach (U.S. DOJ)
Mark Widerschein (U.S. DOJ)
Michelle Ramus (U.S. DOJ)

Attachments:

Notice of Claim

Addendum A

Map (2 pages)

Change of Water Right Ownership

Addendum B

Chain of Title

Warranty Deed

Business status of the Oxford Reservoir and Irrigation Company

Notice of Appearance