



Historic Land Transaction Review

Final Report

December 4, 2018

1. Introduction

The Idaho Department of Lands (Department) has researched and evaluated historical land sale records with the purpose of analyzing transactions that appeared to exceed limits set by the Idaho Constitution. This report presents the legal background regarding acreage limits, the methodology and challenges encountered during the review process, the factors that caused some transactions to appear to exceed limits when further research determined they did not exceed limits, a summary of results and questions that remain, and the current status of land transactions.

Excerpt from *Idaho's Endowment Lands: A Matter of Sacred Trust*

The following excerpt from [Idaho's Endowment Lands: A Matter of Sacred Trust](#) provides a historical background of the original granting of state endowment lands as well as context that could explain some of the findings within the land transaction review:¹

TERRITORIAL AND STATEHOOD GRANTS TO IDAHO

The first land grant in Idaho was made under the Territorial Act of 1863, granting sections 16 and 36 of each township for the support of public schools, a total of almost 3 million acres (Table 1). The Territorial Act of 1883 granted 46,080 acres for the support of the State University, which in 1889 became the University of Idaho. Upon admission as a state on July 3, 1890, the federal government reconfirmed these grants, and provided an additional 50,000 acres for the University of Idaho, plus lands for the support of seven additional institutions.

Table 1. Federal land grants to Idaho by beneficiary institution, *Idaho Admission Act* (1890).

Beneficiary Institution	Acres Granted
Public Schools	2,982,683
Public Buildings	32,000
State University located at Moscow	96,080
Agricultural College	90,000
Charitable Institutions	150,000
Insane Asylum located at Blackfoot	50,000
Normal Schools	100,000
Penitentiary located at Boise City	50,000
School of Science	100,000
Total	3,650,763

Because many of the sections of land granted for the support of the public schools were already in private ownership prior to statehood, the Idaho Admission Act authorized the state to select replacement lands from the public domain. These were called "lieu lands"

¹ The footnotes and maps are omitted and Tables 1 and 2 have been reformatted for printability. Reference *Idaho's Endowment Lands: A Matter of Sacred Trust* for the complete article.

then and now. Many of the granted lands were within the Forest Reserves created in 1891 (now part of the National Forest System), so the state was authorized to select lieu lands from the public domain in other locations. Initially, Idaho chose to concentrate on selecting high-valued agricultural and grazing lands with the intention of selling them. Timberlands were selected with the intention of removing the timber and then selling the land as agricultural or grazing lands.

THE CONSTITUTIONAL CONVENTION

In 1889, the framers of the Idaho Constitution faced a dilemma. Statehood required a formal constitution that, among other things, had to address the disposition of the federal land grants. How should Idaho go about using the land endowment given to the state to support its public schools and other institutions? Lively discussion at the Constitutional Convention focused on this matter.

Some argued that the state should sell the land, invest the principal, and use the interest to support the schools and institutions:

Now if this land could be sold at what would be a fair price, if it could be converted into money, we would get something from it, and further than that, it would pass into the hands of those who would have to pay taxes, for which we get no taxation now.

Others argued that the state should hold the land forever, and obtain benefits by leasing the agricultural, grazing, and mineral lands, and by selling timber from time to time. Debate also focused on the difficulty of determining the value of the grant lands:

[T]hese school lands should remain to perpetuate the school fund, preserving a nucleus around which we may collect something for not only ourselves who live now, but for those who shall come after us.

[T]his territory seems so wide, and there is so much vacant and unoccupied land lying all around us, that we despise the possessions which Uncle Sam in his liberality has given us to hold in trust for our children. I say that neither I nor you have any definite idea of what this land is worth today which lies under the sun of Idaho or what it is going to be worth in the future.

The dilemma faced by the framers of the Constitution of the State of Idaho was resolved through compromise—up to a specified amount of land could be sold annually at a price exceeding an established minimum, and the remainder would be retained and managed by the state, with leases and sales of severable assets such as minerals and timber allowed. In order to protect the trust assets, however, the Constitution required that lands be disposed of at public auction. The amount of land that could be sold annually and the selling price have changed several times throughout Idaho's history. A provision for the exchange of land was ultimately added, but not until almost a century later.

To protect the value of the trust for future generations, the Idaho Admissions Act required that proceeds from the sale of the school lands be deposited into a permanent endowment fund. The Constitution of the State of Idaho requires that the Permanent Fund “shall forever remain inviolate and intact.”

Idaho began selling land immediately, and today approximately two-thirds of the original 3.6 million acres of land grants remain. Between 1900 and 1940 more than 700,000 acres were sold, including almost 450,000 acres sold between 1911 and 1920. When the opportunity is appropriate, the state will engage in land trades. Over the past 60 years some acreage has been added to the trusts through land sale contract forfeitures, loan foreclosures, and land exchanges, but more acreage was sold from the endowment trusts than was added to them.

The method of granting to the public schools sections 16 and 36 in each township resulted in scattered and disjointed parcels (Map 1, see outside front cover), as endowment lands were intermingled with private and federal ownership so as to create a “checkerboard” pattern, particularly in southwestern Idaho (Map 2, see inside front cover). Some large trust land ownership blocks have been created through “lieu land” selections and land exchanges with other land owners (see Map 1). Larger blocked-up holdings can facilitate management efficiency and potentially result in more returns, depending on the type of land asset and opportunities to create multiple revenue streams, and the potential for lands to shift into higher and better, and thus more valuable, land uses in the future.

2. Legal Background Regarding Acreage Limits

The Idaho Constitution addresses the disposition of granted lands in two sections. Article IX, § 8 establishes limits on the disposition of the granted lands other than University lands. As originally written, Article IX, § 8 provided limits on the disposition of school lands, and provided, in pertinent part:

The legislature shall at the earliest practicable period, provide by law that the general grants of land made by Congress to the state, shall be judiciously located and carefully preserved and held in trust, subject to disposal at public auction for the use and benefit for the respective objects for which said grants of land were made, and the legislature shall provide for the sale of said lands from time to time and for the sale of timber on all state lands and for the faithful application of the proceeds thereof in accordance with the terms of said grants; ***provided, that not to exceed twenty-five sections of school lands shall be sold in any one (1) year, and to be sold in subdivisions of not to exceed one hundred and sixty (160) acres to any one individual, company or corporation.*** (Emphasis added).

In 1915, the Idaho Legislature passed legislation to amend § 8. The amendment, which was ratified in the 1916 general election and took effect on December 1, 1916, increased the section and acreage limits:

[T]he legislature shall, at the earliest practicable period, provide by law that the general grants of land made by Congress to the State shall be judiciously located and carefully preserved and

held in trust, subject to disposal at public auction for the use and benefit of the respective objects for which said grants of lands were made, and the Legislature shall provide for the sale of said lands from time to time and for the sale of timber on all State lands and for the faithful application of the proceeds thereof in accordance with the terms of said grants: Provided, That ***not to exceed One Hundred (100) sections of school lands shall be sold in any one year, and to be sold in subdivisions of not to exceed Three Hundred and Twenty (320) acres of land*** to any one individual, company or corporation.

1917 Idaho Sess. Laws p. 328-29 (italics in original; brackets and bold emphasis added).

In 1982, § 8 was again amended, to read as it does now. While other parts of § 8 were also amended, the significant change for purposes of this report was as follows: "provided, that not to exceed one hundred sections of ~~school~~ state lands shall be sold in any one year, and to be sold in subdivisions of not to exceed three hundred and twenty acres of land to any one individual, company or corporation."

1982 Idaho Sess. Laws, p. 936, HJR No. 18 [strikeout and underscore in original].

Article IX, § 10 pertains to "university lands", which are University Endowment lands, of which the University of Idaho, as the land grant institution, is the beneficiary. Section 10 provides that "[n]o university lands shall be sold for less than ten dollars per acre, and in subdivisions not to exceed one hundred and sixty acres, to any one person, company or corporation." Idaho Const., art. IX, § 10. These limits have been in place since statehood.

The acreage limits in sections 8 and 10 of Article IX must be considered together in addressing any questions regarding endowment land sales.

3. Land Transaction Review Project

In March of 2017, the Department began working on an evaluation to review historic land sales, and the extent to which they may have exceeded acreage limits prescribed in Article IX, Sections 8 and 10 of the Idaho Constitution.

The State of Idaho, through the Department, has sold around 1,248,374 acres of endowment land over the past 127 years. Since 1891, the Department has granted over 15,000 deeds and 25,000 land sale certificates.² The deeds and land sale certificates are stored electronically as a .pdf and are searchable by instrument number. The Department also maintains data from the deeds and land sale certificates in a geospatial database (Database). The Database is the data repository for the paper records associated with the land sales. The data from the deeds and land sale certificates are archived based on attributes such as acres, legal descriptions, owner, encumbrances, sale price, dates, and endowments.

To determine if an individual or entity was sold acreage in excess of the constitutional limitations, one would need to create a list of all sales, the person or entity whom the property was sold, and the associated acreage. Even though most land sales occurred prior to personal computers and current communication technologies, the information required to perform the evaluation has been entered into

² Land sale certificates were contracts between the state and buyer for the purchase of the land.

the Database.^{3,4} As such, the goal was to use the Department's Database as the source to identify the land sales that may have exceeded the acreage limits.

Issues with Querying the Dataset

By using the Database, the Department is able to create a tabular format to itemize certain attributes found in the deeds or land sale certificates. Unfortunately, the output from a geospatial format to a tabular format can be difficult to organize and reconcile due to the amount of data produced. If a specific attribute is queried (e.g., parcel of land, deed, or sale), the Department can individually research the data and locate the needed information, similar to a title report. For example, if a request is made for Property X, then the Department can access the records and history by first finding the property on a map, which allows IDL to identify the instrument and attributes attached to the property, view the instrument, and provide an answer to questions about that specific property.

However, when querying a complete dataset that includes multiple attributes (e.g., all land sales with dates, purchaser, acres, endowment, etc.), the output or response is extensive. Essentially, the process for one attribute is performed on multiple attributes for 1,248,374 acres of land. When converting the data into a table, there are data interpretation issues where duplication exists, and information is incomplete or inaccurate due to the type of dataset output required.

The difference between the two examples is that the first example identified one attribute to query as compared to the second example that was for a complete dataset with multiple attributes. Hence, the issue is being able to provide a complete dataset with accurate information.

Originally, the Department planned to bifurcate the research into two phases to reduce the data into smaller datasets. The thought was to create a pilot evaluation method to test a small dataset prior to evaluating all endowment land sales.

The following was the original proposed process:

1. Phase I
 - a. University Endowment (Pilot) (audit data)
 - b. Filter the University Endowment
 - i. Look at the transactions that are > 160 acres
 - ii. Research each transaction that could be > 160 acres
2. Phase II
 - a. Legal and historical research
 - b. Review other Endowment transactions
 - c. Database creation to provide needed fields (audit data)

The Department began Phase 1 and identified two issues. First, the initial dataset was insufficient for evaluation due to the lack of distinction between the contracting party and the deeded party.

³ During the project, the Department encountered errors in the data. The errors included misspelled names, incorrect endowment ownership, and incorrect acreage. The number of errors encountered were minimal.

⁴ The Department contracted with a company to use a data extractor program on the deeds through a data extractor program to build a dataset based on certain deed attributes. Due to the differing deed types, writing, styles, etc., the output was inaccurate or unreliable. The Department determined that using the current data in the Database would suffice for the review. (Example 1).

Additionally, each sale was shown by 40-acre identifiers. This means that those transactions over 40 acres were duplicated at 40-acre increments. The dataset produced over 35,000 lines of data.

ParcelID	Deed Numbr	Deed Typ	Grantor	GIS Acres	Issue Date	Finalized Da	Selling Price	Grantee Names
ID080100S0400E0SN160ASENE	D3788	State Deed	Public School	39.86	1908-12-12	1921-03-21	1,200.00	A Fenn; Albert E Hayes; Edw J Turner
ID080100S0400E0SN160ASWNE	D3788	State Deed	Public School	39.88	1908-12-12	1921-03-21	1,200.00	A Fenn; Albert E Hayes; Edw J Turner
ID080100S0400E0SN160ASESE	D3760	State Deed	Public School	39.69	1909-05-01	1921-01-20	1,780.00	A Fenn; Albert E Hayes; E J Turner
ID080100S0400E0SN160ASWSE	D3760	State Deed	Public School	39.72	1909-05-01	1921-01-20	1,780.00	A Fenn; Albert E Hayes; E J Turner
ID080100S0400E0SN160ANESE	D3759	State Deed	Public School	39.78	1908-12-12	1921-01-20	400.00	A Fenn; Albert E Hayes; Edw J Turner
ID080070N0020W0SN360ANENW	D2794	State Deed	Public School	39.97	1905-12-02	1918-03-29	1,840.00	A Heistad; George H Roberts

Figure 1. First Dataset

Overall, there was no way to filter the purchasing party to quantify the total acres purchased, so the Department created a second dataset. The second dataset provided the necessary data to be able to quantify the total acreage per person. However, the dataset grew to over 39,000 rows of data due to the number of parties involved in the sales. While this format provided a way to identify individual totals, it does not always distinguish the correct party to whom the property was sold (the party listed on the land sale certificate). However, this format allowed the Department to sort the data by entity name and total acreage, and the Department ultimately determined that this was the best data format for review.

Instrument Number	Entity Role	Deed Type	Issue Date	Finalized Date	Selling Price	Endowment Grantor	Instrument Total GIS Acres	Entity Name	Public School Sold to Entity
D3820	Grantee	State Deed	1907-08-19	1921-06-01	1600	PS	158.8	A J Knollin	544.05
D3821	Grantee	State Deed	1910-05-12	1921-06-01	811.68	PS	66.46	A J Knollin	544.05
D3823	Grantee	State Deed	1920-08-02	1921-06-01	2080	PS	120.06	A J Knollin	544.05
D3824	Grantee	State Deed	1920-11-08	1921-06-01	2400	PS	198.73	A J Knollin	544.05
D1334	Grantee	State Deed	1905-03-22	1911-05-27	940	PB	40.18	A J Kreitzer	0
D2586	Grantee	State Deed	1905-03-22	1917-09-20	940	PB	40.08	A J Kreitzer	0
D3433	Grantee	State Deed	1908-10-20	1920-01-03	1580	PS	40.17	A J Leisle	40.17
D5151	Grantee	State Deed	1912-09-05	1930-02-27	1200	PS	95.37	A J Lester	95.37
D4463	Grantee	State Deed	1907-05-11	1925-03-30	278.4	PS	23.32	A J McDonald	23.32

Figure 2. Second Dataset

The second issue with the phased approach was the efficiency and effectiveness of performing a combined search on all endowments, not just the University Endowment. The problem with limiting review based solely on an endowment or date is the potential for overlap, particularly the Public School Endowment. For example, if John purchased 100 acres in 1913 and then purchased 300 acres in 1920, he would not be over the pre-1916 limit or the post-1916 limit, but combined, he would be. Since the limit is based on a lifetime limit, John's purchase of 400 acres would be over the post-1916 limit. If the research was segmented exclusively on dates, then John's overage may not have been identified.

Process for Identifying Sales to Research

After the Department determined which dataset to use, it employed the following process to identify sales that appeared to be in excess of the acreage limit:

First, a query was performed on the University Endowment by filtering the dataset to any transaction over 160 acres.

Second, a query was performed on the Public School Endowment by filtering the dataset to:

- transactions over 160 acres between statehood and 1916;
- transactions over 320 acres from 1916 to current; and
- transactions from statehood to current.⁵

Third, a query was performed on all endowments by filtering the dataset from 1982 to current. This included Public School Endowment, University Endowment, and Indemnity School lands.

Fourth, each transaction that was identified as potentially exceeding 160 or 320 acres (depending on endowment and date) was flagged for review. Each flagged transaction was then individually reviewed and researched with available historical deeds and land sale certificates. A substantial number of flagged transactions were determined to not be in excess of the acreage limit after reviewing the actual documents.

Factors that Made Transactions Appear to Exceed Limits

Due to the redundancy and extensive data provided in the dataset, there were a number of factors that made transactions appear to exceed the limit while further research showed they actually did not exceed the limit. The following were common reasons:

- 1. Deeded v. Contracting Party**—The deed itself identifies the final deeded owner, not necessarily the party who was the original purchaser. The evaluation of whether there was an overage is based on the original contracting party, not the deeded party. *See Webster-Soule Farm v. Woodmansee's Adm'r.*, 36 Idaho 520, 211 P. 1090 (1922). The land sale certificate identifies the buyer at the time of sale – the party with whom the Department contracted. The deed, however, would not be issued or completed until the purchase price for the property was paid in full. This meant that there were often extended times between the initial transaction (when the land sale certificate was issued) and the completion of the transaction and issuance of the deed (many times up to 40 years). During that time, a land sale certificate could be assigned to a new party or parties, perhaps multiple times. As such, there are transactions where the deed reflects a person or company who was not the original purchaser as identified on the land sale certificate. The dataset identifies the deeded owner, which required research into the land sale certificate's named purchaser. A common example is that deeds would indicate that a person exceeded the constitutional acreage limitations, but in reality, the person or entity did not exceed the acreage limitation at the time of sale, as reflected in the land sale certificate.
- 2. Husband and wife**—A number of deeds had one name but the land sale certificates associated with the deed were from two sales, or the parties on land sale certificate were identified as

⁵ The Department characterizes the distinctions as pre- and post-1916 acreage limits and University acreage limits.

husband and wife, with each allowed to acquire up to the constitutional limitation. (Example 2). This is similar when there were multiple parties listed on one land sale certificate or deed.

3. **Indemnity school**— In certain situations, the dataset showed the Public School endowment and Indemnity School lands as the same. It appears that historically the Public School Endowment and Indemnity School lands were treated differently for the purposes of land sales. The distinction is important because the pre-1982 limit only applied to the Public School or University endowments. (Example 3).
4. **Data issues**—There were deeds and land sale certificates recorded in the database incorrectly. For example, there was a transaction identified as an overage in 1987 of roughly 1,200 acres. However, the sale was not of endowment land but state surplus property. In addition, the actual acreage was .63 acres, not 1,200. It appears that the acreage input into the Database was incorrect. (Example 4).

Limitations on Research

After reviewing the limited historical documentation, there were remaining sales that appear to exceed the acreage limits. Due to time constraints, limited historical documentation, priorities, and cost to the endowments and their beneficiaries, the Department determined it would not further investigate those transactions identified as potential overages.

4. Summary and Results

The following results are based on the Department’s review of the Database.⁶ The Department identified 166 potential acreage overages.⁷ Roughly 50% of the overages occurred before 1916, with the distribution of acreage overages as follows:

- 82 acreage overages pre-1916
- 70 acreage overages since 1916
- 14 acreage overages associated with the University Endowment

Overages appear to have occurred from 1892 to 1983, with the majority of the overages occurred between 1910 and 1919. The most recent overage occurred in 1983 and involved State Hospital South and Public Building Endowments. The most recent overage involving the Public School Endowment was in 1977, and the most recent overage involving the University Endowment was in 1960.

There are a number of variables that could be considered that would change the number of overages. For example, if one looks at the overage for one person, is the overage based on each transaction thereafter or the fact there is an overage. For the sake of this review, the Department considered

⁶ The findings are based on a number of assumptions including the distinction between husband and wife and Indemnity School and Public School. The Department did not base the findings on acreage limits based on transaction. Reports from the Office of the Attorney General indicate that the understanding may have been regarding a limit on a per transaction amount.

⁷ The term “overage” is used to explain the number of persons or entities that whose purchase(s) may have exceeded the total acreage limit.

something to be a potential violation if the person or entity's total aggregated acreage purchased exceeded the acreage limit. Additionally, there are persons and entities that appear to be over in pre- and post-1916 acreage limits. The Department counted the person or entity for each separate overage based on the distinction.

The Department assumed that there was a margin of error based on the difference between the acreage provided in the Database and that as legally described in the deeds. The Database has acreages based on geospatial property boundaries that may vary from the deeds. For example, many sales, deeds, and land sale certificates are based on 40-acre parcels. As such, there could be eight 40-acre parcels sold that total 320 acres. However, the actual geodatabase calculation of the eight properties may actually be 42 acres which would total 336 acres. If the acreage overage was 10 acres or less, the Department deemed it to be within the range of variance. Therefore, the acreage in the preceding example is within that range of variance.

There are many issues that remain unanswered, but the following are a few examples:

- Certain land sale certificates are missing (15 from those identified as overages).
- There were incomplete names on some of the land sale certificates. For example, deed 1209 indicates Charles is the deeded party, but the land sale certificate identifies the contracting party as Chas. This was included as an overage.
- There were significant gaps in time with people with the same name. For example, there were two transactions under the name James Nelson, one in 1901 and one in 1948. The sales individually are under the limit but combined are over. The extent of the Department's ability to clarify the parties is looking at the names and assuming that they are the same person; however, the Department is unable to definitively determine whether they are in fact the same person. In this case, the Department considered the transactions as an overage.

One assumption that was not considered was that it appears there was a time when the Department's practice was to apply the limit on a transaction basis, not a lifetime limit. If this assumption were applied, the total overages would be 15.

5. Current Land Transactions

Since 1891, the State of Idaho has maintained land records for its acquisition, exchange, and disposition of land. While it appears that transactions that exceeded the applicable constitutional limitations may have occurred in the past, this reviewed showed that there has not been an overage regarding the Public School Endowment in over 41 years or the University Endowment in over 58 years. As described in the opening excerpt, capabilities and practices have changed significantly through time. That change is apparent today, as the Department has turned its focus on acquiring rather than disposing of endowment lands. In the past ten years, the Department has sold only 670 acres while purchasing 5,703 acres in the same timeframe.

Importantly, over the past few decades, the Department has taken measures to ensure compliance with the acreage limits by using documents to confirm purchasers are not exceeding the constitutional

limits.⁸ These documents are routinely reviewed, updated, and modified to ensure compliance with state laws. In addition, the Department also cross-references names of potential purchasers in a statewide comprehensive land records system prior to selling any endowment lands to make sure the purchase does not exceed constitutional limitations. Professional staff maintain the system. The Department is using what it learned during the historic land transaction review to design its new enterprise systems to even more efficiently structure land records data.

6. Conclusion

The Department's 21-month review of historic endowment land sales sought to determine whether sales exceeded constitutional provisions limiting how many acres may be sold to one individual, company or corporation.

The review determined at least 98 percent of acres sold since statehood did not exceed sale thresholds in the Idaho Constitution. The IDL reviewed land sale certificates, deeds, and other historical documents associated with 39,681 transactions and flagged only 166 names of individuals or entities that appear to have more than the legally allowable acres attributed to their names. The transactions involving the 166 individuals or entities all occurred prior to 1983, with half of them occurring before 1916. It is possible some acreages in violation of the Idaho Constitution may have occurred with some of the 166 individuals or entities but it would take significant time and resources to answer that question for several reasons, including but not limited to the following:

- It is unknown if today's legal understanding of the "lifetime" limitation on how many acres could be purchased by one individual was applied historically. Back then, the constitutional limitations may have been interpreted to apply to only individual sales, not an individual's entire lifetime.
- It is unknown if today's legal understanding that "indemnity school" lands are the same as "public school" lands was applied historically. Back then, the two categories of lands may have been interpreted to be different.
- It is unknown if the land sale deeds that were granted to one individual may have actually been purchased by a family member with the same name decades earlier or later.
- There may have been settlement agreements or litigation that resulted in one entity being deeded lands after the land sales occurred.

The examination of more than 100 years of historic endowment land sales confirms there were no widespread violations of the provisions in the Idaho Constitution limiting how many acres may be sold to one individual, company or corporation. The relatively small number of historic land sales with potential overages took place mostly in the early 1900s and it is not warranted to expend additional endowment funds or staff time to research the historic transactions further.

⁸ The Department requires purchasers to sign an Endowment Land Affidavit that declares that person has not purchased more than 320 acres of endowment land or 160 acres of University endowment land.

REFERENCED EXAMPLES

DEED RECORD.

SMITH PTA. CO., MFRS. BOISE, IDAHO.

DEED.

STATE OF IDAHO.

State of Idaho,

To all to whom these Presents shall come, Greeting:

TO
J. M. Smith

Whereas, On the *17th* day of *June* 189*6*,
all that tract or parcel of *Section 36, T. 33 N., R. 20 E., S. 1 E., Boise Co., Idaho*

land of the State of Idaho, hereinafter mentioned and particularly described, was sold
in the manner provided by law to *J. M. Smith*

of the County of *Boise* and State of *Idaho*

for the aggregate price of _____ DOLLARS.
AND WHEREAS, the said sum of *Two 00* DOLLARS

has been fully paid to the proper receiving officer for the State of Idaho, by
J. M. Smith as shown by the records in the office of the State Board of Land Commissioners,
the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described

NOW, KNOW YE, that the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of *Two 00* DOLLARS
to the said State of Idaho paid, doth by these presents GRANT, BARGAIN, SELL, CONVEY, AND CONFIRM, in fee, unto
the said *J. M. Smith* heirs and assigns, all the said tract and parcel of land
situated in the County of *Boise* and State of Idaho, and described as follows, to wit:

Tract Sec 36-40-120.
Boise Co. Idaho.



TO HAVE AND TO HOLD the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said *J. M. Smith* heirs and assigns in fee simple forever.

In Witness Whereof, I, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State to be hereunto affixed this
day of *June* A. D. 189*6*



By the Governor: *J. M. Smith*
Secretary of State.

Attest: *J. M. Smith*
Secretary State Board of Land Commissioners.

DEED RECORD

S T A T E O F I D A H O

Deed No. 6073

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, on the 14th day of September, 1914, the State of Idaho sold unto E. E. Blunk, of Mountain Home, Idaho, all that tract of Indemnity School land more particularly described as the southwest quarter of the southeast quarter (SW₄SE₄), section fifteen (15), township one (1) north, range twelve (12) east, B.M., and

WHEREAS, on the 14th day of September, 1914, the State of Idaho sold unto E. E. Blunk, of Mountain Home, Idaho, all that tract of Public School land more particularly described as the southwest quarter of the northeast quarter (SW₄NE₄), and the southeast quarter of the southwest quarter (SE₂SW₄), section sixteen (16), township one (1) north, range twelve (12) east, B.M., and

WHEREAS, on the 14th day of September, 1914, the State of Idaho sold unto Ernest Blunk, of Mountain Home, Idaho, all that tract of Public School land more particularly described as the northwest quarter of the southeast quarter (NW₄SE₄), section sixteen (16), township one (1) north, range twelve (12) east, B.M., and

WHEREAS, on the 14th day of September, 1914, the State of Idaho sold unto Ernest Blunk, of Mountain Home, Idaho, all that tract of Indemnity School land more particularly described as the west half of the northeast quarter (W₂NE₄), and the southeast quarter of the northeast quarter (SE₂NE₄), section twenty-one (21), township one (1) north, range twelve (12) east, B.M., and

WHEREAS, on the 14th day of September, 1914, the State of Idaho sold unto Worth Montgomery, of Mountain Home, Idaho, all that tract of Indemnity School land more particularly described as the north half of the northeast quarter (N₂NE₄), and the southwest quarter of the northeast quarter (SW₂NE₄), and the northwest quarter of the northwest quarter (NW₄NW₄), section twenty-two (22), township one (1) north, range twelve (12) east, B.M., and

WHEREAS, on the 14th day of September, 1914, the State of Idaho sold unto Elizabeth Montgomery, of Mountain Home, Idaho, all that tract of Indemnity School land more particularly described as the

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nor, and
Secretary

WHEREAS on the 14th day of September, 1914, the State of Idaho sold unto E. W. Latimore, of Mountain Home, Idaho, all that tract of Indemnity School land more particularly described as the southwest quarter of the southeast quarter (SW₄SE₄), section twenty-two (22), township one (1) north, range twelve (12) east, B.M., and

STATE OF IDAHO

DEED NO. 2012

WHEREAS, on the 14th day of September, 1914, the State of Idaho sold unto E. W. Latimore, of Mountain Home, Idaho, all that tract of Indemnity School land more particularly described as the southwest quarter of the southeast quarter (SW₄SE₄), section twenty-two (22), township one (1) north, range twelve (12) east, B.M.; and the east half of the northeast quarter (E₂NE₄), and the northeast quarter of the northwest quarter (NE₄NW₄), section twenty-three (23), township one (1) north, range twelve (12) east, B.M., and

WHEREAS, on the 14th day of September, 1914, the State of Idaho sold unto R. P. Harmon, of Mountain Home, Idaho, all that tract of Indemnity School land more particularly described as the northeast quarter of the southwest quarter (NE₄SW₄), and the southwest quarter of the southwest quarter (SW₄SW₄), section twenty-three (23), township one (1) north, range twelve (12) east, B.M., and

WHEREAS, on the 14th day of September, 1914, the State of Idaho sold unto E. M. Blunk, of Mountain Home, Idaho, all that tract of Indemnity School land more particularly described as the northeast quarter of the southeast quarter (NE₄SE₄), section twenty-three (23), township one (1) north, range twelve (12) east, B.M., and the northwest quarter of the northwest quarter (NW₄NW₄), and the southwest quarter of the southwest quarter (SW₄SW₄), section twenty-four (24), township one (1) north, range twelve (12) east, B.M., and the northwest quarter of the northwest quarter (NW₄NW₄), section twenty-five (25), township one (1) north, range twelve (12) east, B.M., and

WHEREAS, on the 14th day of September, 1914, the State of Idaho sold unto H. A. Halvorsen, of Mountain Home, Idaho, all that tract of Indemnity School land more particularly described as the southwest quarter of the southwest quarter (SW₄SW₄), section thirteen (13), township one (1) north, range twelve (12) east, B.M., and the south half of the southwest quarter (S₂SW₄), section fourteen (14), township one (1) north, range twelve (12) east, B.M., and

19
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Governor.
Assistant.

known to me to be the Secretary of State, and State Land Commissioner, of the State of Idaho, and the State of Idaho executed the foregoing deed.
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

[SEAL]

Notary Public, residing at Boise, Idaho.

WHEREAS, on the 16th day of September, 1916, the State of Idaho sold unto Mrs. C. Noiseur, of Mountain Home, Idaho, all that tract of Indemnity School land more particularly described as the south-east quarter of the northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), and the northwest quarter of the southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), section twenty-four (24), township one (1) north, range twelve (12) east, B.M., containing in all one thousand two hundred (1200) acres, more or less, for the aggregate price of

19
was sold
LLARS;
DOLLARS

Twelve Thousand Sixty and no/100 Dollars
AND WHEREAS, the said sum of

Twelve Thousand Sixty and no/100 Dollars
has been fully paid to the proper receiving officer for the State of Idaho, by

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DOLLARS

MONTGOMERY'S INC.

as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tracts or parcels of land hereinbefore described, NOW, KNOW YE, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of

, unto the
cel of land

Twelve Thousand Sixty and no/100 Dollars
to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said

MONTGOMERY'S INC.

its heirs and assigns, all of the said tracts and parcels of land situated in the County of Camas and State of Idaho, and above particularly described.

TO HAVE AND TO HOLD the said premises and parcels of land above particularly described, with the appurtenances thereon, unto the said

ances thereon,
imple forever.
State of Idaho,
Commissioners,

MONTGOMERY'S INC.

its heirs and assigns, in fee simple forever, subject to the provisions of Section 56-504, Idaho Code Annotated, which grants over all lands belonging to the state a right of way for ditches, tunnels and telephone and transmission lines, constructed by authority of the United States; and to the provisions of Section

Governor.

Public in and for
ae Governor, and

known to me to be the Land Commissioner of the State of Idaho, and acknowledged to me that they as such Governor, Secretary of State, and State Land Commissioner, of the State of Idaho, and the State of Idaho executed the foregoing deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

[SEAL]

Notary Public, residing at Boise, Idaho.

46-701, Idaho Code Annotated, reserving to the state all mineral rights in lands sold subsequent to the 8th day of May, 1923.

IN WITNESS WHEREOF, I, Chase A. Clark, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed, this 19th day of August, A. D. 1942.

Countersigned:

Geo. H. Curtis
Secretary of State

Chase A. Clark
Governor of Idaho and
President of State Board
of Land Commissioners

Countersigned:

Robert Coulter
State Land Commissioner

STATE OF IDAHO, }
COUNTY OF ADA } ss.

On this 19th day of August, in the year 1942, before me, a Notary Public in and for said State, personally appeared Chase A. Clark, known to me to be the Governor of the State of Idaho, and George H. Curtis, known to me to be the Secretary of State of the State of Idaho, and Robert Coulter, known to me to be the Land Commissioner of the State of Idaho, who executed said instrument and acknowledged to me that such State of Idaho executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Mildred C. Halley
Notary Public residing at Boise, Idaho
My commission expires 11-5-43.

Certificate Nos. 5804, through 5828
5801, 5802
5799, 5801, 7188, 7189

known to me to be the Land Commissioner of the State of Idaho, and the State of Idaho executed the foregoing instru-
of State, and State Land Commissioner, of the State of Idaho, and the State of Idaho executed the foregoing instru-
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

[SEAL]

Notary Public, residing at Boise, Idaho

STATE OF IDAHO DEED

NUMBER 13181
Certificate No. 24549

To All to Whom These Presents Shall Come, Greetings:

Whereas, on the,23th..... day of,OCTOBER..... 1968, all that tract or parcel of UNIVERSITY ENDOWMENT land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to
- EDGAR RANEY and LAURA RANEY -
of,WEISER....., State of,IDAHO....., for the aggregate price of
----- SEVENTEEN THOUSAND TWO HUNDRED AND NO/100 ----- DOLLARS

And Whereas, the said sum of--- SEVENTEEN THOUSAND TWO HUNDRED AND NO/100 ----- DOLLARS has been fully paid to the proper receiving officer for the State of Idaho, by BAR II CATTLE COMPANY - c/o Betty Emmons, 55 McGinnis Drive, Weiser, Idaho 83672, who acquired their interest by Assignment from Edgar Raney and Laura Raney, dated November 18, 1969, recorded December 30, 1969.

as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described:

Now, Know Ye, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of
----- SEVENTEEN THOUSAND TWO HUNDRED AND NO/100 ----- DOLLARS

to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said
- BAR II CATTLE COMPANY -

Their..... heirs and assigns, all of the said tract and parcel of land situated in the County of.....WASHINGTON and State of Idaho, and described as follows, to-wit:

The Southwest Quarter (SW¼), and the West-half of the Southeast Quarter (W½SE¼) Section 9, Township 10 North, Range 4 West, Boise Meridian, containing 240.00 acres, more or less.

To have and to hold the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said
- BAR II CATTLE COMPANY -

Their..... heirs and assigns, in fee simple forever, subject to the provisions of Section 58-604, Idaho Code, as amended by Chapter 44, 1951 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States. The State reserves the right to all coal, oil, oil shale, gas phosphate, sodium, asbestos, gold, silver, lead, zinc, copper, antimony and all minerals or deposits of minerals of whatsoever kind or character, including geothermal resources (and associated by products), sand and gravel, pursuant to Sec. 47-701, Idaho Code.

In Witness Whereof, I,PHILIP E. BATT....., the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the Board of Land Commissioners to be hereunto affixed, this 1st day of December, 1997 A.D.



Countersigned: [Signature] Secretary of State
[Signature] Governor of Idaho and President of State Board of Land Commissioners

Countersigned: [Signature] Director, Department of Lands

STATE OF IDAHO, } ss.
County of Ada,

On this 1st day of December, in the year 1997, before

me, a Notary Public in and for said State, personally appeared Philip E. Batt, known to me to be the Governor of the State of Idaho, and Pete T. Cenarrusa, known to me to be the Secretary of the State of Idaho, and Stanley F. Hamilton, known to me to be the Director, Department of Lands of the State of Idaho, who executed said instrument and acknowledged to me that such State of Idaho executed the same.

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

[Signature]
Notary Public residing at Boise, Idaho
my commission expires: 6-8-2001

DEED RECORD

SYMS-YORK CO. 168073

Deed No. 6523

CERTIFICATE No. 19009, 19011, 19012, 19014, 19015, 19016, 19019, 19022.

Ora V. Walker
Rockland, Idaho

STATE OF IDAHO

To All to Whom These Presents Shall Come, Greetings:

Whereas, On the 30th day of September, 1927

all that tract or parcel of Public School

land of the State of Idaho, hereinafter mentioned and particularly described, was sold

in the manner provided by law to M. S. Walker

of Rockland and State of Idaho

for the aggregate price of Twelve thousand seven hundred thirty-four and 50/100 DOLLARS;

AND WHEREAS, The said sum of Twelve thousand seven hundred thirty-four and 50/100 DOLLARS

has been fully paid to the proper receiving officer for the State of Idaho, by Ora V. Walker, Assignee

as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described.

NOW, KNOW YE, That the said State of Idaho, in pursuance of law in such cases made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of Twelve thousand seven hundred thirty-four and 50/100 DOLLARS

to the said State of Idaho paid, doth by these presents GRANT, BARGAIN, SELL, CONVEY and CONFIRM, in fee, unto the said Ora V. Walker, his heirs and assigns, all the said tract and parcel of land

situated in the County of Power and State of Idaho, and described as follows, to-wit:

The Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), the Southwest Quarter (SW $\frac{1}{4}$) less Right of Way, and the West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$), Section Seventeen (17); the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$), Section Eighteen (18); the North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) and the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section Twenty (20); all in Township Nine (9) South, Range Thirty-one (31) East of the Boise Meridian, Containing Four Hundred Seventy-eight and Fifty Hundredths (478.50) Acres, More or Less.

TO HAVE AND TO HOLD, The said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said Ora V. Walker, his heirs and assigns in fee simple forever

IN WITNESS WHEREOF, I, C. A. Bottolfsen, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners, to be hereunto affixed this 27th day of October, A. D. 1927.

[SEAL]
COUNTERSIGNED:
Geo. H. Curtis
Secretary of State.

C. A. Bottolfsen
Governor.
COUNTERSIGNED:
Robert Coulter
[SEAL] State Land Commissioner.

STATE OF IDAHO, }
 } ss.
COUNTY OF ADA, }
On this 27th day of October, A. D. 1927, before me, a Notary Public in and for said State, personally appeared C. A. Bottolfsen, known to me to be the Governor, and Geo. H. Curtis, known to me to be the Secretary of State, and Robert Coulter, known to me to be the Land Commissioner of the State of Idaho, and acknowledged to me that they as such Governor, Secretary of State, and State Land Commissioner, of the State of Idaho, and the State of Idaho executed the foregoing deed.
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

[SEAL] Mildred C. Halley
Notary Public, residing at Boise, Idaho.

subject to the provisions of Chapter 28, Act 1927, Idaho Code, Annotated, which grants a cover of lands hereunto recorded, and a right of way, for ditches, canals and telephone lines, and for the purpose of the State of Idaho Code Annotated, reserving to the state all mineral rights in and to the land hereunto recorded on the 15th day of May, 1927.

State of Idaho

LAND SALE CERTIFICATE

No 19009

THIS IS TO CERTIFY, That on the 30th day of September, 1927, the State of Idaho sold unto M. E. Walker, of Rockland, Idaho, upon the terms and conditions hereinafter set forth, the following described State Indemnity School lands, lying, situate and being in the County of Power, State of Idaho NE-3/4, NW-3/4 Section 17, Twp. 9 S., Rg. 31 E., B. M., containing 80 A. Consideration One Thousand Four Hundred Forty Dollars and No Cents (\$ 1,440.00), Dollars to be paid as follows, to-wit: One Hundred Forty-Four Dollars and No Cents (\$ 144.00) Dollars, the receipt whereof is hereby acknowledged, and the balance of One Thousand Two Hundred Ninety-Six Dollars and No Cents (\$ 1,296.00) Dollars in annual installments with interest at the rate of six per cent. per annum, payable in advance on the first day of each year, as shown here-with, to-wit:

RECORD OF ASSIGNMENTS		WHEN DUE	PRINCIPAL	INTEREST	BALANCE PRINCIPAL	PAYMENTS INDORSED AS FOLLOWS		
ASSIGNEE	DATE					AMT. PAID	RECEIPT NO.	DATE PAID
		Sept. 27, 1927	144 00	19 44	1296 00	163 44	20163	10-4-27
		Jan. 1, 1928	32 40	75 82	1263 60			
		Jan. 1, 1929	32 40	73 87	1231 20	10822	2413 H	12-17-27
<u>M. E. Walker</u>	<u>10-27-27</u>	Jan. 1, 1930	32 40	71 93	1198 80	10627	2257	12-19-28
		Jan. 1, 1931	32 40	69 98	1166 40	10433	2085 J	1-8-30
		Jan. 1, 1932	32 40	68 04	1134 00			
		Jan. 1, 1933	32 40	66 10	1101 60			
		Jan. 1, 1934	32 40	64 15	1069 20			
		Jan. 1, 1935	32 40	62 21	1036 80			
		Jan. 1, 1936	32 40	60 26	1004 40	7387	Y 801	11-14-30 2-26-31
		Jan. 1, 1937	32 40	58 32	972 00	7257	1490 G	3-6-36
		Jan. 1, 1938	32 40	56 38	939 60	7128	1405-Q	11-15-37 2-87
		Jan. 1, 1939	32 40	54 43	907 20	6999	1360-R	12-27-37
		Jan. 1, 1940	32 40	52 49	874 80	6867	12415	12-29-38
		Jan. 1, 1941	32 40	50 54	842 40	6737	4564	12-11-39
		Jan. 1, 1942	32 40	48 60	810 00	6610	6523	issued
		Jan. 1, 1943	32 40	46 66	777 60			
		Jan. 1, 1944	32 40	44 71	745 20			
		Jan. 1, 1945	32 40	42 77	712 80			
		Jan. 1, 1946	32 40	40 82	680 40			
		Jan. 1, 1947	32 40	38 88	648 00			
		Jan. 1, 1948	32 40	36 94	615 60			
		Jan. 1, 1949	32 40	34 99	583 20			
		Jan. 1, 1950	32 40	33 05	550 80			
		Jan. 1, 1951	32 40	31 10	518 40			
		Jan. 1, 1952	32 40	29 16	486 00			
		Jan. 1, 1953	32 40	27 22	453 60			
		Jan. 1, 1954	32 40	25 27	421 20			
		Jan. 1, 1955	32 40	23 33	388 80			
		Jan. 1, 1956	32 40	21 38	356 40			
		Jan. 1, 1957	32 40	19 44	324 00			
		Jan. 1, 1958	32 40	17 50	291 60			
		Jan. 1, 1959	32 40	15 55	259 20			
		Jan. 1, 1960	32 40	13 61	226 80			
		Jan. 1, 1961	32 40	11 66	194 40			
		Jan. 1, 1962	32 40	9 72	162 00			
		Jan. 1, 1963	32 40	7 78	129 60			
		Jan. 1, 1964	32 40	5 83	97 20			
		Jan. 1, 1965	32 40	3 89	64 80			
		Jan. 1, 1966	32 40	1 94	32 40			
		Jan. 1, 1967	-- --	1 46	32 40			
		Sept. 30, 1967	32 40	-- --	-- --			

The State reserves the right to all coal, oil, oil shale, gas, phosphate, sodium and other mineral deposits contained in this land, as required by Chapter 96 of the 1923 Session Laws.

IN WITNESS WHEREOF, The State Board of Land Commissioners of the State of Idaho has caused these presents to be executed in duplicate by its President, the Governor of the State of Idaho, and countersigned by its Commissioner this 29th day of October, 1927.

State Board of Land Commissioners of the State of Idaho
 By: H. C. Baldrige
 President of the State Board of Land Commissioners, and Governor of the State of Idaho.
 Countersigned: Fred E. Lusk
 Secretary of the State of Idaho.
 Countersigned: W. Nash
 State Land Commissioner.

State of Idaho, County of Ada, ss.
 On this 29th day of October in the year 1927, before me, a Notary Public in and for said State, personally appeared H. C. Baldrige, known to me to be the President of the State Board of Land Commissioners of the State of Idaho, and the Governor of the State of Idaho, that executed the within instrument, and acknowledged to me that the State Board of Land Commissioners of the State of Idaho, and the State of Idaho executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.
Jeanne L. Anderson
 Notary Public, residing at Boise, Idaho.

Deed No. 6523 issued
 this date of 10/27/27
 To Ora F. Walker

STATE OF IDAHO DEED

NUMBER 12296
Certificate No. 25613

To All to Whom These Presents Shall Come, Greetings:

Whereas, on the5th.....day ofMAY..... 19 87, all that tract or parcel of ~~SURPLUS-DEPARTMENT TRANSPORTATION,~~
DIVISION OF HIGHWAYS
land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to

- WILLIAM I. STACY or DONALD EUGENE STACY -

of.....CALDWELL....., State of.....IDAHO....., for the aggregate price of
-----ONE THOUSAND FIVE HUNDRED AND NO/100-----DOLLARS

And Whereas, the said sum of-----ONE THOUSAND FIVE HUNDRED AND NO/100-----DOLLARS
has been fully paid to the proper receiving officer for the State of Idaho, by WILLIAM I. STACY or DONALD EUGENE STACY -
1301 North 1st St., Caldwell, Idaho 83605.

as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described:

Now, Know Ye, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of
-----ONE THOUSAND FIVE HUNDRED AND NO/100-----DOLLARS

to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said
- WILLIAM I. STACY or DONALD EUGENE STACY -

Their.....heirs and assigns, all of the said tract and parcel of land situated in the County of.....CANYON

and State of Idaho, and described as follows, to-wit: A parcel of land being on the southerly side of the southerly right of way boundary line of the Northwest Connector Survey as shown on the plans of Interstate 80N, Project No. 1-80N-1(67)27 Highway Survey now on file in the office of the Idaho Transportation Department, Division of Highways and being a portion of Block 66, GOLDEN GATE ADDITION to Caldwell, Idaho, according to the plat of said Addition filed December 21, 1907 in Book 2 of Plats at Page 78 in the office of the County Recorder, Canyon County, Idaho described as follows, to-wit: Commencing at the most easterly corner of Block 66 of said GOLDEN GATE ADDITION to Caldwell, Idaho; thence S43°46'41"W (shown of record to be southwesterly) along the southeasterly line of said Block 66 a distance of 136.0 feet, more or less, to the most easterly corner of the tract of land as described in that certain Decree of Distribution dated and recorded May 11, 1959 in Book 26 of Probate Records at Page 207 as Instrument No. 472069, records of Canyon County, Idaho and being the REAL PLACE OF BEGINNING; thence northwesterly along the northeasterly line of said tract 129.88 feet to a point southerly and radially 61.33 feet from Station 112+91.51 of the Northwest Connector Survey as shown on the plans of said Interstate 80N, Project No. 1-80N-1(67)27 Highway Survey; thence S70°37'35"W, 179.27 feet to a point in the southwesterly line of said tract of land which is southeasterly and radially 93.95 feet from Station 110+82.70 of said Northwest Connector Survey; thence S46°13'00"E (shown of record to be southeasterly) along the southwesterly line of said tract of land 211.12 feet to the most southerly corner of said tract of land; thence northeasterly along the southeasterly line of said tract of land 160.99 feet (shown of record to be approximately 160.0 feet) to the
(LEGAL DESCRIPTION CONTINUED ON BACK OF DEED)

To have and to hold the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said
- WILLIAM I. STACY or DONALD EUGENE STACY -

Their.....heirs and assigns, in fee simple forever, subject to the provisions of Section 58-604, Idaho Code, as amended by Chapter 44, 1951 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States. The State reserves the right to all coal, oil, oil shale, gas phosphate, sodium, asbestos, gold, silver, lead, zinc, copper, antimony and all minerals or deposits of minerals of whatsoever kind or character, including geothermal resources (and associated by products), sand, gravel and pumice, pursuant to Sec. 47-701, Idaho Code.

In Witness Whereof, I.....CECIL D. ANDRUS....., the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the Board of Land Commissioners to be hereunto affixed, this 24th day of June, 1987 A.D.



Countersigned:

Secretary of State

Governor of Idaho and President of
State Board of Land Commissioners

Countersigned:

Director, Department of Lands

STATE OF IDAHO, } ss.
County of Ada, }

On this 24th day of June, in the year 1987, before

me, a Notary Public in and for said State, personally appeared
known to me to be the Governor of the State of Idaho, and
known to me to be the Secretary of the State of Idaho, and
known to me to be the Director, Department of Lands of the State of Idaho, who executed said instrument and acknowledged to me that such State of Idaho executed the same.
Cecil D. Andrus
Pete T. Cenarrusa
Stanley F. Hamilton

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

Notary Public residing at
Idaho City, Idaho

LEGAL DESCRIPTION CONTINUED:

REAL PLACE OF BEGINNING. Northwest Connector Survey Station Reference: 110+82.70 to 112+91.51. The area above described contains approximately 0.63 acres. The bearings as shown in the above land description, unless otherwise noted, are from the Idaho Plane Coordinate System, based on the transverse mercator projection for the West Zone of Idaho.