

#118750

EXECUTORS' DEED.

THIS INDENTURE, made this 9 day of July, 1959, in the City of Milford, County of Beaver, State of Utah, by and between Charlene Cook and Howard Cook, the duly appointed, qualified and acting executors of the last will and testament of Walter W. Cook, deceased, the parties of the first part, and Howard, Cook and Jess Cook, the parties of the second part,

W I T N E S S E T H :

WHEREAS, Walter W. Cook, now deceased, in his lifetime, was bound by a contract to convey to Howard Cook and Jess Cook certain real estate and water rights hereinafter described, upon the payment of certain sums of money and the execution of a certain note and mortgage for the balance of the purchase price; and

WHEREAS, the said Walter W. Cook died on the 28th day of March, 1959, and

WHEREAS, on the 8th day of July, 1959, the District Court of the Fifth Judicial District of the State of Utah, in and for Beaver County, "In the Matter of the Estate of Walter W. Cook, also known as W. W. Cook, deceased" after due notice to all persons interested, duly made a decree authorizing and directing us, as executors of said estate, to execute a conveyance of the said real estate and water rights to the said Howard Cook and Jess Cook; and

WHEREAS, under the terms of the said order aforesaid of said Court the said conveyance was to be executed upon the cash payment of \$8,000.00, which said sum has now been paid by the said Howard Cook and Jess Cook;

NOW, THEREFORE, in consideration of the premises, and the sum of \$8,000.00 cash heretofore paid by the said Howard Cook and Jess Cook pursuant to the terms of the said contract, and in further consideration of the execution of a promissory note secured by a mortgage in the sum of \$52,000.00, we, the said Charlene Cook and Howard Cook, as such executors, do hereby grant and convey to the said Howard Cook and Jess Cook all that certain real property and water rights situate in the Counties of Beaver and Iron, State of Utah, and more particularly described on Exhibit "A", attached hereto and made a part hereof;

IN WITNESS WHEREOF, we the said Charlene Cook and Howard Cook, as executors of the last will and testament of Walter W. Cook, also known as W. W. Cook, deceased, have hereunto set our hands and seals this 9 day of July, 1959.

& Howard Cook

Charlene Cook
Executors of the Last Will and Testament of Walter W. Cook, Deceased.

STATE OF UTAH

SS.

County of Beaver.

On this 9 day of July, 1959, personally appeared before me Charlene Cook and Howard Cook, personally known by me to be the duly appointed, qualified and acting executors of the estate of Walter W. Cook, also known as W. W. Cook, deceased, the signers of the above and foregoing instrument as such, and duly acknowledged to me that they executed the same.

(SEAL)

Harold Cline
Notary Public
Residing at Milford, Utah

My Commission Expires: Oct -1- 1961

EXHIBIT "A".

All of the right, title and interest and equity of the said decedent in and to the following property in Beaver County, Utah:

Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 4, Township 29 South, Range 11 West, Salt Lake Meridian; Southeast quarter, and South half of Northeast quarter of Section 26, Township 28 South, Range 11 West, S.L.M. 240 acres;
West half of Northeast quarter, East half of Northwest Quarter, and East half of Southwest quarter of Section 35, Township 28 South, Range 11 West, S.L.M. 240 acres.
Lots 3 and 4, and the South half of Northwest quarter, and the Southwest quarter of Section 2, Township 29 South, Range 11 West, S.L.M. 327.10 acres.
East half of Southwest quarter, and West half of Southeast quarter of Section 10, Township 29 South, Range 11 West, S.L.M. 160 acres. North half of Northwest quarter, and the Southeast quarter of Section 11, Township 29 South, Range 11 West, S.L.M. 240 acres. Northeast quarter, East half of Northwest quarter, and East half of Southwest quarter of Section 15, Township 29 South, Range 11 West, S.L.M. 320 acres.
Lots 1, 2 and 3, the East half of Northwest quarter, and Northeast quarter of Southwest quarter of Section 19, Township 29 South, Range 11 West, S.L.M. 239.63 acres.
South half of Southwest quarter Section 21, Township 29 South, Range 11 West, S.L.M. 80 acres.
Commencing 36 rods North of E $\frac{1}{2}$ corner of Section 21, Township 29 South, Range 11 West, S.L.M. thence North 44 rods; West 160 rods; South 160 rods; East 50 rods; North 116 rods; East 110 rods to beginning, containing 80.25 acres.
West half of Section 22, Township 30 South, Range 13 West, S.L.M. 320 acres.
East half of Section 23, Township 30 South, Range 13 West, S.L.M. 320 acres.
West half of Section 23, Township 30 South, Range 13 West, S.L.M. 320 acres.

West half, and Southeast quarter of Section 24, Township 30 South, Range 11 West, S.L.M. 480 acres.

All of Section 25, Township 30 South Range 13 West, S.L.M. 640 acres.

North half of Section 26, Township 30 South, Range 13 West, S.L.M. 320 acres.

South half of Southwest quarter, East 60 rods of Northeast quarter of Southwest quarter,

North half of Southeast quarter, Southeast quarter of Southeast quarter, and the East

half of the Southwest quarter of the Southeast quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) all in Section 27,

Township 30 South, Range 13 West, S.L.M. 250 acres.

All of Section 33, Township 30 South, Range 13 West, S.L.M. 640 acres.

West half of Section 34, Township 30 South, Range 13 West, S.L.M. 320 acres.

Together with all of the right, title, interest and equity of the said decedent in and to any and all water rights appurtenant to the real property herein described, included but not limited to the following described water applications;

Application No. 13368 to appropriate 0.051 c.s.f. of water for stockwatering purposes;

Application No. 22227 to appropriate 2.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 22228 to appropriate 2.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 22229 to appropriate 2.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 22230 to appropriate 2.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 22231 to appropriate 2.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 22232 to appropriate 2.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 23604 to appropriate 0.015 c.s.f. of water for irrigation and stockwatering purposes.

Change Application No. a-2356 to change the place of use of 1.0 c.s.f. of water under Underground Water Claim No. 7643.

Together with any and all other water rights of every kind and character, whether herein described or not. Reserving, however, all oil and mineral rights in the said real property.

All of the right, title, interest and equity of the said decedent in and to the following real property in Iron County, Utah:

Lots 5,6,11,12, Section 4; Lots 7,8,9 and 10 Section 5, Township 31 South, Range 13 West, S.L.M.

Lots 3,4,5,6,7,8,9,10,11,12,13,14, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 6, Township 31 South, Range 13 West, S.L.M.

All of Section 7, Township 31 South, Range 13 West, S.L.M. South half of Section 18,

South half of Section 19, Township 31 South, Range 13 West, S.L.M.

North half of Section 18, Township 31 South, Range 13 West, S.L.M.

Northeast quarter, East half of Northwest quarter, Lots 1 and 2, Section 19, Township 31 South, Range 13 West, S.L.M.

All of Section 30, Township 31 South, Range 13 West, S.L.M. Lots 1,2,3,6,7,8,9,10,11, 14,15,16, Northeast quarter of Southwest quarter and Southeast quarter of Section 1,

Township 31 South, Range 14 West, S.L.M.

Lots 4,5,12,13, West half of Southwest quarter, Southeast quarter of Southwest quarter,

Section 1, Northeast quarter of Section 11, North half of Northwest quarter, Southwest quarter of Northwest quarter Section 12, Township 31 South, Range 14 West, S.L.M.

South half, Northeast quarter, Southeast quarter of Northwest quarter of Section 12, Township 31 South, Range 14 West, S.L.M.

South half, of Section 13, Township 31 South Range 14 West, S.L.M.

North half of Section 13, Township 31 South, Range 14 West, S.L.M.

All of Section 24, West half of Section 25, Township 31 South, Range 14 West, S.L.M.

East half of Section 25, Township 31 South, Range 14 West, S.L.M.

The West half of the Northwest quarter and the Northeast quarter of the Northwest quarter, all in Section 29, Township 31 South, Range 13 West, S.L.M.

Together with all of the right, title, interest and equity of the said decedent in and to any and all water rights appurtenant to the real property herein described, included but not limited to the following described water applications:

Application No. 20406 to appropriate 0.022 c.s.f. of water for stockwatering purposes;

Application No. 24637 to appropriate 5.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 24638 to appropriate 5.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 24639 to appropriate 5.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 24640 to appropriate 5.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 24641 to appropriate 5.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 24642 to appropriate 5.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 24650 to appropriate 5.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 24651 to appropriate 5.0 c.s.f. of water for irrigation and stockwatering purposes;

Application No. 24652 to appropriate 5.0 c.s.f. of water for irrigation and stockwatering purposes;

Together with any and all other water rights of every kind and character, whether herein described or not. Reserving, however, all oil and mineral rights in the said real property.

Also, all of the right, title, interest and equity of the said decedent in and to Taylor Grazing Permits as follows:

Permit for 677 head of cattle in Milford Unit, Allotment 23, and 0 head of cattle in Bold Springs Allotment, both of said permits on record in the office of the Bureau of Land Management at Fillmore, Utah.

Together with any and all other Taylor Grazing rights of every kind and nature, whether herein described or not.

Also, water certificate No. 2816, Underground Water Application No. 14943.

Also, Undergriund Water Claim No. 14008 for 1,337 c.f.s.

Public Land Lease No. 11335, Application No. 13581, between the State Land Board of the State of Utah as lessor and Walter W. Cook as lessee describing all of Section 36, Township 29 South of Range 10 West and Section 2, Township 39 South, Range 12 West, Salt Lake Meridian, and which lease is dated July 31, 1951.

Public Land Lease No. 12219, Application No. 14486, between the State Land Board of the State of Utah as lessor and Walter W. Cook as lessee and describing all of Section 32, Township 30 South, Range 13 West, and Section 36, Township 31 South, Range 13 West, Salt Lake Meridian, and which lease is dated July 16, 1953.

Public Land Lease No. 11808, Application No. 14066, between the State Land Board of the State of Utah as lessor and Walter W. Cook as lessee, describing the Southeast quarter, Southeast quarter of the Northeast quarter, and Lot No. 1 in Section 3; North Half of the Northeast quarter of Section 10, Township 29 South, Range 11 West, and all of Section 2, Township 31 South, Range 14 West, S.L.M. and which lease is dated August 1, 1952.

Also a certain lease from W S Norris as lessor covering Section 3 and 4, Township 30 South, Range 12 West, Salt Lake Meridian.

Filed for record August 24, 1959 at 9:00 a.m. at the request of Cline Wilson & Cline.

Jean M. Whately
County Recorder

#118752

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations, I or we, WM. KENT MARSDEN and JENNIS W. MARSDEN, his wife to hereby convey to JAMES A. WORTHEN and WILMA J. WORTHEN, his wife as joint tenants and not as tenants in common, with full rights of survivorship, the following described property situated in IRON County, Utah,

All of Lot Three (3), Block Forty Five (45), Plat "B" Parowan City Survey, together with all rights and improvements there-unto belonging or in any-wise appertaining.

And I or we do warrant the title against all persons whomsoever, subject to the matters above set forth.

Dated this 23rd day of May, 1959

Wm. M. Kent Marsden

Jennis W. Marsden

STATE OF Arizona

ss.

County of Maricopa

This instrument was acknowledged before me this 23rd day of May, 1959, by Wm. Kent Marsden and Jennis W. Marsden.

My commission will expire Jan. 6, 1960.

(SEAL)

J. Frank Gibson
Notary Public.

Filed for record August 24, 1959 at 3:00 p.m. at the request of Wilma Worthen.

Jean M. Whately
County Recorder