

03/01/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-67
NAME AND ADDRESS: RANDY LEWIS
5735 S OLD HWY 91
MC CAMMON ID 83250

ALICE LEWIS
5735 S OLD HWY 91
MCCAMMON ID 83250

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 1.72 CFS

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED
ABOVE AT THE POINT OF MEASUREMENT IN T9S, R36E, S12, SWNWNE (L1).

PRIORITY DATE: 07/01/1902

POINT OF DIVERSION:
T09S R36E S12 SWNWNE Lot 1 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/15 09/15	1.720 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY
AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER
ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE
[APRIL 15] AND AFTER [SEPTEMBER 15] UNDER THIS REMARK IS SUBORDINATE TO
ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE
AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED
FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T08S R36E S35	SENE	25.0	T08S R36E S35	NESE	15.0
T08S R36E S35	SESE	14.0			

STOCKWATER same as IRRIGATION

54 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-02044A IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 54 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

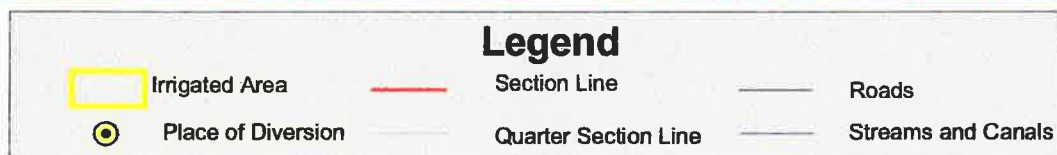
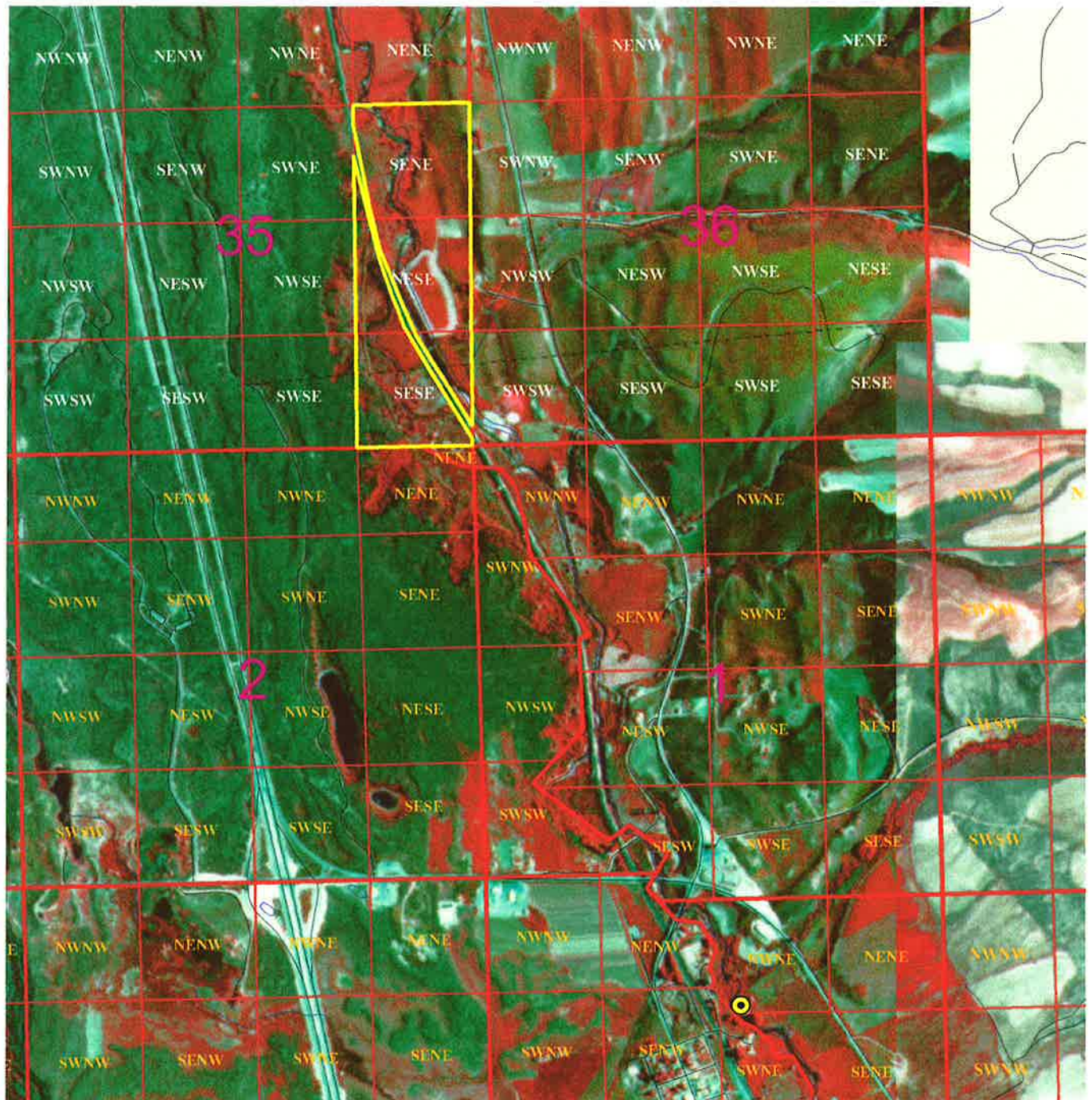
EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
WATER IS DELIVERED THROUGH LEWIS-GOODENOUGH DITCH.
RIGHT NO. 29-02044A IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

Water Right Claim Number A29-00067

08/04/2000

Township , 8S36E



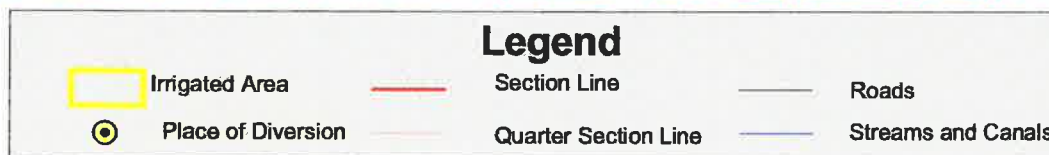
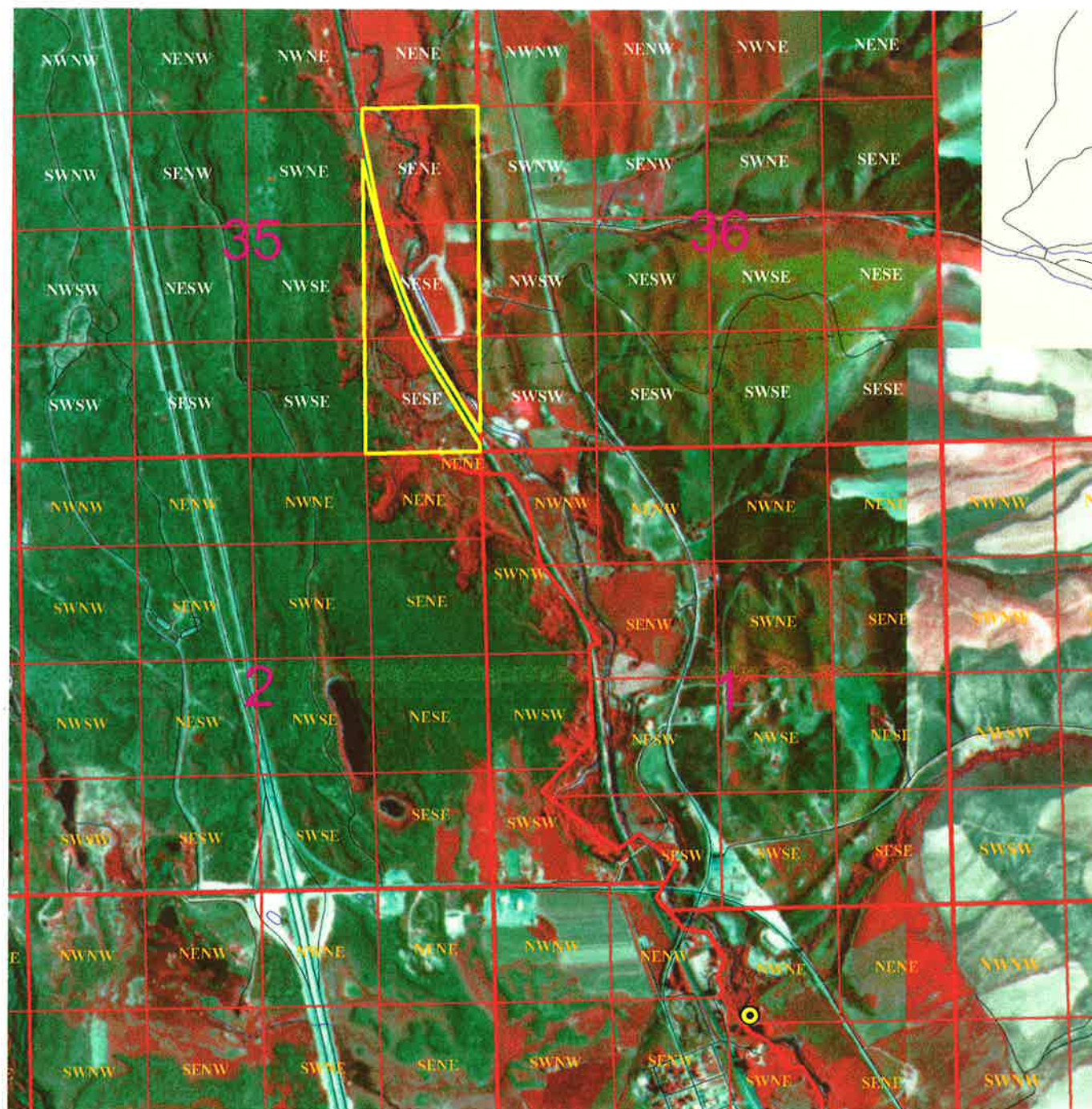
700 0 700 1400 Feet



Water Right Claim Number A29-00067

08/04/2000

Township , 8S36E



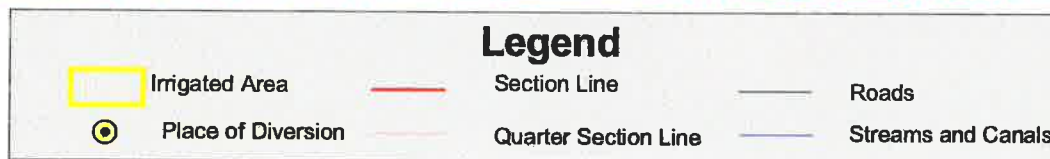
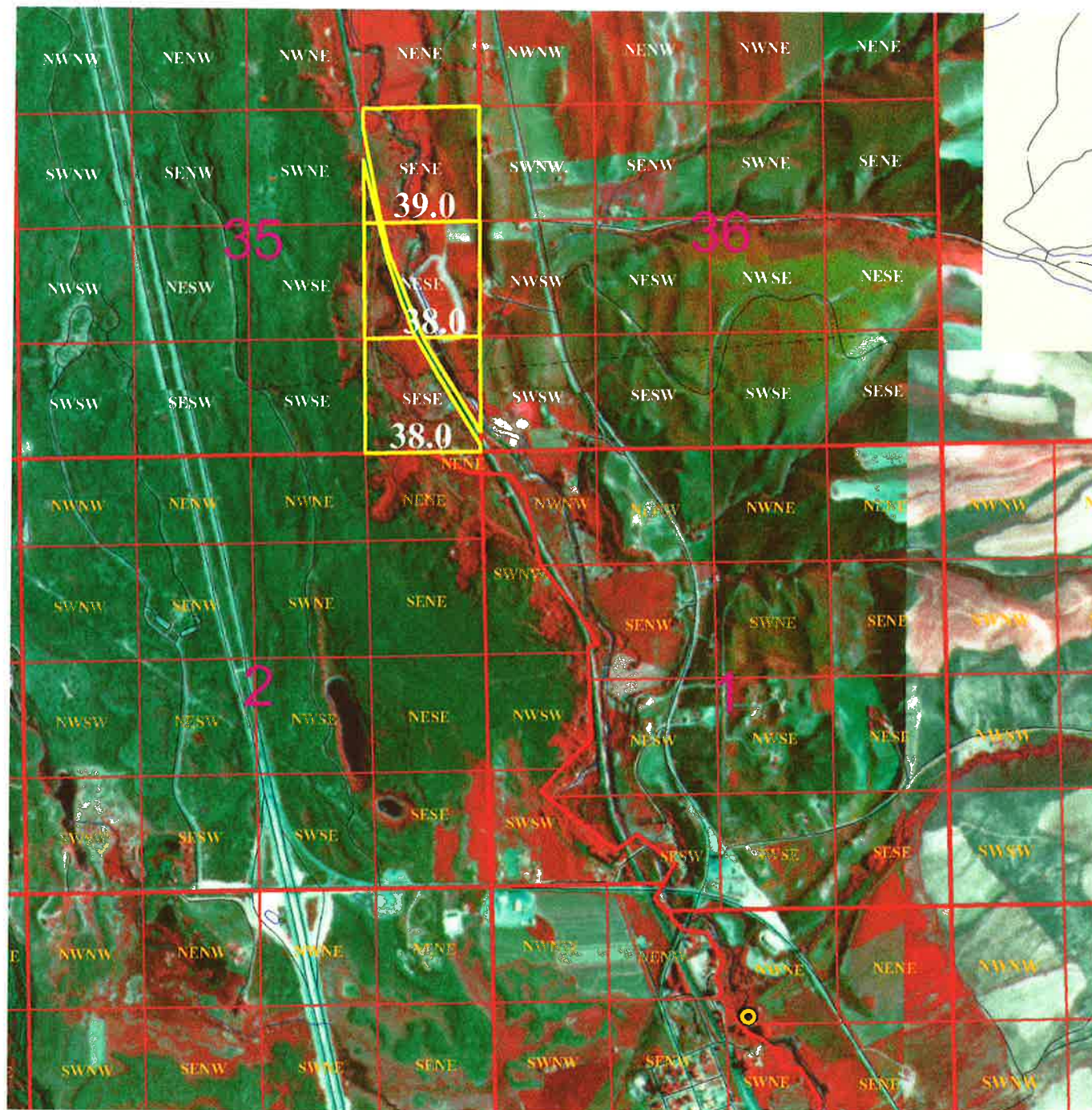
700 0 700 1400 Feet



Water Right Claim Number A29-00067

08/04/2000

Township , 8S36E



700 0 700 1400 Feet



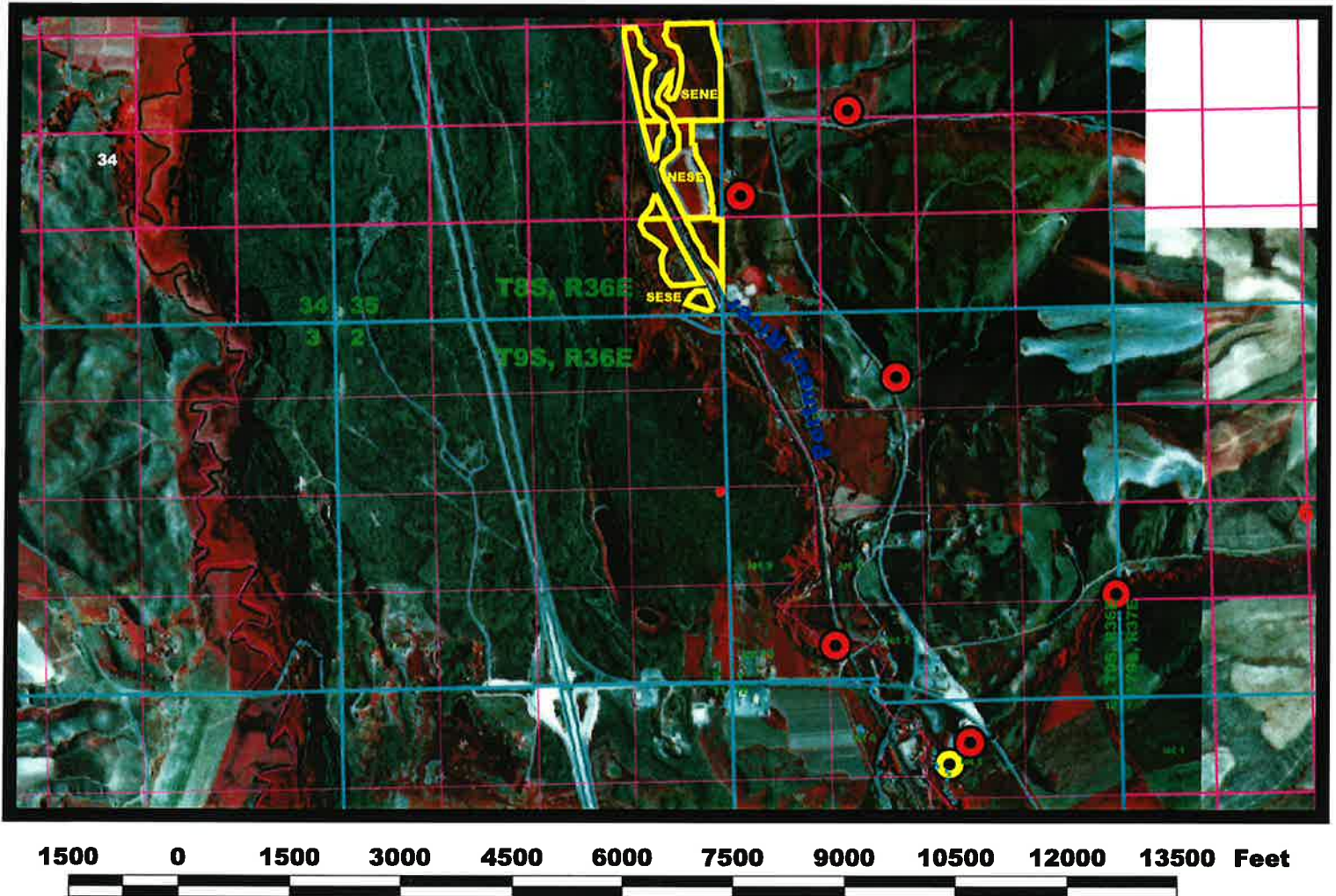


STATE OF IDAHO

Department of Water Resources

Eastern Region

**Water Right(s): 29-00067,
29-02044A**



LEGEND

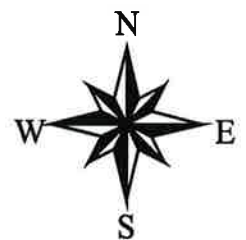
- SESE** Place of Use
- Section**
- Quarter-Quarter**
- Point of Diversion**

PROFILED

Place of Use: T8S, R36E
(parts of) Sec. 35 E2SE, SENE

Point(s) of Diversion: T9S, R36E
Sec. 12 NWNE (lot 1)

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GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: November 2001

FIELD AMENDMENT FORM

29-00067

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

Dorothy M. Lewis
Alice E. Lewis

Date:

10/6/01

Date:

11/06/01

For Organizations:

I do solemnly swear or affirm that I am _____ of _____ Title

_____, that I have signed the foregoing Organization document in the space below as _____ of Title

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)

County of BONNEVILLE) SS.Subscribed and sworn (or affirmed) before me this 6th dayof NOVEMBER 20 01

Allen B. Roberny
Notary Public

Seal

Residing at TRANO FAUS RDMy Commission Expires 9/25/03

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NOTE: THIS AMENDMENT ADDS 0.05¢ OF STOCKHOLDERS TO 29-00067, BUT AS A NON-ADDITIVE QUANTITY. GO HOND COWS & HORSES.

02/13/2003

Allen

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-67

RANDY LEWIS
5735 S OLD HWY 91
MC CAMMON ID 83250
Telephone Number: (208) 254-3816

ALICE LEWIS
5735 S OLD HWY 91
MC CAMMON ID 83250

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: March 7, 2003 SIGNATURE: Alice Lewis Randy N. Lewis
Please print your name: Alice Lewis Randy N. Lewis

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

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PROFIT

29-00067 DSC,
02044A Lie.

10/31/01 ^I Visited prop. Met Mr. Randy Lewis (new owner).

1. Gave him c/o - requested deed $\Rightarrow$ Received 11/08/01
2. Visited POU's - Both sides of Tracks (R.R.)
Discussed claims and delivery

II. This Rt. is delivered through Lewis-Goodenough
Ditch. 1902 priority NOT REAL GOOD.
PIPELINE CROSSES RIVER (ON BRIDGE) AND UNDER
RAILROAD TO POU.

cφ5
III. POU HAS SEVERELY CHANGED SINCE R.R.
STRAIGHTENED TRACKS AND RECHANNLED
RIVER. CURRENT POU IS ALL THAT'S LEFT OF
ORIGINAL POU. ALSO, SOME PARCELS SOLD OR
WHO A PORTION OF THIS RT.

IV. Q: CLAIMED AS 1.72 (OCCURRED) ON 100 AC.

cφ9
RECOMMEND 1.08 cts on 54 AC (FOR 42-220
42-202)
ALSO, AMOUNTED TO ADD STOCK @ 0.05 (NON-ADDITION)

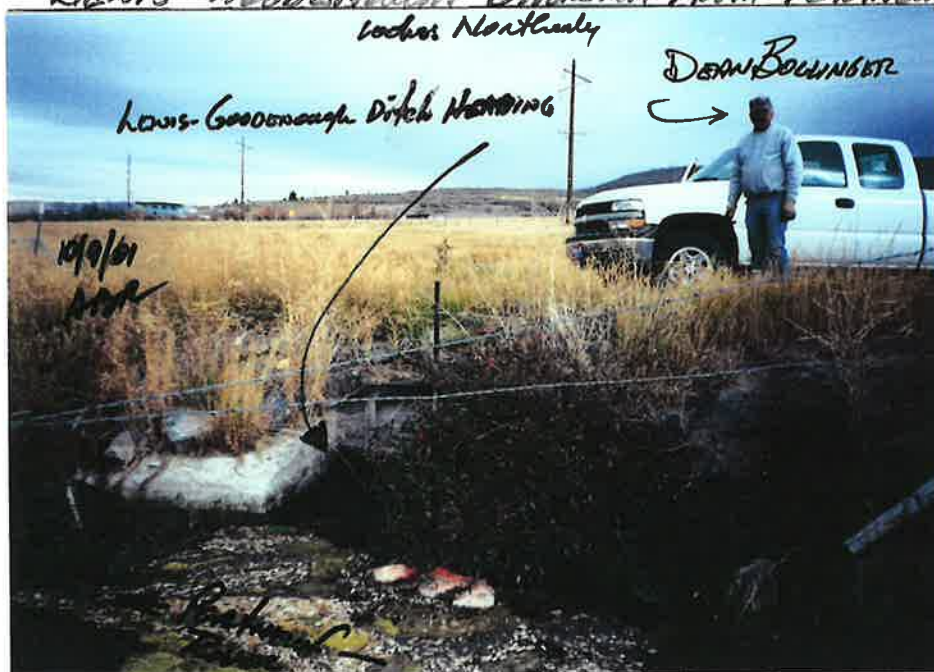
cφ8
V. CLAIMS EXTENDED PERIOD OF USE AS 3/15 - 11/15
RECOMMEND 4/15 TO 9/15 w/ SHOULDOR REMARK
Sφ2 (MODIFIED).

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LEWIS-GOODENOUGH DIVERSION FROM PORTNOUT RIVER.
locks Northeastly



10/9/01 VISITED POD ON PORTNOUT RIVER, AT SWANWINE (L1)
T95 R36E, WITH MR. DEAN BOLLINGER.

MR. BOLLINGER AND I TOURD DITCH SYSTEM AND
VISITED HIS POU AND THAT OR MR. WORLEY (29-00645).
MR. BOLLINGER RENTS AND CARS FOR MR. WORLEY CLAIM
POU (IN-PART)

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JUN 01 2005

DELOG
AR
11-8-01

RECEIVED

NOV 08 2001

Department of Water Resources
Eastern Region

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	29-02044A				
	29-00067				
	29-10150 (PD issued)				

2. The following **REQUIRED** information must be submitted with this form:

☒ A. The appropriate **FILING FEE**. See instructions for fee amounts.

☒ B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

☒ C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

George Dennis Goodenough ^{Deceased}
Jacque Goodenough ^{wife} ^{Same as Below}

4. New Owner/Claimant(s)

Randy N. or Alice E. Lewis

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

5735 So. Old Hwy 91

City, State and ZIP Code

McCammmon, Id. 83250

New Telephone Number

208, 254-3816

5. Date you acquired the property

12-18-1998

980 25666 WARRANDY Deed Recorded DC Courthouse
12-18-98 # 99005344
980 > other Parcel Legal Description

Escrow #: 52691TA - BIN

RE-RECORD TO CORRECT LEGAL

WARRANTY DEED

Approved by:

98025666

FOR VALUE RECEIVED, JACQUE GOODENOUGH, AN UNMARRIED PERSON

the Grantor(s), do(es) hereby grant, bargain, sell, and convey unto RANDY N. LEWIS AND ALICE E. LEWIS, HUSBAND AND WIFE

the Grantee(s), whose address is 5735 S. OLD HIGHWAY 91, McCAMMON, ID 83250

(Mailing Address), 5735 S. OLD HWY. 91, McCAMMON, ID 83250

(Property Address),

the following described premises, situated in BANNOCK

County, Idaho:

LEGAL DESCRIPTION "EXHIBIT A" ATTACHED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and Grantee(s) heirs, successors, and assigns forever. The Grantor(s) do(es) hereby covenant and warrant to and with the Grantee(s) that the Grantor(s) is/are the owner(s) in fee simple of such premises; that such premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject; those set forth in Pioneer Title Company Title of Bannock County, Commitment No. 52691TA, dated November 18, 1998; those made, suffered, assumed, or created by the Grantee(s); reservations, restrictions, dedications, covenants, easements of record or use; rights of parties in possession, encroachments, overlaps, boundary-line disputes, or other matters that would be disclosed by an accurate survey or inspection of the property; rights-of-way and agreements, if any, of record; general taxes and assessments (including irrigation and utility assessments, if any, for the current year) that are not yet due and payable; and that the Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

DATED this 18 day of December, 1998.

Jacque Goodenough
JACQUE GOODENOUGH

STATE OF IDAHO

County of BANNOCK

} ss

On this 18 day of December, 1998, before me, the undersigned, personally appeared JACQUE GOODENOUGH known or identified to me to be the person(s) 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 in said County the day and year first above written.

NO 99005344

RECORDED AT REQUEST OF
PIONEER TITLE

'99 MAR 18 PM 4 19

OFFICIAL RECORD BOOK NO

CLERK COUNTY IDAHO

LARRY L. SAN RECORDER

FEE 2700

NO 98025666

RECORDED AT REQUEST OF
PIONEER TITLE

'98 DEC 18 PM 4 01

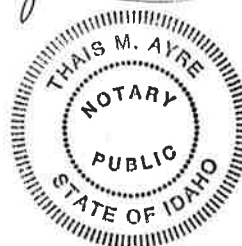
OFFICIAL RECORD BOOK NO

CLERK COUNTY IDAHO

LARRY L. SAN RECORDER

FEE 1500

Notary Public
Residing at: CHUBBUCK, IDAHO
Commission Expires: 2-27-2001



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JUN 01 2005

Exhibit A attached to and made a part of
Commitment No. 52691

Parcel 1

The SE1/4 NE1/4 and E1/2 SE1/4 of Section 35 and the NW1/4 SW1/4 lying West of Old Highway 91 in Section 36, all in Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho.

EXCEPTING THEREFROM the parcel as conveyed to OSL Railroad Company under Warranty Deed recorded April 13, 1910, in Book 17 of Deeds at page 611, more particularly described as follows:

A plat of land lying in SE1/4 of Section 35, Township 8 South, Range 36 East, Boise Meridian, and more particularly described as follows:

Beginning at the Southeast corner of SE1/4 of Section 35, Township 8 South, Range 36 East, Boise Meridian, running due West along the South boundary of said Section 35 a distance of 32.2 feet; thence turning to the right through an angle of 62°23' a distance of 1354.7 feet;

thence turning to the right through an angle of 6°22' to long chord of arc whose radius is 5786.2 feet; extending to right running along arc of said curve 1278.3 feet; thence turning to right from long chord of preceding curve produced through angle of 24°27' a distance of 243.3 feet, more or less, to a point in East and West centerline of said Section 35;

thence turning to right through angle of 86°55', more or less, thence Easterly along said East and West centerline of said Section 35 a distance of 132.9 feet; thence turning to right through an angle of 69°56' to long chord of arc whose radius is 5586.2 feet extending to left running along arc of said curve 1536 feet;

thence turning to left from long chord of preceding arc produced through an angle of 7°40' a distance of 1043.9 feet; thence turning to right through an angle of 27°52' a distance of 368.1 feet, more or less, to the point of beginning.

ALSO EXCEPTING THEREFROM: A parcel of land situated in the NE1/4 SE1/4 of Section 35 and the NW1/4 SW1/4 of Section 36, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

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Exhibit A continued
Commitment No. 52691

Commencing at the East quarter corner of Section 35, said point being marked by a Bannock County brass cap stamped L.S. 968; thence North $89^{\circ}50'44''$ West along the latitudinal centerline of said Section 35 a distance of 350.0 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South $0^{\circ}13'12''$ West 350.97 feet to the true point of beginning, said point being marked by a 1/2-inch iron pin tagged L.S. 968;

thence continuing South $3^{\circ}06'15''$ West 144.93 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South $28^{\circ}52'00''$ East 321.72 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South $11^{\circ}25'29''$ East 316.48 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968;

thence South $8^{\circ}10'08''$ West 63.21 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South $89^{\circ}50'44''$ East 199.39 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South $8^{\circ}51'21''$ East 178.78 feet to the South 1/16th line of said Section, said point being marked by a 1/2-inch iron pin tagged L.S. 968;

thence South $89^{\circ}56'09''$ East along said South 1/16 line, 285.19 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence North $16^{\circ}54'44''$ West 240.18 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence North $83^{\circ}50'08''$ West 132.39 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968;

thence North $1^{\circ}44'50''$ West 43.79 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence North $23^{\circ}23'21''$ West 81.09 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence North $3^{\circ}48'54''$ East 116.83 feet, said point marked by a 1/2-inch iron pin tagged L.S. 968;

thence South $72^{\circ}25'52''$ East 146.48 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence North $1^{\circ}52'30''$ East 316.51 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South $89^{\circ}20'10''$ West 286.93 feet to the East line of Section 35, said point being marked by a 1/2-inch iron pin tagged L.S. 968;

thence North $0^{\circ}13'12''$ East along said East line 228.22 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence North $89^{\circ}50'44''$ West 350.0 feet to the true point of beginning.

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Exhibit A continued
Commitment No. 52691

ALSO EXCEPTING THEREFROM: A parcel of land situated in the NE1/4 SE1/4 of Section 35, Township 8 South, Range 36 East, and the NW1/4 SW1/4 of Section 36, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the West quarter corner of said Section 36, said point being marked by a Bannock County brass cap stamped L.S. 968; thence South $89^{\circ}59'51''$ East, along the latitudinal centerline of said Section a distance of 567.83 feet to the Westerly right of way line of Old Highway 91, said point being marked by a 1/2-inch iron pin tagged L.S. 968;

thence South $10^{\circ}59'54''$ East, along said Westerly right of way 22.78 feet to a brass cap right of way monument; thence South $87^{\circ}23'37''$ East along said right of way 10.23 feet to a brass cap right of way monument marked as "Roost Azimuth"; thence South $10^{\circ}59'54''$ East along said right of way line 1328.85 feet to the South 1/16 line of said Section 36, said point being marked by a 1/2-inch iron pin tagged L.S. 968;

thence North $89^{\circ}56'09''$ West along said South 1/16 line 473.98 feet, to a 1/2-inch iron pin tagged L.S. 968; thence North $16^{\circ}54'44''$ West 240.18 feet to a 1/2-inch iron pin tagged L.S. 968; thence North $83^{\circ}50'08''$ West 132.39 feet to a 1/2-inch iron pin tagged L.S. 968;

thence North $1^{\circ}44'50''$ West 43.79 feet to a 1/2-inch iron pin tagged L.S. 968; thence North $23^{\circ}23'21''$ West 81.09 feet to a 1/2-inch iron pin tagged L.S. 968; thence North $3^{\circ}48'54''$ East 116.83 feet to a 1/2-inch iron pin tagged L.S. 968; thence South $72^{\circ}25'52''$ East 146.48 feet to a 1/2-inch iron pin tagged L.S. 968;

thence North $1^{\circ}52'30''$ East 316.51 feet to a 1/2-inch iron pin tagged L.S. 968; thence South $89^{\circ}20'10''$ West 286.93 feet to the West line of said Section 36, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence North $0^{\circ}13'12''$ East along said West line 228.22 feet to a 1/2-inch iron pin tagged L.S. 968;

thence North $89^{\circ}50'44''$ West 350.0 feet to a 1/2-inch iron pin tagged L.S. 968; thence North $0^{\circ}13'12''$ East 350.97 feet to the latitudinal centerline of said Section 35, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South $89^{\circ}50'44''$ East along said latitudinal centerline 350.0 feet to the point of beginning.

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Exhibit A continued
Commitment No. 52691

Parcel 2

A parcel of land situated in the NE1/4 SE1/4 of Section 35 and the NW1/4 SW1/4 of Section 36, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Commencing at the East quarter corner of Section 35, said point being marked by a Bannock County brass cap stamped L.S. 968; thence North $89^{\circ}50'44''$ West along the latitudinal centerline of said Section 35 a distance of 350.0 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968;

thence South $0^{\circ}13'12''$ West 350.97 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence continuing South $3^{\circ}06'15''$ West 144.93 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South $28^{\circ}52'00''$ East 321.72 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968;

thence South $11^{\circ}25'29''$ East 316.48 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South $3^{\circ}10'08''$ West 63.21 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South $89^{\circ}50'44''$ East 199.39 feet; thence South $8^{\circ}51'22''$ East 94.0 feet to the true point of beginning;

thence continuing South $8^{\circ}51'22''$ East 19.87 feet; thence North $31^{\circ}57'34''$ East 118.22 feet; thence North $21^{\circ}26'00''$ East 85.15 feet; thence North $1^{\circ}44'50''$ West 43.79 feet; thence North $23^{\circ}23'21''$ West 81.09 feet; thence North $3^{\circ}48'54''$ East 116.83 feet; thence South $88^{\circ}17'36''$ West 24.15 feet;

thence South $1^{\circ}54'50''$ East 115.88 feet; thence South $20^{\circ}57'29''$ East 99.38 feet; thence South $21^{\circ}26'00''$ West 99.53 feet; thence South $28^{\circ}17'28''$ West 105.28 feet to the true point of beginning.

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SCHEDULE B

Commitment No.: 52691

- I. The following are the requirements to be complied with:
1. Instruments necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record.
- II. Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:
1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
 2. Standard Exceptions:
 - (a) Rights or claims of parties in possession not shown by the public records.
 - (b) Easements, or claims of easements, not shown by the public records.
 - (c) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
 - (d) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
 - (e) Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.
 - (f) Any service, installation or connection charge for sewer, water or electricity.
 - (g) Taxes or assessments which are not shown as existing liens by the public records.

Special Exceptions:

1. General taxes for the year 1997, which are liens, in the original sums of \$386.76 and \$.68, are now delinquent, plus penalty and interest. Parcel No. R4057028900 and R4057030404 respectively.
2. General taxes for the year 1998, which are liens, in the original sums of \$456.30 and \$.72, which are now due and payable but not delinquent. Parcel No. R4057028900 and R4057030404 respectively.

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SCHEDULE B (continued)

Commitment No.: 52691

3. Agreement executed by and between the parties herein named upon the terms, conditions and provisions therein provided.

Between: Oregon Short Line Railroad Company, a corporation of the State of Utah, and its lessee, Union Pacific Railroad Company, a corporation of the State of Utah, and G. Dennis Goodenough, an individual

Dated: March 11, 1974

Recorded: July 5, 1975

Instrument No.: 525121

Providing: For use of private road crossing railroad

4. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein and for any incidental purposes.

For: Right of way

In Favor of: Mountain States Telephone and Telegraph Co.

Recorded: April 5, 1916

Instrument No.: Book 31 of Deeds, page 42

Affects: SE1/4 of NE1/4 and NE1/4 of SE1/4 of 35-8-36

5. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein and for any incidental purposes.

For: Pole lines

In Favor of: Utah Power & Light Co.

Recorded: February 18, 1942

Instrument No.: 219338 in Book 85 of Deeds, page 126

Affects: Subject property

6. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein and for any incidental purposes.

For: Right of way

In Favor of: Northwest Pipeline Corporation

Recorded: August 24, 1992

Instrument No.: 92012882

Affects: SW1/4 SE1/4 SE1/4 of 35-8-36 EBM

SCANNED

JUN 01 2005

PROFILES

SCHEDULE B (continued)

Commitment No.: 52691

7. A Mortgage to secure an indebtedness of \$141,000.00, and any other amounts as therein provided, payable under the terms, conditions, provisions and stipulations thereof.

Dated: September 22, 1995

Mortgagor: G. Dennis Goodenough and Jacque Goodenough, husband and wife

Mortgagee: Beneficial Mortgage Co. of Idaho

Recorded: September 27, 1995

Instrument No.: 95014270

Affects: This and other property

8. A Deed of Trust to secure an indebtedness of \$141,000.00, and any other amounts payable under the terms thereof.

Dated: September 22, 1995

Grantor: G. Dennis Goodenough and Jacque Goodenough, husband and wife

Trustee: American Land Title Co.

Beneficiary: Beneficial Mortgage Co. of Idaho

Recorded: September 27, 1995

Instrument No.: 95014271

9. Any question that may arise due to shifting or change in the course of the river or creek herein named, or due to said river or creek having changed its course.

Name of River: Portneuf River

10. Rights of way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code 1947.

11. Judgment for the amount herein stated and any other amounts due.

Creditor: Blaze Sign and Graphic Design, Inc.

Debtor: Jackque Goodenough aka Jackie Goodenough, aka Jacque Goodenough

Amount: \$4,878.34 plus interest. And also the sum of \$1,200 as reasonable attorneys' fees, plus interest

Case No.: CVOC97-01886

Recorded: February 11, 1998

Instrument No.: 98002316

Attorney for Creditor: John K. Looze

The lien of said judgment depends upon the identity of the judgment

Debtor with: Jacque Goodenough

PROFILED

SCANNED

JUN 01 2005

Commitment No.: 52691

END OF EXCEPTIONS

NOTE: It appears that the legal description of the property describes more than 40 acres. If a deed of trust is anticipated to be used to secure the forthcoming debt, we recommend that you consult with your attorney and in particular, with reference to Section 45-1502 of the Idaho Code which provides in part that a deed of trust may be used to secure a debt on real property "not exceeding twenty (40) acres."

NOTE: It has come to our attention that there is a mobile home situated on the land covered by this commitment. In order for the company to insure the mobile home as a part of the land, the company will require

1. that a "Statement of Intent to Declare Manufactured Home Real Property" be recorded;
2. verification that the tax assessor will assess the mobile home as real property; and
3. a cancellation of the certificate of title by the Department of Motor Vehicles.

NOTE: According to the available public records and/or information provided, we show the address of the subject property as: 5735 S. Old Highway 91, McCammon, ID., 83250-1523. However, said address should be verified by all parties prior to closing.

NOTE: There is no notice of record and therefore no search has been made for any unpaid assessments, charges or fees for sewer, water, garbage, irrigation installation and other possible utility services.

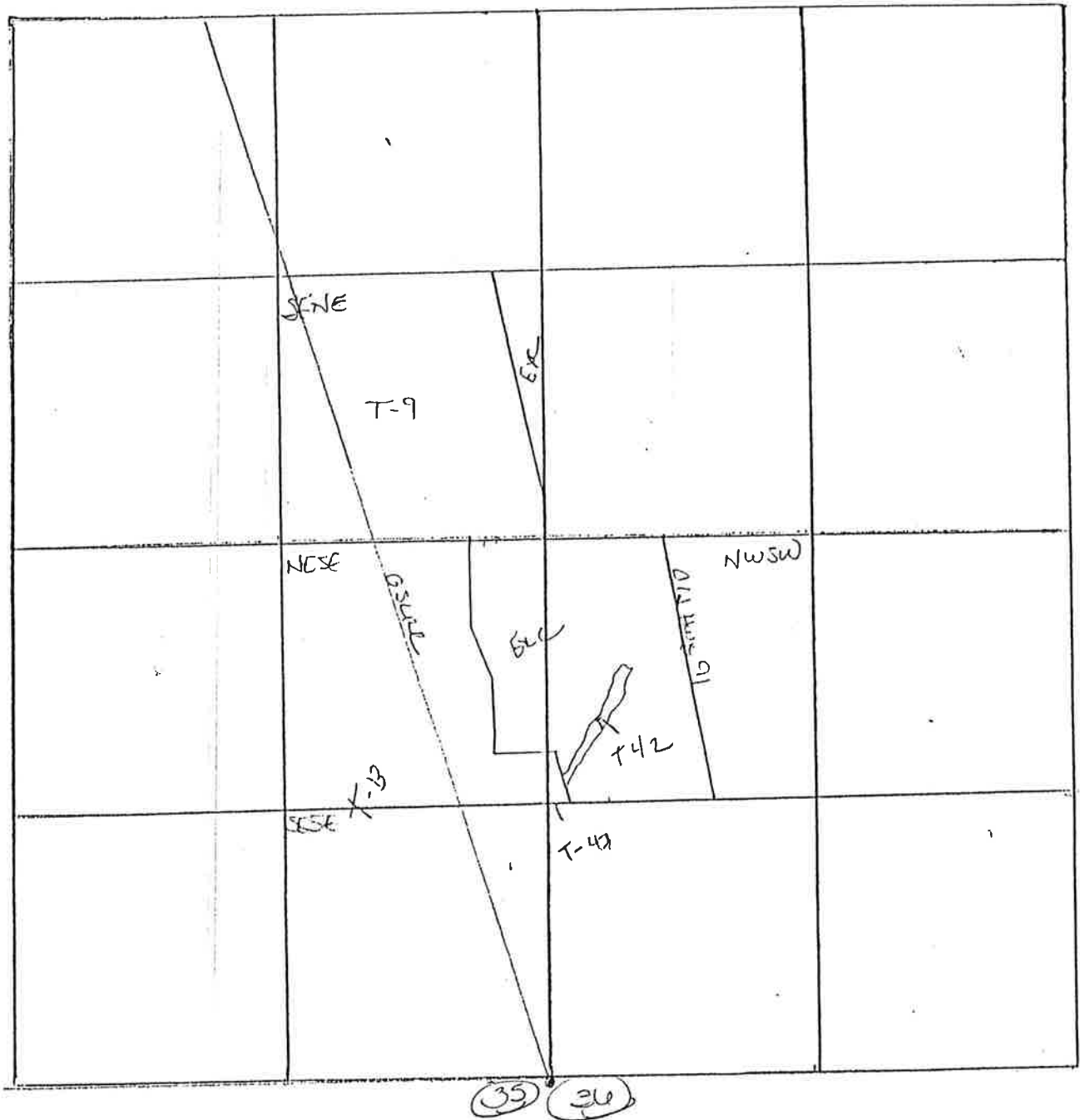
NOTE: In the event that any or all of the sellers are foreign persons or entities, please notify Pioneer Title Company for further arrangements which must be made prior to closing.

PROPRIETARY

SCANNED

JUN 01 2005





$5\frac{1}{2}$ $W\frac{1}{2}$
 SECTION 35 + SECTION 36
 T85 236E

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variation, if any, with a re-survey.
 PIONEER TITLE COMPANY

PROFILED

SCANNED
 JUN 01 2005

25
SENE

15
NESE

14
SESE

T8S, R36E

river

53. MURPHY, ED. 1.0 c.f.s.
29-0065 1902 July 1

1, Section 12, Township 9 South, Range 36 East, for the irrigation of lands in Lots 5 and 6, Section 1, Township 9 South, Range 36 East.

Said water to be diverted through the Lewis-Goodenough Ditch last above described, for the irrigation of lands in Lot 4, Section 1, Township 9 South, Range 36 East, and the Southwest quarter of the Southwest quarter, Section 36, Township 8 South, Range 36 East.

54. ORGILL, THOMAS .14 c.f.s.
29-0066 1902 July 1

Said water to be diverted through the Lewis-Goodenough Ditch, last above described for the irrigation of land in Lot 7, Section 1, Township 9 South, Range 36 East.

55. GOODENOUGH, GEORGE 1.72 c.f.s.
29-0067 1902 July 1

Said water to be diverted through the said Lewis-Goodenough Ditch, last above described, for the irrigation of land in the Southeast quarter of the Northeast quarter and the East half of the Southeast quarter, Section 35, Township 8 South, Range 36 East.

POU: SENE, E²SE Sec. 35

56. O.S.L.R.R. COMPANY .40 c.f.s.
29-0068 1882 July 1

O.S.L.R.R. Tank Water Supply. The point diversion from the Portneuf River is located in Lot 7, Section 21, Township 9 South, Range 37 East. From the Northeast corner of Section 21, same Township and Range, the point of diversion bears Southwest 2100 feet, for culinary and domestic use.

PROFIL

SPRINGS AND UNNAMED STREAMS, TRIBUTARY
TO PORTNEUF RIVER.

57. HIBNER, JULIA, 1.22 c.f.s.
9-0069 1882. Nov. 28. (61.22 inches)

HIBNER SPRINGS. The location of the point of diversion from Hibner Springs, is in the Southwest quarter of the Northeast quarter, Section 19, Township 6 South, Range 39 East. From the East quarter corner of Section 19, the point of diversion bears North 81 degrees and 45 minutes West 2520 feet, for domestic uses and the irrigation of 61.22 acres of land, located in the Northeast quarter of the Southwest

SCANNED
JUN 01 2005

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

02/28/01 11:09:57
Page 1

Water Right Number - 29-00067

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
GOODENOUGH

GEORGE

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
07/01/1902 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
PORTNEUF RIVER SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

09S 36E 12 NW NE 1 (5) BANNOCK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

1.720

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.720 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

08S	36E	35	SE NE			01	IRRIGATION	(5) BANNOCK
08S	36E	35	NE SE			01	IRRIGATION	(5) BANNOCK
08S	36E	35	SE SE			01	IRRIGATION	(5) BANNOCK

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

GEN P/U INCOMPLETE.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

UNION GRAIN & ELEVATOR CO.

MC CAMMON DITCH ET. AL.

08/06/1932

SCANNED

JUN 06 2001

Log for claim A29-00067

Spatial Dynamics AMH

8/4/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	35	SENE	30	39	
08s36e	35	NESE	30	38	
08s36e	35	SESE	40	38	
Totals:			100	115	

SCANNED

JUN 06 2001

150
50. late
200

Could not find any...
Re-note...
Orig claim in Insufficient Fund Drawers

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-00067
Date Received: 5/03/1990
Receipt No: E014138
Received By: E015018

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE DENNIS GOODENOUGH 208-886-7561
Address: P.O. BOX 193
SHOSHONE, ID 83352

OR

Name: JACQUE M. GOODENOUGH 208-886-7561
Address: P.O. BOX 193
SHOSHONE, ID 83352

2. Date of Priority: JUL 01, 1902

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	36E	12	NW	NE		1	BANNOCK

5. Description of diverting works:
HEADING FOR LEWIS-GOODENOUGH DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.720		

7. Total Quantity Appropriated is:
1.720 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	35	SE	NE		IRR	30.0

A29-00067

Page 1

Date: 05/23/90

MICROFILMED

NOV 13 1992

A2900067



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	35	NE	SE		IRR	30.0
			SE	SE		IRR	40.0

Section Acres 100.0

Total Acres 100.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A29-02044A

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 8/06/1932

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MC CAMMON DITCH ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin 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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): D. Dennis Goodenough Date: 7-23-90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of July 19 90

Seal

Betty J. Thompson
Notary Public

Residing at Betty J. Thompson, Notary Public
Residing at Eagle Falls, Idaho

My Commission Expires My Commission Expires: 6-30-94