

Guaranty Title Inc.
206 South 3rd East St
Mountain Home, Idaho 83647
208-587-9091
208-587-8370 fax
gti@guarantytitleinc.com

RECEIVED

AUG 05 2009

WATER RESOURCES
WESTERN REGION

CERTIFIED COPY

June 17, 2009

IDWR Western Regional Office
2735 Airport Way
Boise, Id 83705-5082

RE: Partial Decree 02-02063

The attached Partial Decree was sent to Wetherell. The name and address lists a deceased person (many years ago) ~~RW~~ Wetherell, the address is of his widow, who no longer lives there.

Please find attached the deed conveying to Wootan and the Decree vesting for her deceased spouse.

Hopefully this will help to correct the Water resource records to remove RW Wetherell.

If you have any questions, please contact me at 208-587-9091.

Sincerely,


Sheryl A Reymont
Manager

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 02-02063

NAME AND ADDRESS: R M WETHERELL
1420 DEL RIO ST
MOUNTAIN HOME, ID 83647-3150

NANCY L WOOTAN
STAR RT BOX 29A
HAMMETT, ID 83627

SOURCE: SNAKE RIVER TRIUTARY: COLUMBIA RIVER

QUANTITY: 0.03 CFS

PRIORITY DATE: 08/27/1918

POINT OF DIVERSION: T05S R08E S31 LOT 8 (SESESW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.03 CFS

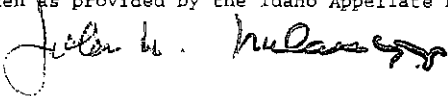
PLACE OF USE: Irrigation Within Owyhee County
T05S R08E S31 LOT 8 (SWSE) 3.0
3.0 Acres Total

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

(Optional)
Recorded
Microfilmed
Indexed☐
☐
☐Platted
Deed Card
Compared☐
☐
☐Key Punched
Master File
Abstracted☐
☐
☐To Treasurer ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

sole and separate property,

CINDY L. CARNAHAN, a married woman, dealing with her / GRANTOR(S)
of Hammett, County of Elmore, State of Idaho
hereby CONVEYS, GRANTS and WARRANTS TO MARVIN W. WOOTAN and NANCY L.
WOOTAN, husband and wife,
29A, Hammett,of Star Rt. - Box / County of Elmore, GRANTEE(S)
for the sum of TEN AND NO/100 - - - - - Dollars (\$10.00)
and other good and valuable consideration,

the following described tract(s) of land in Owyhee County, State of Idaho:

Lot Eight, in Section 31 Township Five South, Range Eight East of Boise Meridian, according to the plat thereof on file with the County Recorder of Owyhee County, Idaho, EXCEPTING THEREFROM that portion of said Lot Eight described as follows: Commencing at the Northeastly corner of said Lot Eight, thence in a Southerly direction along the Easterly boundary of said Lot Eight to a point where the said boundary line intersects the North boundary line of the highway, thence along said highway boundary line in a Westerly direction a distance of 941 feet to a point, thence in a Northerly direction on a line parallel to the Easterly boundary line of said Lot Eight to the Northerly boundary of said Lot Eight, thence along the Northerly boundary line of said Lot Eight to the place of beginning.

Location of above described property _____

WITNESS the hand of said Grantors this _____

House No. _____

Street _____

day of June, A.D. 1982

Cindy L. Carnahan

(NOTARY SEAL)

State of Idaho
County of Elmore

ss. On the 14th day of June, A.D. 1982,

personally appeared before me CINDY L. CARNAHAN, a married woman, dealing with her sole and separate property,

the signer(s) of the within instrument, who duly acknowledged to me that she executed the same.

Darlene Langley
(NOTARY PUBLIC)Residing at: *Mtn. View, Id.*My Commission expires: *March 25, 1984*

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name _____

Address _____

City & State _____

7-1

217116

NOT RECORDED

65 NOV 6 PM 11 52

W. A. M. M. M. M.

W. A. M. M. M. M.

No. _____
WARRANTY DEED

TO

Dated _____ 19____

STATE OF IDAHO

County of _____

I hereby certify that this instrument was
filed for record at request of _____

at _____ minutes past _____

o'clock _____ M. this _____ day _____

of _____ A.D. 19____

in my office, and duly recorded in Book _____
of _____ at page _____

Ex-Officio Recorder

By _____ Deputy

Fees \$ _____

Attorney for Petitioner

1:35 A.M. _____ P.M.

Charlotte Sherburn, Clerk
Lena Johnson
Deputy Clerk

MURPHY, OWYHEE, IDAHO
2007-10-15 11:39:57 No. of Pages: 7
Recorded for : WINDDANCERS KENNELS
CHARLOTTE SHERBURN Fee: 21.00
Ex-Officio Recorder Deputy *MPeterson*
Index to: DECREE OF VESTING

In the Matter of the Estate of

DECREE VESTING ESTATE IN SURVIVING SPOUSE

Deceased.

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, Marvin Wayne Wootan, died on October 20, 2005, domiciled in Owyhee County.
4. Venue is proper.
5. The decedent and Nancy L. Wootan were duly married in Idaho on July 2, 1981, and remained married until the date of decedent's death.
6. The surviving spouse, Nancy L. Wootan is the sole heir or devisee of the decedent.

7. The decedent died testate, leaving a will dated May 27, 1992. The will was validly executed and is the last will of the decedent.
8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent and properly characterizes the property as community or separate property.

THEREFORE, it is ordered, adjudged and decreed as follows:

1. Nancy L. Wootan is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.
2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to Nancy L. Wootan free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.
3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

Dated: Oct. 15, 2007

STATE OF GEORGIA
County of Cherokee
I hereby certify that the foregoing
instrument is a true and correct copy of the
original as it appears.

Record OK
Dated 10/15/07
Title Deputy Court Clerk

DAN C. GROBER

MAGISTRATE

SCHEDULE OF PROPERTY
OF
MARVIN WAYNE WOOTAN

REAL PROPERTY IN ELMORE COUNTY, IDAHO

PARCEL 1:

Community property interest in real property more particularly described as:

Lots 1 and 2 in Block 11 of FRUITLAND SUBDIVISION, according to the official plat thereof, filed for record in the office of the County Recorder, Elmore County, Idaho.

X REAL PROPERTY IN OWYHEE COUNTY, IDAHO

PARCEL 2:

Community property interest in real property more particularly described as:

Lot Eight, in Section 31 Township Five South, Range Eight East of Boise Meridian, according to the plat thereof on file with the County Recorder of Owyhee County, Idaho, EXCEPTING THEREFROM that portion of said Lot Eight described as follows: Commencing at the Northeasterly corner of said Lot Eight, thence in a Southerly direction along the Easterly boundary of said Lot Eight to a point where the said boundary line intersects the North boundary line of the highway, thence along said highway boundary line in a Westerly direction a distance of 941 feet to a point, thence in a Northerly direction on a line parallel to the Easterly boundary line of said Lot Eight to the Northerly boundary of said Lot Eight, thence along the Northerly boundary line of said Lot Eight to the place of beginning. X

PARCEL 3:

Community property interest in real property more particularly described as:

A portion of Lots Three and Four in Section Six, Township Six South, Range Eight East of the Boise Meridian, Owyhee County, Idaho, described as follows:

Commencing at the north one-quarter corner of said Section Six; thence

South 89°39'44" West, along the northerly boundary of said Section Six, 382.82 feet; thence South 49°51'35" West, 706.51 feet to the p.c. of a curve on the centerline of State Highway No. 78; thence South 38°37'03" West, along the centerline of said Highway, 557.96 feet; thence North 52°39'39" West, 40.00 feet to the northwesterly right-of-way line of said Highway and the REAL POINT OF BEGINNING; thence South 38°37'03" West, along said right-of-way line, 441.63 feet; thence North 52°11'37" West, 376.24 feet; thence North 38°18'03" East, 438.52 feet; thence South 52°39'39" East, 378.73 feet to the REAL POINT OF BEGINNING, comprising 3.81 acres, more or less.

PARCEL 4:

Community property interest in real property more particularly described as:

A tract of land situated in NW1/4 (Lot 4) of Section 6, T6S, R8E, B.M. Owyhee County, Idaho, described as follows:

BEGINNING at the North quarter corner of said Sec. 6, thence South 89°39'44" West along the North line of said Sec. 6 a distance of 382.82 feet; thence South 52°20' West a distance of 704.46 feet; thence South 38°37'40" West a distance of 557.96 feet; thence North 52°39'02" West a distance of 378.73 feet to the REAL POINT OF BEGINNING; thence South 38°19'16" West a distance of 438.60 feet; thence North 52°11' West a distance of 100.00 feet to the bank of the Snake River; thence North 38°19'21" East along said bank a distance of 437.78 feet; thence South 52°39'02" East a distance of 100.00 feet to the REAL POINT OF BEGINNING.

PARCEL 5:

Community property interest in real property more particularly described as:

A tract of land situated in Government Lot 3 and 4, Section 6, Township 6 South, Range 8 East, B.M., Owyhee County, Idaho, described as follows:

BEGINNING at the North quarter corner of said Section 6, thence South 89°39'44" West for 382.82 feet to a point on the Northerly right-of-way of a State Highway, being the REAL POINT OF BEGINNING; thence South 52°20' West on a chord 4° curve with a radius of 72.4 feet a distance of 704.46 feet to the P.C. of said curve; thence South 38°37'40" West along the Northern right-of-way of said Highway, a distance of 557.96 feet; thence North 52°39'02" West, a distance of 478.73 feet to the high water line on the Snake River; thence North 38°18'21" East along said high water line, a distance of 12.50 feet; thence North 43°15'27" East along said high water line, a distance of 363.98 feet; thence North 48°03'48" East along said high water line, a distance of 298.90 feet; thence North 50°34' East along said high water line, a distance of 153.06 feet to a point on the North line of said Section 6; thence North 89°39'44" East along said North line, a

distance of 688.78 feet to the REAL POINT OF BEGINNING. Subject to a 25 foot access easement along the Southwesterly boundary.

PARCEL 6:

Community property interest in real property more particularly described as:

A Tract of land situate in Government Lots 3 and 4, Section 6, Township 6 South, Range 8 East, B.M., Owyhee County, Idaho, described as follows:

Beginning at the North Quarter corner of said Section 6, thence South 89°39'44" West, along the northerly boundary of Section 6, 382.82 feet; thence South 49°51'35" West, 706.51 feet to the P.C. of a curve on the centerline of State Highway No. 78; thence South 38°37'03" West, along the centerline of said Highway, 557.96 feet; thence North 52°39'39" West, 40.00 feet to the Northwestern right of way line of said highway and the REAL POINT OF BEGINNING; thence South 38°37'03" West, along said right of way line 562.54 feet (formerly South 38°37'40" West 557.96 feet); thence South 45°11'10" West along a chord of a curve to the right with a radius of 1392.40 feet a distance of 319.26 feet (formerly South 45°07'23" West along a chord of a curve to the right with a radius of 1432.40 feet and a four degree curve, a distance of 324.75 feet); thence North 51°41'32" West 465.28 feet (formerly North 51°40'55" West, a distance of 437.24 feet); thence North 38°18'03" East along the meander line of the Snake River, a distance of 870.24 feet (formerly North 38°19'21" East, along the meander line of the Snake River, a distance of 872.32 feet); thence South 52°39'39" East a distance of 506.66 feet (formerly South 52°39'02" East, a distance of 478.73 feet) to the REAL POINT OF BEGINNING

EXCEPT: NO. 1

Township 6 South, Range 8 E., B.M., Owyhee County, Idaho
Section 6: A portion of the NW1/4 being more particularly described as follows:

BEGINNING at the North Quarter Corner of said Section;

THENCE South 89°39'44" West along the North line of said Section 6 a distance of 382.82 feet;

THENCE South 52°20' West a distance of 704.46 feet;

THENCE South 38°37'40" West a distance of 557.96 feet;

THENCE North 52°39'02" West a distance of 378.73 feet to the REAL POINT OF BEGINNING,

THENCE South 38°19'16" West a distance of 438.60 feet

THENCE North 52°11' West a distance of 100.00 feet to the bank of the Snake River,

THENCE North 38°19'21" East along said bank a distance of 437.78 feet,

THENCE South 52°39'02" East a distance of 100.00 feet to the REAL POINT OF BEGINNING

AND EXCEPT: NO. 2

A portion of Lots 3 and 4 in Section 6, Township 6 S., Range 8 E., B.M., Owyhee County, Idaho, described as follows:

COMMENCING at the north one-quarter corner of said Section 6;

THENCE South $89^{\circ}39'44''$ West, along the northerly boundary of said Section 6, 382.82 feet;

THENCE South $49^{\circ}51'35''$ West, 706.51 feet to the P.C. of a curve on the centerline of State Highway No. 78;

THENCE South $38^{\circ}37'03''$ West, along the centerline of said Highway, 557.96 feet;

THENCE North $52^{\circ}39'39''$ West, 40.00 feet to the northwesterly right of way line of said Highway and the REAL POINT OF BEGINNING:

THENCE South $38^{\circ}37'03''$ West, along said right of way line, 441.63 feet;

THENCE North $52^{\circ}11'37''$ West 376.24 feet;

THENCE North $38^{\circ}18'03''$ East 438.52 feet;

THENCE South $52^{\circ}39'39''$ East 378.73 feet to the REAL POINT OF BEGINNING.

CERTIFICATE OF MAILING

I hereby certify that on the ____ day of _____, 2007, I served a true and correct copy of the foregoing to the following by the method indicated below:

Wesley R. Wootan P.O. Box 636 Glenns Ferry, Idaho 83623	☐ U.S. Mail, postage prepaid ☐ Overnight Mail ☐ Hand Delivery ☐ Facsimile
Marva Schwager 2223 Gekeler Lane Boise, Idaho 83706	☐ U.S. Mail, postage prepaid ☐ Overnight Mail ☐ Hand Delivery ☐ Facsimile
Marie Patchin 8604 North Valerie Spokane, Washington 99208	☐ U.S. Mail, postage prepaid ☐ Overnight Mail ☐ Hand Delivery ☐ Facsimile
David A. Carpenter P.O. Box 522 Lyons, Oregon 97358	☐ U.S. Mail, postage prepaid ☐ Overnight Mail ☐ Hand Delivery ☐ Facsimile
Mark A. Carpenter 10668 West Bernt Road Hammett, Idaho 83627	☐ U.S. Mail, postage prepaid ☐ Overnight Mail ☐ Hand Delivery ☐ Facsimile