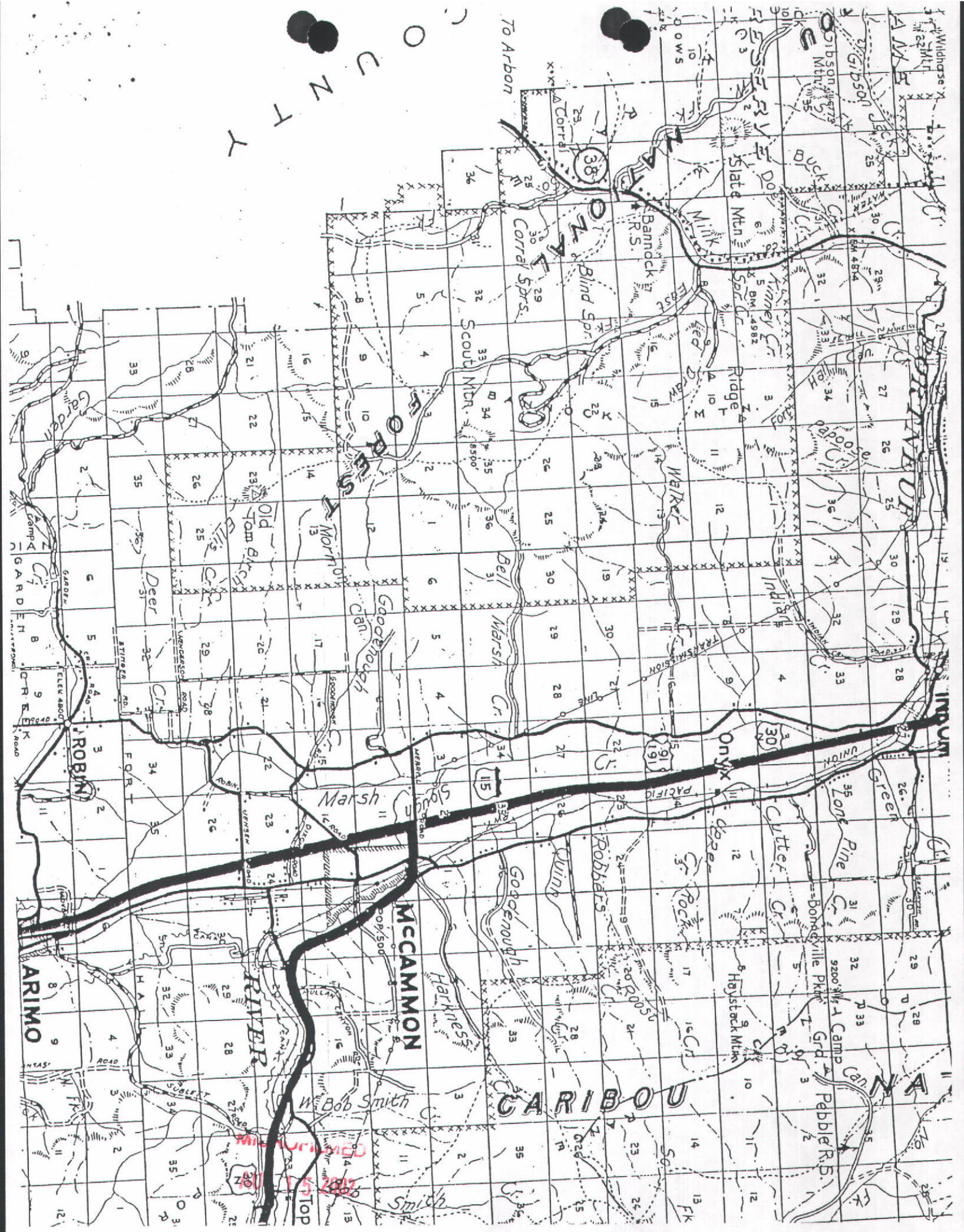




# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources  
Eastern Region

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

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

☒ 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**.

☒ 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 <sup>Deceased</sup>  
Jacquie Goodenough <sup>wife</sup> <sup>- Same as before</sup>

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

McCannon, Id. 83250

New Telephone Number

208, 254-3816

5. Date you acquired the property

12-18-1998

#980 25666 Warranty Deed Recorded BC Courthouse  
12-18-98 #99005344  
→ #980 → other Parcel Legal

AUG 15 2002

Escrow #: 52691TA - BN

\*\*\*RE-RECORD TO CORRECT LEGAL\*\*\*

WARRANTY DEED

Approved by: JEL

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 NO 98025666  
RECORDED AT REQUEST OF PIONEER TITLE  
'99 MAR 18 PM 4 19 734 '98 DEC 18 PM 4 01  
OFFICIAL RECORD BOOK NO 2700 OFFICIAL RECORD BOOK NO 28  
LARRY W. HAN RECORDER LARRY W. HAN RECORDER  
FEE 2700 FEE 1500  
MICROFILMED  
JAN 15 2002

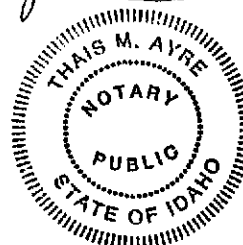


Exhibit A attached to and made a part of  
Commitment No. 52691

**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  $62^{\circ}23'$  a distance of 1354.7 feet;

thence turning to the right through an angle of  $6^{\circ}22'$  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  $24^{\circ}27'$  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  $86^{\circ}55'$ , 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  $69^{\circ}56'$  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  $7^{\circ}40'$  a distance of 1043.9 feet; thence turning to right through an angle of  $27^{\circ}52'$  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:

MICROFILMED

AUG 15 2002

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°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°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°06'15" West 144.93 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South 28°52'00" East 321.72 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South 11°25'29" East 316.48 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968;

thence South 8°10'08" West 63.21 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South 89°50'44" East 199.39 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South 8°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°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°54'44" West 240.18 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence North 83°50'08" West 132.39 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968;

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

thence South 72°25'52" East 146.48 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence North 1°52'30" East 316.51 feet, said point being marked by a 1/2-inch iron pin tagged L.S. 968; thence South 89°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°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°50'44" West 350.0 feet to the true point of beginning.

MICROFILMED

AUG 15 2002

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.

MICROFILMED

AUG 15 2002

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.

MICROFILMED

AUG 15 2002

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.

RECORDED

AUG 15 2002

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

MICROFILMED

AUG 15 2002

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: Jackue 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

MICROFILMED

AUG 15 2002

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

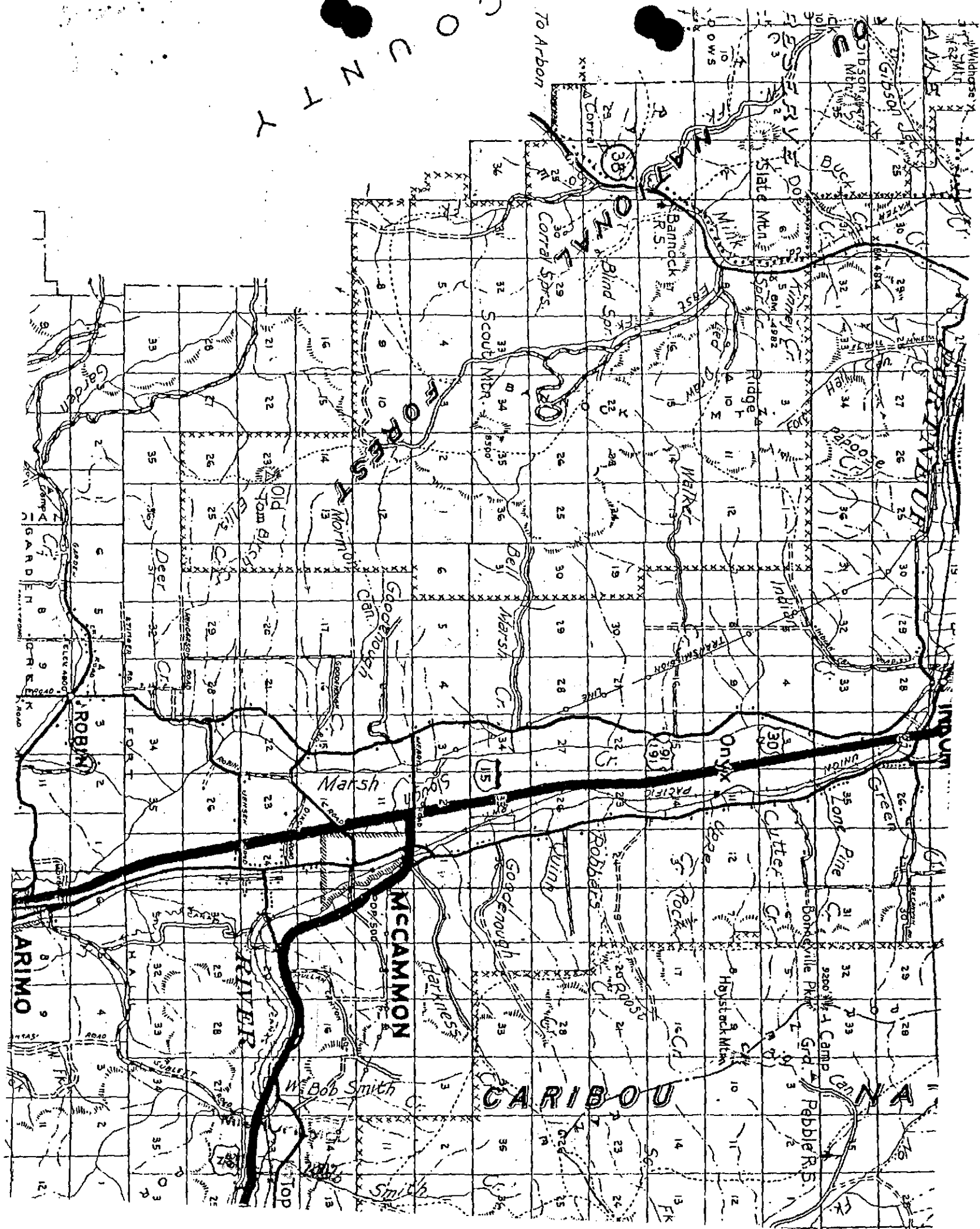
1. that a "Statement of Intent to Declare Manufactured Home Real Property" be recorded;
2. verification that the tax assessor will assess the mobile home as real property; and
3. a cancellation of the certificate of title by the Department of Motor Vehicles.

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.

RECORDED  
JUN 13 2002





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 29-10150

NAME AND ADDRESS: GEORGE DENNIS GOODENOUGH  
JACQUE M GOODENOUGH  
PO BOX 193  
SHOSHONE, ID 83352

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 06/07/1902

POINT OF DIVERSION: T08S R36E S35 SENESE Within Bannock County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE  | QUANTITY |
|-------------------------------|-----------------|----------------|----------|
|                               | Domestic 1 HOME | 01-01 TO 12-31 | 0.04 CFS |

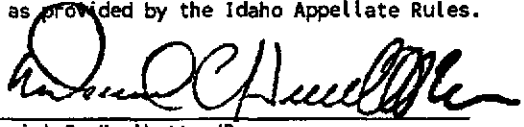
PLACE OF USE: Domestic Within Bannock County  
T08S R36E S35 NESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.

  
Daniel C. Hurlbutt, JR.  
Presiding Judge  
Snake River Basin Adjudication

MICROFILMED

JUN 15 2002



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

July 24, 2002

RANDY N LEWIS  
ALICE E LEWIS  
5735 S OLD HWY 91  
MCCAMMON ID 83250

RE: Change of Ownership for Water Right 29-10150

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

*for* Jeff Peppersack, Manager  
Water Right Permits Section

JP:dg

Enclosure

MICROFILMED

AUG 15 2002