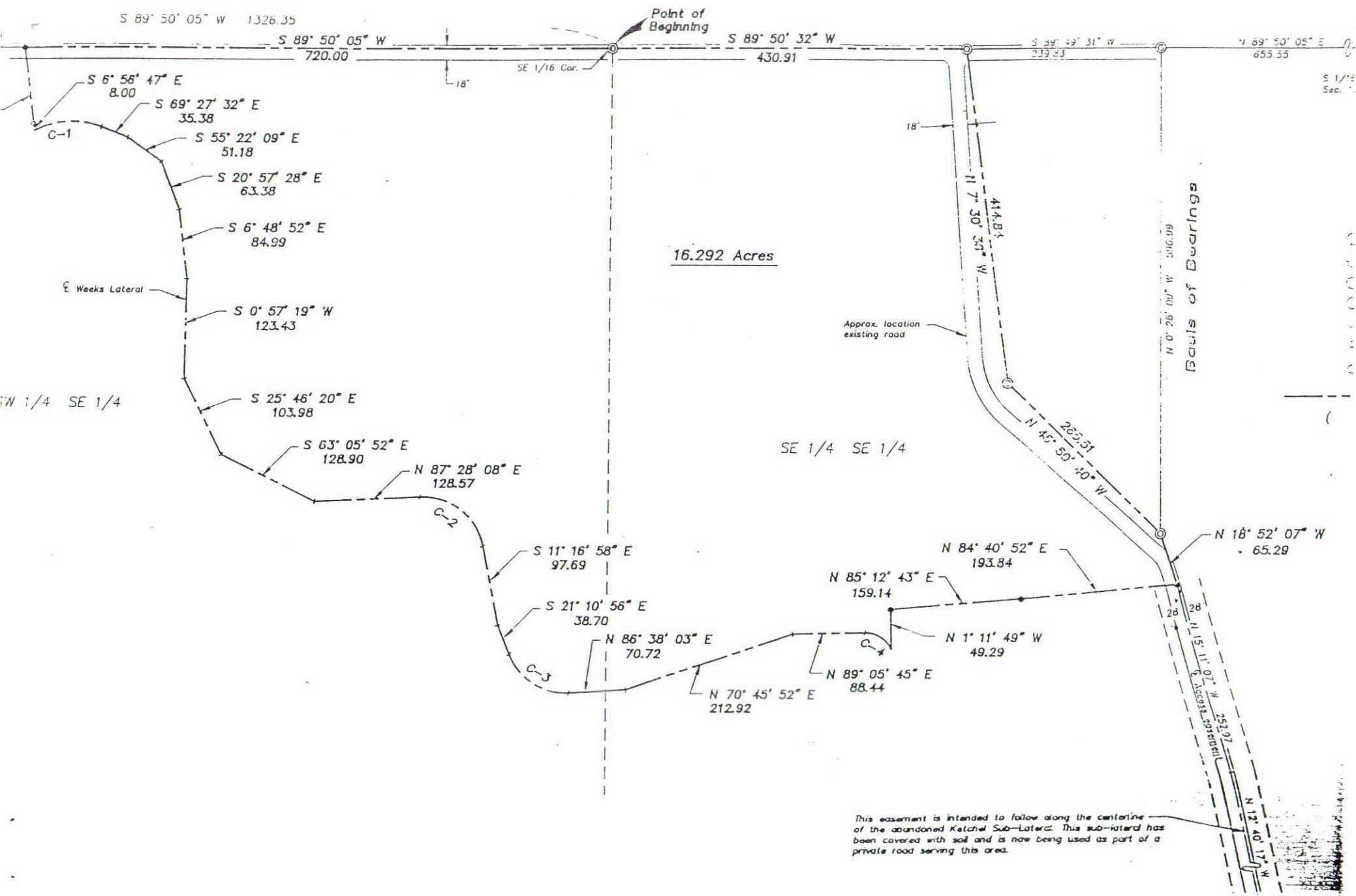


A PART OF THE SW 1/4 SE 1/4 & SE 1/4 SE 1/4, SEC. 17 T 4 N, R 5 W, B.M.
CANYON COUNTY, IDAHO



2000 APR 07 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-23924

NAME AND ADDRESS: LEON WHITMIRE
LOIS WHITMIRE
28090 FOX LN
WILDER, ID 83676

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS

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

PRIORITY DATE: 01/03/1920

POINT OF DIVERSION: T04N R05W S17 SESE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE:	Stockwater		Within Canyon County
	T04N R05W S17	SESE	
	Domestic		Within Canyon County
	T04N R05W S17	SESE	

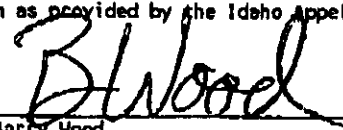
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-23924	WHITMIRE, LEON	C	01/03/1920	J/	GROUNDWATER	DOMEST	AJ
	WHITMIRE, LOIS	C				STOCK	
A63-23924	WHITMIRE, LOIS	C	01/03/1920	J/	GROUNDWATER	DOMEST	AJ
	WHITMIRE, LEON	C				STOCK	

MEMORANDUM

DATE: September 7, 2000

TO: Files 63-19711 / 63-19712 / 63-23924

FROM: Kari Lynn Townsend

RE: Telephone Conversation

Today I spoke with Dan Grober regarding his correspondence about ownership changes for his client, Adey May Dunnell.

Ms. Dunnell has purchased property which involves the above referenced water rights. Mr. Grober had originally written the Department in April 2000 regarding the process for change of ownership and somehow the handling of this request got "bogged" down.

I have told Mr. Grober there will be **no filing fees required** since he had made his request for ownership change information prior to the legislation effective 7-1-00.

I have mailed ownership change forms to Mr. Grober today to be completed and returned to my attention.

RECEIVED

JUL 21 2000

Department of Water Resources

SCHEDULE A

Commitment No.: PC 29148

Effective Date: March 1, 1999 as of 7:30 a.m.

Prepared by: Joyce L. Keeter

TO: PIONEER TITLE COMPANY
Escrow Department
Attn: Tammy Kratzberg

Proposed Insured:

ADEY MAY DUNNELL, a single person

Policy or Policies to be issued:		Amount	Premium
Owner's coverage	(x) Standard	\$32,000.00	\$281.00
Form 1402.92 (10-17-92)	() Extended		
Purchaser's coverage	() Standard		
Form 1402.92 (10-17-92)			
Mortgagee's coverage	() Standard		
Form 1056.92 (10-17-92)	() Extended		
Endorsements			
Easement coverage			

Fee simple interest in the land described in this Commitment is owned,
at the Commitment Date by:

LEON A. WHITMIRE and LOIS N. WHITMIRE, husband and wife

The land referred to in this Commitment is described as follows:

See attached Exhibit "A"

PC 29148

Exhibit "A"

Any portion of the Northwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 17, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, lying North of the Weeks Lateral.

SUBJECT TO an ingress-egress easement: T04N R05W S17 SWSE

COMMENCING at the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 17, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho; thence

East along the North boundary of said Southwest Quarter of the Southeast Quarter, Section, Township and Range aforesaid to the Northeast corner thereof; thence

South 40 feet; thence

West and parallel to the Northerly boundary of the Southwest Quarter of the Southeast Quarter, Section, Township and Range aforesaid, to a point 40 feet South of the Northwest corner of the said Southwest Quarter of the Southeast Quarter; thence

North 40 feet to said Northwest corner.

EXCEPTING THEREFROM

Part of the Southeast Quarter of the Southeast Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 17, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of said Southwest Quarter of the Southeast Quarter (Southeast 1/16 corner) said corner monumented with a 5/8-inch diameter iron pin; thence

South 89° 50' 05" West a distance of 720.00 feet along the Northerly boundary of said Southwest Quarter of the Southeast Quarter to a half-inch diameter iron pin; thence

South 6° 56' 47" East a distance of 101.43 feet to the centerline of the Weeks Lateral; thence along the centerline of said Weeks Lateral as follows: thence 85.24 feet along the arc of a 103.96 foot radius tangent curve right the long chord of which bears

North 87° 03' 04" East a distance of 82.87 feet; thence

South 69° 27' 32" East a distance of 35.38 feet; thence

South 55° 22' 09" East a distance of 51.18 feet; thence

South 20° 57' 28" East a distance of 63.38 feet; thence

South 6° 48' 52" East a distance of 84.99 feet; thence

South 0° 57' 19" West a distance of 123.43 feet; thence

South 25° 46' 20" East a distance of 103.98 feet; thence

South 63° 05' 52" East a distance of 128.90 feet; thence

North 87° 28' 08" East a distance of 128.57 feet; thence 106.46 feet along the arc of a 75.00 foot radius tangent curve right the long chord of which bears

(continued)

South 51° 56' 55" East a distance of 97.75 feet; thence
South 11° 16' 58" East a distance of 97.69 feet; thence
South 21° 10' 56" East a distance of 38.70 feet; thence 94.49 feet
along the arc of a 75.00 foot radius tangent curve left, the long chord
of which bears

South 57° 16' 26" East a distance of 88.36 feet; thence
North 86° 38' 03" East a distance of 70.72 feet; thence
North 70° 45' 52" East a distance of 212.92 feet; thence
North 89° 05' 45" East a distance of 88.44 feet; thence 39.90 feet
along the arc of a 35.00 foot radius tangent curve right, the long chord
of which bears

South 58° 14' 49" East a distance of 37.77 feet; thence leaving the
centerline of said Weeks Lateral

North 1° 11' 49" West a distance of 49.28 feet to a half-inch
diameter iron pin; thence

North 85° 12' 43" East a distance of 159.14 feet to a half-inch
diameter iron pin; thence

North 84° 40' 52" East a distance of 193.84 feet to a point on the
centerline of the abandoned Ketchel Sub-Lateral, said point monumented
with a half-inch diameter iron pin; thence

North 18° 52' 07" West a distance of 65.29 feet along said
centerline of the Ketchel Sub-Lateral to a 5/8-inch diameter iron pin;
thence

North 45° 50' 40" West a distance of 265.51 feet along said
centerline of the Ketchel Sub-Lateral to a 5/8-inch diameter iron pin;
thence

North 7° 30' 36" West a distance of 414.84 feet along said
centerline of the Ketchel Sub-Lateral to a point on the Northerly
boundary of said Southeast Quarter of the Southeast Quarter, said point
monumented with a 5/8-inch diameter iron pin; thence

South 89° 50' 32" West a distance of 430.91 feet along the Northerly
boundary of said Southeast Quarter of the Southeast Quarter to the POINT
OF BEGINNING.

PIONEER TITLE COMPANY OF CANYON COUNTY

423 South Kimball Avenue

P.O. Box 610

Caldwell, ID 83606-0610

Telephone Number: (208) 459-1651

Telefax No. (208) 459-6635 (Title)

Telefax No. (208) 455-1138 (Escrow)

TO: **WINDERMERE REAL ESTATE**
6618 Cleveland
Caldwell, Idaho
Attn: Marianne

Order No.: PC 29148
Re: Whitmire/Dunnell
Date: March 5, 1999

In connection with the above-referenced order, we enclose the following:

- (x) Title Commitment
- () Datedown Endorsement
- () Title Policy
- () Endorsements
- () Limited Coverage Junior Loan Policy
- () Express Policy
- () Trustee's Sale Guarantee
- () Litigation Guarantee
- () Lot Book Guarantee
- () Judgement and Tax Lien Guarantee
- () Lot Book Report
- () Statement
- ()
- () Copies of
- () Original Documents

Your Escrow Officer for this transaction is: **Tammy Kratzberg**

Thank you for this opportunity to assist you with your real estate transactions. Please call again.

Joyce L. Keeter
Joyce L. Keeter
Title Officer

3 acres
3/99
Whitmire

PC 29148

T 04N
R 05W
Sec 17

Exhibit "A"

NW SW SE

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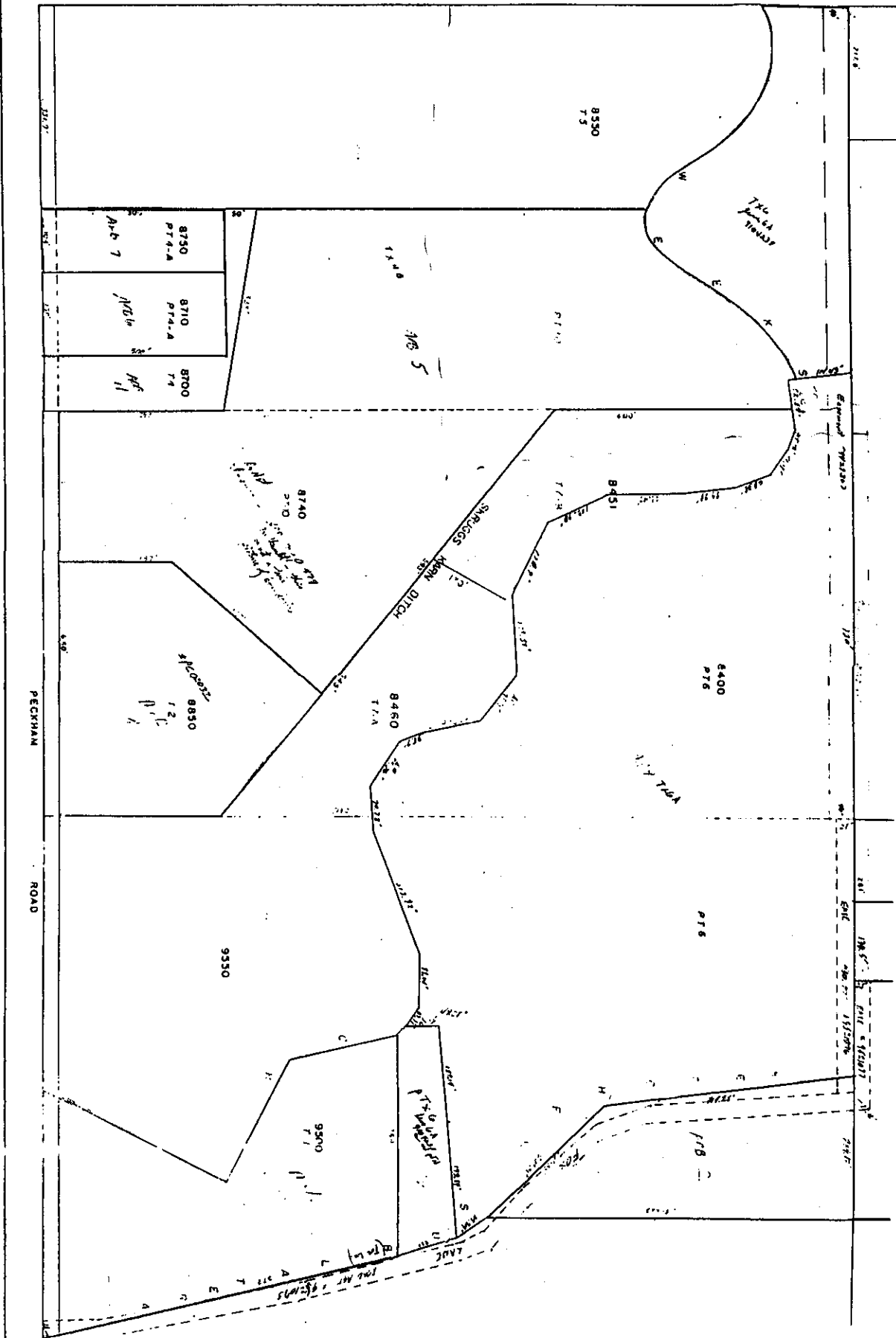
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North 18° 52' 07" West a distance of 65.29 feet along said
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thence

North 45° 50' 40" West a distance of 265.51 feet along said
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thence

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OF BEGINNING.



THIS MAP IS ATTACHED SOLELY FOR THE
PURPOSE OF ASSISTING IN LOCATING THE
LAND AND THE COMPANY ASSUMES NO
LIABILITY FOR VARIATIONS IF ANY

PIONEER TITLE COMPANY

Caldwell, Idaho

P. O. Box 610 • 423 S. Kimball
Caldwell, Idaho 83605-0610

PHONE: (208) 459-1651

FAX: (208) 459-6635
(208) 455-1138

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-1.
- The Exceptions in Schedule B-2.
- The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.

16 Acres
Will
2/17/00
DOT. White
Mire

First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark R. Arneson* SECRETARY

BY *[Signature]* COUNTERSIGNED

PC 33373

T 0421
R 05W
Sec 17
SESE
SWSE

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