

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.

RECEIVED
NOV 12 2004

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
	81-7003A				

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.

Name and Address of Former
Owner/Claimant(s)

D. LIVONA ENGLE AND MIKE H. ENGLE
HCR 75 BOX III KOOSKIA, ID 83539

New Owner/Claimant(s)

STEVEN R. PFAFF NORMA L. PATTERSON

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

442 NORTH GOLD CREEK LOOP

City, State and ZIP Code

HAMILTON, MONTANA 59840-9732

New Telephone Number

(406) 363-0989

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Steven R. Pfaff
Norma L. Patterson

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

09/27/2004

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: November 26, 2004

Water right number: 81-7003A

MILES H ENGLE
C/O DONNA JOHNSON
BOX 125
KAMIAH ID 83536
Telephone Number: (208)926-4305

D LIVONA ENGLE
C/O DONNA JOHNSON
BOX 125
KAMIAH ID 83536
Telephone Number: (208)926-4305

SEE ATTACHED "NOTICE OF
CHANGE IN WATER RIGHTS OWNERSHIP"
Form

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, OTHER THAN OWNERSHIP NAME CHANGE.
DATE: 11-9-04 SIGNATURE: Steven R. Pface
Please print your name: STEVEN R. PFACE

IDWR Regional Office, 1910 Northwest Blvd, Suite 210, Coeur D' Alene, ID 83814, 2087691450

WARRANTY DEED

GRANTOR, Estate of D. LIVONA ENGLE, of P. O. Box 125, Kamiah, ID 83536, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to STEVEN R. PFAFF, a single person, and NORMA L. PATTERSON, a single person, of 442 N. Gold Creek Loop, Hamilton, MT 59840, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2004, which are a lien, not yet due and payable.

2. Scenic Easement as set forth in Judgment on Declaration of Taking and Order for Delivery of Possession, including the terms and conditions thereof, by and between UNITED STATES OF AMERICA, Plaintiff, vs. D. LIVONA ENGLE, as her sole and separate property, et al, Defendants, United States District Court for the District of Idaho Civil No. 78-3025, recorded May 8, 1978, under Instrument No. 273424, records of Idaho County, Idaho.

3. Matters as shown on Survey S-378, including, but not limited to, fence encroachment, recorded September 20, 1985, under Instrument No. 322500, records of Idaho County, Idaho.

4. Easement Agreement, including the terms and conditions thereof, by and between D. LIVONA ENGLE and JAMES H. MAY and RUTH ROARK MAY, husband and wife, recorded October 25, 2001, under Instrument No. 419386, records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever, except general taxes for the year 2004, and easements, reservations, restrictions and rights-of-way of record or in use.

Except as otherwise expressly provided in this instrument, GRANTORS, hereby declare pursuant to Title 5, Chapter 2 of the Idaho Code, that in

1 the event GRANTORS shall have permitted or suffered at any time prior to
2 the making of this instrument, any person or entity to possess, use or
3 occupy the above-described premises, or any portion thereof, for any
4 purpose, with or without the knowledge of GRANTORS, it was not the intent
5 of GRANTORS, by permitting or suffering such possession, use or
6 occupation, to thereby define property boundaries or ownership thereof.

7 In construing this deed, and where the context so requires, the
8 singular includes the plural and the masculine, the feminine and the
9 neuter.

10 IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this
11 instrument this 11th day of June 2004.

12 Donna R. Johnson, Personal Representative
13 ESTATE OF D. LIVONA ENGLE
14 By: DONNA R. JOHNSON
15 Personal Representative

16 STATE OF IDAHO)
17) ss.
18 County of IDAHO)

19 On this 11th day of June 2004, before me,
20 LEONA MARIE, a Notary for the said County and State,
21 personally appeared DONNA R. JOHNSON, Personal Representative for the
22 Estate of D. LIVONA ENGLE, known or identified to me to be the person
23 whose name is subscribed to the within instrument, and she acknowledged
24 to me that she freely executed the same and that the statements therein
25 contained are true.

26 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
27 official seal the day and year first above written.

28 (NOTARY SEAL)

LEONA MARIE
NOTARY PUBLIC
STATE OF IDAHO

Leona Marie
Notary Public for State of Idaho.
Residing at Shanleyville, therein.
My commission expires on

01 April, 2009.

EXHIBIT A

Township 32 North, Range 5 East, Boise Meridian, Idaho County, Idaho
Section 2: This parcel lies in Government Lot 5 and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
more particularly described as follows:

commencing at the Northeast corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of
said Section 2, marked by an aluminum monument
established by the Bureau of Land Management, and also
the TRUE POINT OF BEGINNING;
thence S 01°03'41" W along the easterly boundary of
said SW $\frac{1}{4}$ NW $\frac{1}{4}$, 661.13 feet to the Center South Northwest
1/64 corner marked by an aluminum monument established
by the Bureau of Land Management;
thence S 00°52'34" W continuing along the easterly
boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, 276.87 feet;
thence S 32°09'46" W, 1365.44 feet, (formerly S 32°27'
W, 1358 feet), to the northerly right of way boundary
of U.S. Highway 12;
thence N 59°04'31" W along said right of way boundary,
316.47 feet;
thence N 27°43'21" E, 2181.53 feet to the TRUE POINT OF
BEGINNING.
Sometimes known as Assessors Tax No. 124.

STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
at 1:55 P.m. on 6-11-04	
ROSE E. GERHING	
By <u>S. Bauman</u>	Recorder
Fees \$ <u>9.00</u>	Deputy

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