

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.

- I. 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
	78-4000				

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)

Ron & Gody Weisz

New Owner/Claimant(s)

Leonard P. Lewis

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

New Mailing Address

HC 75 Box 3541

City, State and ZIP Code

New Meadows ID 83654

New Telephone Number

(208) 628-3178

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

X Leonard P. Lewis

O.K. to Change
6-27-05

Record Modified 6-27-05

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.

Lewis Copy

ROAD RIGHT-OF-WAY EASEMENT

THIS EASEMENT made and entered into on this _____ day of October 2003, by and between MILTON C. PAYNE and EMMA C. PAYNE, Trustees of the Payne Family Trust dated August 15, 1992, LEONARD D. LEWIS, Trustee of the Leonard D. Lewis Trust, U/T/A dated the 28th day of June 2002, and ALBERT D. GIVENS, a married man, joined by his wife MADONNA L. GIVENS, hereinafter referred to as Grantors, and LEAH WARREN, hereinafter referred to as Grantee.

WITNESSETH:

WHEREAS, the Grantor MILTON C. PAYNE and EMMA C. PAYNE, Trustees of the Payne Family Trust dated August 15, 1992, are owners of a certain parcel of real property located in Idaho County, Idaho, and more particularly described as follows:

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

WHEREAS, the Grantor LEONARD D. LEWIS, Trustee of the Leonard D. Lewis Trust, U/T/A dated the 28th day of June 2002, is the owner of a certain parcel of real property located in Idaho County, Idaho, and more particularly described as follows:

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

WHEREAS, the Grantor ALBERT D. GIVENS, is owner of a certain parcel of real property located in Idaho County, Idaho, and more particularly described as follows:

Section 26, Township 22 North, Range 1 East, Boise Meridian, Idaho County, Idaho, as described in Exhibit

1 "D" attached hereto and hereby incorporated by this
2 reference.

3 WHEREAS, the Grantee LEAH WARREN, is owner of a certain parcel
4 of real property located in Idaho County, Idaho, and more
5 particularly described as follows:

6 See Exhibit "E" attached hereto and hereby incorporated
7 by this reference.

8 WHEREAS, the parcel of property owned by the Grantee is
9 adjacent to the roadway which provides access to the Grantors, and,

10 WHEREAS, the Grantee seeks to obtain a road easement through
11 the property of the Grantors, described above to provide her with
12 access to her property described above, and,

13 WHEREAS, the parties have agreed upon an initial fifteen foot
14 easement over the property of LEONARD LEWIS TRUST thence increasing
15 to thirty foot road right-of-way easement across the parcel of land
16 of the remaining Grantors, and,

17 WHEREAS, the parties have orally agreed to such an easement,
18 and,

19 WHEREAS, the parties seek now to place their agreement for the
20 use of the road in writing and to allow for such road to benefit
21 the heirs, successors and assigns of the Grantees.

22 NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

23 1. That the Grantors by these premises does hereby grant unto
24 LEAH WARREN, her successors and assigns, an easement for road
25 right-of-way purposes fifteen foot in width over the property of
26 LEONARD LEWIS TRUST thence increasing to thirty foot road
27

28 ROAD RIGHT-OF-WAY EASEMENT

1 right-of-way easement across the parcel of land of the remaining
2 Grantors described above. The centerline of said easement shall be
3 along the existing roadway from the County road to the Southeast
4 boundary of the Givens property described as Tax No. 26. depicted
5 in Exhibit "F" attached hereto and hereby incorporated by this
6 reference. The right-of-way hereby conveyed is for the sole
7 purpose of providing the Grantees, their heirs and assigns, access
8 to the Grantee's property. Grantees shall have the right to enter
9 onto said easement to grade, level, fill, build or rebuild a road
10 on, over and across the ground covered in said right-of-way.
11

12 This agreement shall be binding on the heirs and assigns of
13 both parties.

14 IN WITNESS WHEREOF, the parties have hereunto set their hands
15 and seal the day and year first above written.
16

17
18 MILTON C. PAYNE, Trustee of
the PAYNE FAMILY TRUST

EMMA C. PAYNE, Trustee of
the PAYNE FAMILY TRUST

19
20 LEONARD D. LEWIS, Trustee of the
21 LEONARD D. LEWIS TRUST, U/T/A

22
23 ALBERT D. GIVENS

MADONNA L. GIVENS

LEAH WARREN

BY:

ROBERT PETRIE
as Attorney in Fact

STATE OF _____)
County of _____) ss.

On this _____ day of October, 2003, before me,
_____ a Notary for the said County and
State, personally appeared MILTON C. PAYNE and EMMA C. PAYNE,
trustees of the PAYNE FAMILY TRUST, known or identified to me to be
the persons whose names are subscribed to the within instrument,
and they acknowledged to me that they freely executed the same.

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

(NOTARY SEAL)

Notary Public for State of _____,
Residing at _____, therein.
My commission expires on _____, 20____.

1 STATE OF _____)
2 County of _____) ss.

3 On this _____ day of October, 2003, before me,
4 _____ a Notary for the said County and
5 State, personally appeared LEONARD D. LEWIS, Trustee of the Leonard
6 D. Lewis Trust, U/T/A, known or identified to me to be the person
7 whose name is subscribed to the within instrument, and he
8 acknowledged to me that he freely executed the same.

9 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
10 official seal the day and year first above written.
11

12 (NOTARY SEAL)

Notary Public for State of _____,
Residing at _____, therein.
My commission expires on _____, 20____.

13 STATE OF _____)
14 County of _____) ss.

15 On this _____ day of October, 2003, before me,
16 _____ a Notary for the said County and
17 State, personally appeared ALBERT D. GIVENS and MADONNA L. GIVENS,
18 husband and wife, known or identified to me to be the persons whose
19 names are subscribed to the within instrument, and they
20 acknowledged to me that they freely executed the same.
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1 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
2 official seal the day and year first above written.

3
4 (NOTARY SEAL)

5 Notary Public for State of _____,
6 Residing at _____, therein.
7 My commission expires on _____, 20____.

8 STATE OF _____)
9 ss.
10 County of _____)

11 On this _____ day of October 2003, before me, a Notary Public,
12 personally appeared Robert Petrie, known or identified to me to be
13 the person whose name is subscribed to the within instrument as the
14 attorney in fact of LEAH WARREN, and acknowledged to me that he
15 subscribed the name of LEAH WARREN thereto as principal, and his
16 own name as attorney in fact.

17
18 (NOTARY SEAL)

19 Notary Public for State of _____,
20 Residing at _____, therein.
21 My commission expires on _____.

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28 ROAD RIGHT-OF-WAY EASEMENT

Exhibit "A"

PAYNE REAL PROPERTY DESCRIPTION

Township 22 North, Range 1 East, Boise Meridian, Idaho County,
Idaho

Section 26: Part of NE $\frac{1}{4}$ NW $\frac{1}{4}$ described as: Beginning at the SW
corner of NE $\frac{1}{4}$ NW $\frac{1}{4}$ and running thence North 430 feet;

Thence East 275.5 feet

Thence North 54 07' E., 407.4 feet to the center of a road and
true point of beginning;

Thence N. 54 07' E., 236.5 feet;

Thence N. 15 26' W., 314.1 feet;

Thence S. 38 17' W., 346.8 feet;

Thence S. 32 16' E., 200 feet back to the true point of
beginning.

Exhibit "B"

LEWIS REAL PROPERTY DESCRIPTION

The following described property situate in Idaho County, Idaho, to-wit:

Township 22 North, Range 1 East, Boise Meridian

Section 26: Part of NE¹/₄ NW¹/₄ described as: Beginning at the SW corner of

said NE¹/₄ NW¹/₄;

thence North 430 feet to true point of beginning;

thence East 275.5 feet;

thence N.54°07'E. 643.9 feet;

thence N.15°26'W. 657.1 feet to South side of logging road;

thence along south side of said road S.38°33'W. 241.3 feet;

thence S.41°44'W. 429.3 feet to a point on south side of
main Elk Creek Road;

thence along the south side of said road S.24°43'W. 301.1
feet;

thence S.34°37'W. 280.0 feet;

thence East 100 feet to the real point of beginning.

LESS beginning at SW corner of NE¹/₄ NW¹/₄, Section 26 and running
430 feet North to the true point of beginning;

thence East 275.5 feet;

thence N.54°07'E. 392.4 feet;

thence N.33°05'W. 109.2 feet;

thence S.31°27'W. 108.2 feet;

thence S.51°51'W. 202.7 feet;

thence N.57°03'W. 60.3 feet;

thence N.25°33'W. 296.9 feet, more or less to a point on the
South side of the Main Elk Creek Road;

thence S.24°43'W. along the South side of said road 191.8 feet;

thence S.34°37'W. 280.0 feet;

thence East 100 feet to the True Point of Beginning.

ALSO LESS beginning at the SW corner of NE¹/₄ NW¹/₄ Section 26 and
running thence North 430 feet;

thence East 275.5 feet;

thence N.54°07'E. 407.4 feet to the center of a road and the
True Point of Beginning;

thence N.54°07'E. 236.5 feet;

thence N.15°26'W. 657.1 feet to the South side of a logging
road;

thence S.38°33'W. along the South side of said road 241.3 feet;

thence S.41°44'W. along said south side 323.1 feet to the center
of the road first mentioned above;

thence S.58°35'E. along the center of said road 253.0 feet;

thence S.32°16'E. along the center of said road 248.7 feet
to the True Point of Beginning.

EXHIBIT D

DESCRIPTION

A parcel of property located within NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, T22N R1E, B.M., Idaho County, Idaho and more particularly described from a survey as follows:

Beginning at the NW corner of said Section 26, thence S 0°44'06"E, 814.074' along the line between Sections 26 and 27, thence East 1283.334' to a property pin, thence N 89°41'57"E, 367.00' to a property corner, thence N 54°29'03"E, 387.00' along a property line to a found $\frac{1}{2}$ " rebar, which point is the initial point of beginning, thence N 54°29'03"E, 61.00' to a found $\frac{1}{2}$ " pipe, thence S 00°00'00"E, 55.00', thence S 36°19'10"W, 33.186', thence N 32°56'10"W, 55.169' back to the initial point of beginning, which said parcel contains some 0.0510 acres.

EXHIBIT "E"

WARREN REAL PROPERTY DESCRIPTION

Township 22 North, Range 1 East, Boise Meridian, Idaho County,
Idaho

Section 26:

Beginning 158 feet North and 1612 feet East from the Southwest corner of the Northeast Quarter of the Northwest Quarter of Section 26; and running thence North $78^{\circ}49'$ East a distance of 275.4 feet to an iron pipe in the North property line; thence North $87^{\circ}56'$ East 1082.4 feet to an iron pipe on the West side of a logging (dug way) road; thence South $01^{\circ}34'$ East 429.0 feet; thence South $32^{\circ}41'$ West 526.7 feet; thence South $30^{\circ}05'$ West 186.2 feet to an iron pipe on the West side of the above mentioned logging road; thence West along the rim of a cliff forming the South boundary of the tract herein described 970.2 feet to an iron pipe; thence North $01^{\circ}00'$ West 940 feet; more or less, to the point of beginning. Also a parcel Beginning 158 feet North and 1612 feet East from the Southwest corner of the Northeast Quarter of the Northwest Quarter of Section 26; and running thence North $78^{\circ}49'$ East a distance of 275.4 feet to an iron pipe which is the True Point of Beginning; thence North $42^{\circ}05'$ East 143.8 feet to an iron pipe; thence North $87^{\circ}56'$ East 983.1 feet to the West side of a logging (dug way) road; thence South $01^{\circ}34'$ East along the West side of said road 103.2 feet to an iron pipe; thence South $87^{\circ}56'$ West 1082.4 feet to the True Point of Beginning.

EXHIBIT F

