

RECEIVED

DEC 06 2006

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.

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 (under the "split" heading), 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
67-14127					
67-07362					

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

- n/a* ☒ 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) is 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) Darrel P. Sawyer ; Loraine A Sawyer
1440 E. 12th St. Weiser ID 83672
4. New Owner/Claimant(s) Rocky J. Pietz and Jean L. Pietz Revocable Trust w/JA
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or dated August 4, 1998
- New Mailing Address 1440 E. 12th St.
- City, State and ZIP Code Weiser ID 83672
- New Telephone Number (208) 549-2199
5. Date you acquired the property March 25, 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

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

Robert J. Peltz
James L. Peltz

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.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 67-07362

Priority: March 29, 1995

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

12.0 AF

This is to certify, that DARREL P SAWYER
LORAIN A SAWYER

1440 E 12TH ST
WEISER ID 83672

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 25, 1977; and has submitted Proof of Beneficial Use on March 29, 1995. An examination indicates that the works have a diversion capacity of 0.100 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.07 CFS	12.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 28, Township 11N, Range 05W
WASHINGTON County

PLACE OF USE: IRRIGATION

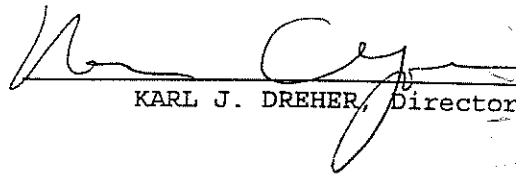
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	05W	28	SESW	3		3

Total number of acres irrigated: 3

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 30 day of September, 1999.


KARL J. DREHER, Director



PO BOX 591
128 EAST MAIN ST.
WEISER, ID 83672
PH (208) 414-1792
FX (208) 414-1794

June 8, 2005

ROCKY J. and JEAN L. PIETZ
1440 E 12TH STREET
WEISER ID 83672

OUR NO. : W11083
YOUR NO. :
REGARDING : SAWYER

WE ENCLOSE HERewith THE FOLLOWING:

- 1) POLICY OF TITLE INSURANCE
- 2) RECORDED DOCUMENT:
 - a) WARRANTY DEED/INSTRUMENT NO. 196752

THANK YOU FOR DOING BUSINESS WITH US!

SINCERELY,

AMERITITLE

LYNN WINEGAR
TITLE ASSISTANT
ENC.

AMERICAN LAND TITLE ASSOCIATION
OWNER'S POLICY
(10-17-92)

Policy No. 72106- 1181818

CHICAGO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

By:

[Signature]

President

ATTEST:

[Signature]

Secretary



TRANS TYPE	SI IND	INF END		CODE	CODE	CODE	CODE		REISSUE AMOUNT		ST	PROP TYPE

OWNERS

SCHEDULE A

OFFICE FILE NUMBER	POLICY NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE	PREMIUM AMOUNT
W11083	72106-1181818	MARCH 25, 2005 AT 3:44PM	\$295,000.00	\$1,190.00

1. Name of Insured:
ROCKY J. PIETZ and JEAN L. PIETZ REVOCABLE TRUST U/T/A dated August 4, 1998
2. The estate or interest in the land which is covered by this Policy is:
FEE SIMPLE
3. Title to the estate or interest in the land is vested in:
ROCKY J. PIETZ and JEAN L. PIETZ REVOCABLE TRUST U/T/A dated August 4, 1998
4. The land herein described is encumbered by the following mortgage or trust deed, and assignments:
NONE
and the mortgages or trust deeds, if any, shown in Schedule B hereof.
5. The land referred to in this Policy is described as follows:
WASHINGTON COUNTY, IDAHO:
SEE ATTACHED EXHIBIT "A"

SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims or easements, not shown by the public records.
4. 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.
5. Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matter excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

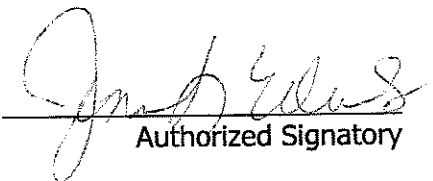
Special Exceptions: The mortgage, if any, referred to in Item 4 of Schedule A.

1. Taxes for 2005 are an accruing lien and not yet due or payable.
2. Liens, levies and assessments of the Monroe Creek Irrigation District, or any and all irrigation districts or laterals, and the rights, powers and easements of said district as by law provided.
3. Liens, levies and assessments of Local Improvement District #87-1, which are assessed with the taxes.
4. Mineral reservation contained in Deed from Monroe Creek Irrigation District to J.W. Hand; recorded July 23, 1938 in Book 58 of Deeds at page 254, records of Washington County, Idaho, substantially as follows...reserved all oil, gas and mineral rights in said SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28 Twp. 11 N., R. 5 W. B.M...

CONTINUED

SCHEDULE B (STANDARD COVERAGE)
OWNERS FORM

Countersigned


Authorized Signatory

SCHEDULE B CONTINUED

5. Easement granted the Mountain States Telephone and Telegraph Co., recorded February 18, 1929 in Book 50 of Deeds at page 44, Official Records.
6. Easement granted the American Telephone and Telegraph Co., recorded September 22, 1941 in Book 61 of Deeds at page 164, Official Records.
7. Easement granted the Mountain States Telephone and Telegraph Co., recorded August 20, 1964 in Book 85 of Deeds at page 304, Official Records.
8. Powerline easement granted IDAHO POWER CO., recorded February 16, 1977 as Instrument No. 109555, Official Records.
9. Powerline easement granted IDAHO POWER CO., recorded February 6, 1980 as Instrument No. 119177, Official Records.
10. Building Restrictions contained in Deed recorded August 5, 1976 as Instrument No. 107873, Official Records.
11. A 30 foot wide road right-of-way along North boundary as reserved in Deed recorded August 5, 1976 as Instrument No. 107873, Official Records.
12. Ingress-egress easement granted in Deed recorded August 2, 1978 as Instrument No. 114379, Official Records.
13. Water line easement recorded as Instrument No. 150136, Official Records.
14. Road Maintenance Agreement recorded September 22, 1997 as Instrument No. 170631, Official Records.
15. Terms and conditions contained in Deed to Washington County, recorded May 19, 1999 as Instrument No. 176335, Official Records.
16. All matters, covenants, conditions, restrictions, easements and any rights, interest or claims which may exist by reason thereof, disclosed by Record of Survey recorded May 17, 1979, as Instrument No.117059, but deleting any covenants, conditions or restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

End Schedule B

SCHEDULE B (STANDARD COVERAGE)
OWNERS FORM

Countersigned


Authorized Signatory

EXHIBIT "A"

In the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 28, Township 11 North, Range 5 West of B.M., Washington County, Idaho:

Commencing at the Northwest corner of the SE $\frac{1}{4}$ of said SW $\frac{1}{4}$;

Thence S 89°51'49" E a distance of 300.00 feet to the TRUE POINT OF BEGINNING;

Thence S 89°51'49" E a distance of 300.00 feet;

Thence S 0°08'11" W parallel to the West Boundary of said E $\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 740.00 feet;

Thence N 39°51'49" W a distance of 300.00 feet;

Thence N 0°08'11" E parallel to the West Boundary of said E $\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 740.00 feet to the TRUE POINT OF BEGINNING;

SAVE AND EXCEPT that portion conveyed to Washington County by Deed recorded May 19, 1999 as Instrument No. 176335, Official Records.

196752

W11083

WARRANTY DEED

For Value Received

DARREL SAWYER AND LORRAINE A. SAWYER, husband and wife

does hereby **GRANT, BARGAIN, SELL AND CONVEY** unto

ROCKY J. PIETZ and JEAN L. PIETZ REVOCABLE TRUST U/T/A dated August 4, 1998

whose current address is

1440 E. 12TH STREET
WEISER, ID 83672

the following described premises, to-wit:

IN WASHINGTON COUNTY, IDAHO:

SEE ATTACHED EXHIBIT "A"

Instrument # 196752
WEISER, WASHINGTON, IDAHO
2005-03-25 03:44:00 No. of Pages: 2
Recorded for : AMERITITLE
SHARON WIDNER Fee: \$6.00
Ex-Officio Recorder Deputy *Sharon Widner*
Index to: DEED

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantees theirs and assigns forever. And the said grantors does 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, excepting reservations, easements, encumbrances, restrictions and rights of way appearing of record and/or existing and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: MARCH 25, 2005

Darrel Sawyer
DARREL SAWYER

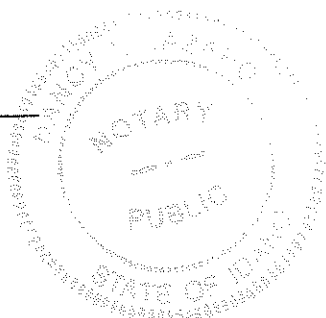
Lorraine A. Sawyer
LORRAINE A. SAWYER

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 25 day of MARCH, 2005, before me, a notary public in and for the said State, Personally appeared
DARREL SAWYER AND LORRAINE A. SAWYER

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Nancy A. Lopez
Notary Public
Residing at Weiser, Idaho
Comm. Expires 10/03/07



SECTION 20

11424

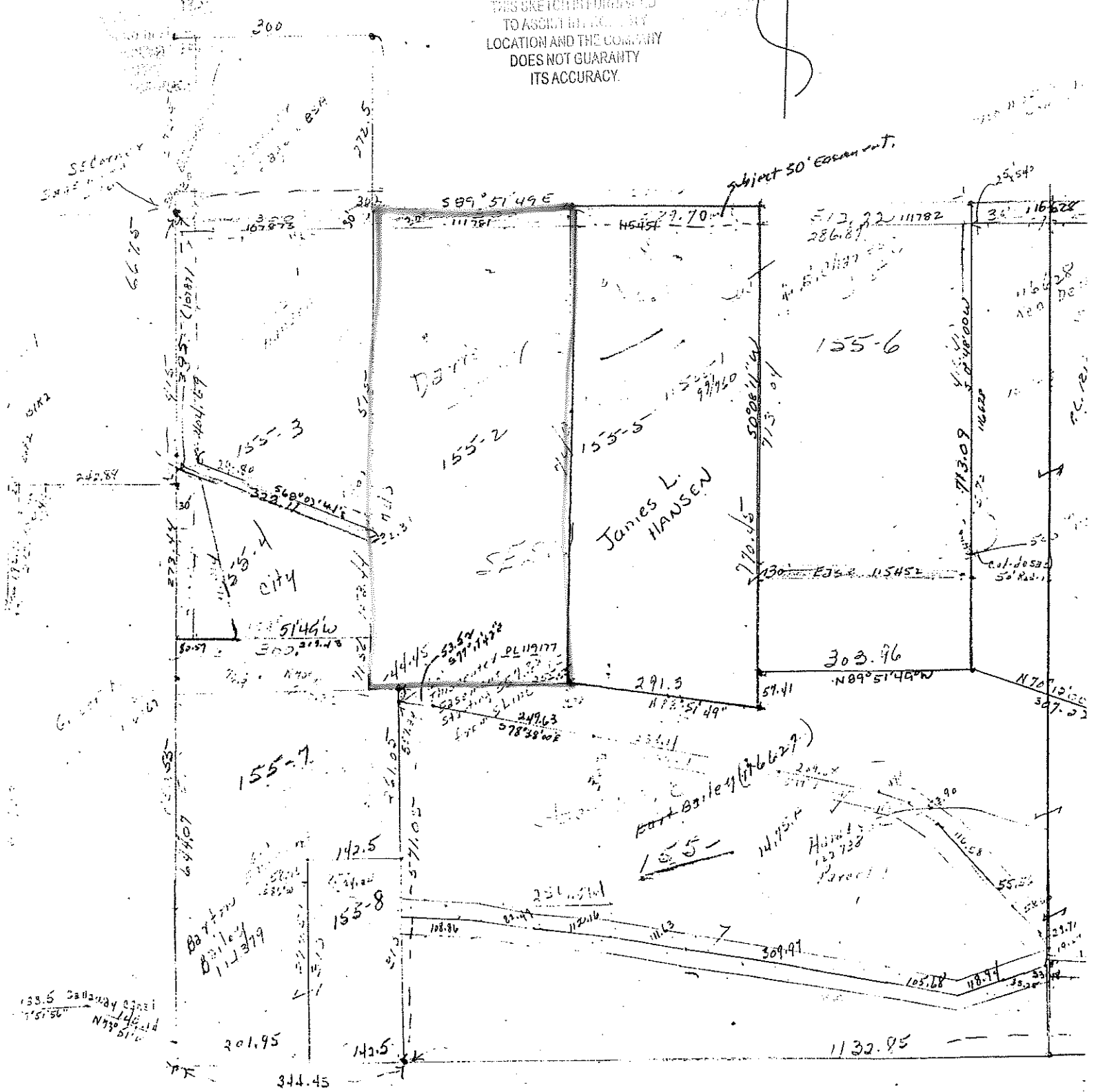
52 SW

PAT RES ② 4/166

ELEMENTS OF

THIS SKETCH IS FURNISHED TO ASSIST IN LOCATING LOCATION AND THE COMPANY DOES NOT GUARANTEE ITS ACCURACY.

de MESA



File Number: W11083

EXHIBIT "A"

In the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 28, Township 11 North, Range 5 West of B.M., Washington County, Idaho:

Commencing at the Northwest corner of the SE $\frac{1}{4}$ of said SW $\frac{1}{4}$;

Thence S 89°51'49" E a distance of 300.00 feet to the TRUE POINT OF BEGINNING;

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Thence S 0°08'11" W parallel to the West Boundary of said E $\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 740.00 feet;

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Thence N 0°08'11" E parallel to the West Boundary of said E $\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 740.00 feet to the TRUE POINT OF BEGINNING;

SAVE AND EXCEPT that portion conveyed to Washington County by Deed recorded May 19, 1999 as Instrument No. 176335, Official Records.

D-35
D-95
T576

D-35
D-150
T612

28
23

#1197

#1195

D-11
D-11
T
1456

T1454

1
22.0

1
19.4

D-35 T577
4.7 NHCL

NHCL
2
11.5

NHCL
3
1.7

NHCL
9
15.3

NHCL

12.2

NHCL

17.3

1979 flight Washington County
Cynthia Schram
Admin. program advisor

CHAIRMAN
WASHINGTON AND COUNTY COORDINATOR
115 WEST 12TH ST.
WASH. STATE 99172

