

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
JAN 04 2006
Department of Water Resources
Southern Region

JAN 06 2006

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 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
72-7265					

2. 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**.

3. Name and Address of Former Owner/Claimant(s) HERMAN W PLEVS
260 CHECOLA CIRCLE, BOISE, ID 83704
4. New Owner/Claimant(s) MARSHALL D. OGDEN AND JOLENE OGDEN
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address HC 67 BOX 550
- City, State and ZIP Code CLAYTON, ID 83227
- New Telephone Number (208) 838-2964
5. Date you acquired the property 7/15/2005

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 _____

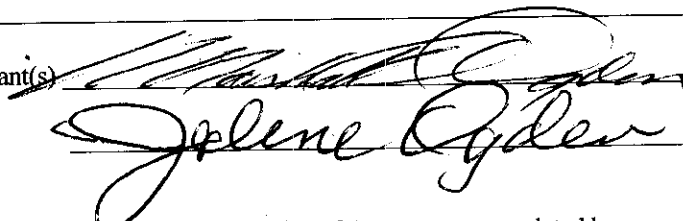
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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)



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 <u>C. SKINNER</u>	Date <u>1/4/06</u>	Fee <u>\$25.00</u>
Received by <u>C. SKINNER</u>	Date <u>1/5/06</u>	Receipt No. <u>5028258</u>
Processed by _____	AJ Date _____	WR _____ Date _____

AT 2991

JUL. 15. 2005 5:12

NO. 615 P. 8

231784

Custer County Req. of
ALLIANCE
Time 11:10 AM Date 7/25/2005
Ethel M. Peck, Clerk
Ruth Brunken 86 m
Deputy

232275

Custer County Req. of

ALLIANCE
Time 12:55 AM Date 9/22/2005
Ethel M. Peck, Clerk
Ruth Brunken 86 m
Deputy



A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY
8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

WARRANTY DEED

For Value Received Herman W. Pleus, surviving trustee of the Herman W. Pleus and Emma Lee Pleus Family Trust U/D/T dated February 23, 1994. hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Marshall D. Ogden and Jolene Ogden, Husband and Wife

hereinafter referred to as Grantee, whose current address is Pleus French Creek, Clayton, ID 83226 the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: July 15, 2005

Herman W. Pleus, Trustee

✓ Herman W. Pleus

✓ Deceased
Emma Lee Pleus, Trustee

Florida Pasco
STATE OF IDAHO, County of Ada, ss.

On this 16 day of July, in the year of 2005, before me the undersigned, a notary public personally appeared Herman W. Pleus and Emma Lee Pleus, known or identified to me to be the person whose name is subscribed to the within instrument as trustees and acknowledged to me that he/she/they executed the same as such trustees of the Herman W. Pleus and Emma Lee Pleus Family Trust U/D/T dated February 23, 1994.

Sherry L. Howard

Notary Public of Florida
94384519, P.R.F.L.
Residing at
DD150652
Commission expires: 9-17-06



Sherry L. Howard
My Commission DD150652
Expires September 17 2006

THIS WARRANTY DEED IS BEING RE-RECORDED TO ADD LEGAL DESCRIPTION

232275

**LEGAL DESCRIPTION
EXHIBIT 'A'**

**TOWNSHIP 11 NORTH, RANGE 17 EAST, BOISE MERIDIAN, CUSTER
COUNTY, IDAHO.**

SECTION 28:

**A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST
QUARTER AND A PORTION OF THE SOUTHWEST QUARTER OF THE
NORTHWEST QUARTER MORE PARTICULARLY DESCRIBED AS
FOLLOWS:**

**COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 28
BEING THE TRUE POINT OF BEGINNING.**

**THENCE SOUTH 0° 04' 07" WEST ALONG THE WEST SECTION LINE FOR
382.35 FEET TO A POINT, SAID POINT BEING NORTH 73° 07' 10" EAST 1.96
FEET FROM A ½" REBAR;**

**THENCE NORTH 73° 07' 10" EAST FOR 735.39 FEET TO THE WESTERLY
BOUNDARY LINE PER DEED TO BRADSHAW RECORDED JANUARY 14,
1972 AS INSTRUMENT NO. 132901, CUSTER COUNTY RECORDS (
RECORDED AS NORTH 73° 06' 09" EAST FOR 735 FEET)**

**THENCE NORTH 23° 28' 59" WEST ALONG SAID BRADSHAW DEED FOR
150.00 FEET (RECORDED AS NORTH 23° 30' WEST FOR 150 FEET)**

**THENCE NORTH 80° 26' 01" EAST (RECORDED AS NORTH 80° 25' EAST)
FOR 13.14 FEET TO A POINT ON THE SOUTH BOUNDARY OF STATE
HIGHWAY 75;**

**THENCE ALONG THE SOUTH BOUNDARY OF STATE HIGHWAY 75
ALONG A CURVE TO THE LEFT, CONCAVE SOUTHWESTERLY, A RADIAL
LINE TO THE CENTER BEARING SOUTH 21° 36' 32" WEST, WITH RADIUS
OF 2814.79 FEET, LENGTH OF 19.71 FEET, TANGENT OF 9.85 FEET, CHORD
OF 19.67 FEET, DELTA OF 0° 24' 04" AND A CHORD BEARING OF NORTH
68° 35' 29" WEST TO A BRASS CAP HIGHWAY RIGHT-OF-WAY MARKER;**

**THENCE NORTH 68° 47' 33" WEST ALONG THE SOUTH BOUNDARY OF
STATE HIGHWAY 75 THAT PORTION OF GOVERNMENT LOT 2 SOUTH OF
HIGHWAY 75) FOR 684.14 FEET TO A POINT ON THE WEST BOUNDARY OF
THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER.**

**THENCE SOUTH 0° 04' 15" WEST ALONG THE SOUTHWEST QUARTER OF
THE NORTHWEST QUARTER FOR 225.63 FEET TO THE TRUE POINT OF
BEGINNING.**

THENCE NORTH 23° 28' 59" WEST ALONG SAID BRADSHAW DEED FOR 150.00 FEET (RECORDED AS NORTH 23° 30' WEST FOR 150 FEET)

THENCE NORTH 80° 26' 01" EAST (RECORDED AS NORTH 80° 25' EAST) FOR 13.14 FEET TO A POINT ON THE SOUTH BOUNDARY OF STATE HIGHWAY 75;

THENCE ALONG THE SOUTH BOUNDARY OF STATE HIGHWAY 75 ALONG A CURVE TO THE LEFT, CONCAVE SOUTHWESTERLY, A RADIAL LINE TO THE CENTER BEARING SOUTH 21° 36' 32" WEST, WITH RADIUS OF 2814.79 FEET, LENGTH OF 19.71 FEET, TANGENT OF 9.85 FEET, CHORD OF 19.67 FEET, DELTA OF 0° 24' 04" AND A CHORD BEARING OF NORTH 68° 35' 29" WEST TO A BRASS CAP HIGHWAY RIGHT-OF-WAY MARKER;

THENCE NORTH 68° 47' 33" WEST ALONG THE SOUTH BOUNDARY OF STATE HIGHWAY 75 THAT PORTION OF GOVERNMENT LOT 2 SOUTH OF HIGHWAY 75) FOR 684.14 FEET TO A POINT ON THE WEST BOUNDARY OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER.

THENCE SOUTH 0° 04' 15" WEST ALONG THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER FOR 225.63 FEET TO THE TRUE POINT OF BEGINNING.

SECTION 29:

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THAT PART OF GOVERNMENT LOTS 9 AND 10 SOUTH OF STATE HIGHWAY 75 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 29 MONUMENTED BY A 3" ALUMINUM CAP AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 0° 04' 15" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER FOR 225.63 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF HIGHWAY 75, SAID POINT BEING 3.00 FEET SOUTH 0° 04' 15" WEST OF AN ALUMINUM SECTION LINE REFERENCE MARKER;

THENCE ALONG THE SOUTHERLY HIGHWAY 75 RIGHT-OF-WAY NORTH 68° 47' 33" WEST FOR 1039.27 FEET TO A ½" REBAR SET ON THE EAST BOUNDARY OF LANDS OF THE STATE OF IDAHO PER WARRANTY DEED NO. 184071, RECORDED 03, MARCH 1987, CUSTER COUNTY RECORDS;

232275

SECTION 29:

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THAT PART OF GOVERNMENT LOTS 9 AND 10 SOUTH OF STATE HIGHWAY 75 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 29 MONUMENTED BY A 3" ALUMINUM CAP AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 0° 04' 15" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER FOR 225.63 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF HIGHWAY 75, SAID POINT BEING 3.00 FEET SOUTH 0° 04' 15" WEST OF AN ALUMINUM SECTION LINE REFERENCE MARKER;

THENCE ALONG THE SOUTHERLY HIGHWAY 75 RIGHT-OF-WAY NORTH 68° 47' 33" WEST FOR 1039.27 FEET TO A ½" REBAR SET ON THE EAST BOUNDARY OF LANDS OF THE STATE OF IDAHO PER WARRANTY DEED NO. 184071, RECORDED 03, MARCH 1987, CUSTER COUNTY RECORDS;

THENCE SOUTH 0° 05' 38" WEST ALONG SAID EAST BOUNDARY 593.63 FEET TO A ½" REBAR SET ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER SOUTH 89° 31' 48" EAST FOR 969.61 FEET TO THE TRUE POINT OF BEGINNING.

**THENCE SOUTH 0° 05' 38" WEST ALONG SAID EAST BOUNDARY 593.63 FEET TO
A ½" REBAR SET ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE
SOUTHEAST QUARTER;**

**THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE
SOUTHEAST QUARTER SOUTH 89° 31' 48" EAST FOR 969.61 FEET TO THE TRUE
POINT OF BEGINNING.**

END OF SCHEDULE A

