

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

OCT 18 2004

DEPARTMENT OF
WATER RESOURCES

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
78-7343					

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) 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) DAVID W BRIGGS + TERI L GRANT
HC 75 BOX 3559 NEWMeadows ID 83654
4. New Owner/Claimant(s) MIKE ENGLAND + KATHLEEN HARTUNG
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 2230 N.E. 16TH ST.
- City, State and ZIP Code FRUITLAND ID 83619
- New Telephone Number 208 452-5504
9-23-04
5. Date you acquired the property

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)

Mike England
Kathleen Hartung

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 *MM* Date 10-18-04 Fee \$ 25.00
 Received by *MM* Date 10-18-04 Receipt No. CO75519
 Processed by _____ AJ Date _____ WR _____ Date _____

437732

COPY

WARRANTY DEED

GRANTOR, TERI L. BRIGGS, a single woman, of HC 75, New Meadows, ID 83654, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to MICHAEL D. ENGLAND, a single man, and KATHLEEN M. HARTUNG, a single woman, as joint tenants, of 2230 NE 16th, Fruitland, ID 83619, 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. Any adverse claims based on the assertion that the location of Elk Creek has moved subsequent to its adoption as a title boundary.
3. Any adverse claims based on the assertion that some portions of said land is now or at any time has been within the boundaries of Elk Creek.
4. Rights and easements in favor of the public for recreational uses of the Elk Creek.

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 the event GRANTORS shall have permitted or suffered at any time prior to the making of this instrument, any person or entity to possess, use or occupy the above-described premises, or any portion thereof, for any

WARRANTY DEED

1

STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
at 3:55 P	m on 9-15-04
ROSE E. GEHRING	
By <i>[Signature]</i>	Recorder
Fees \$ <i>9.00</i>	Deputy

M/PU

1 purpose, with or without the knowledge of GRANTORS, it was not the intent
2 of GRANTORS, by permitting or suffering such possession, use or
3 occupation, to thereby define property boundaries or ownership thereof.

4 In construing this deed, and where the context so requires, the
5 singular includes the plural and the masculine, the feminine and the
6 neuter.

7 IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to
8 this instrument this 11 day of ~~August~~^{Sept} 2004.

9
10 Teri L. Briggs
11 TERI L. BRIGGS

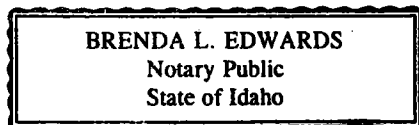
12 STATE OF IDAHO

13 County of Washington ss.

14 On this 11 day of September 2004, before me,
15 Teri L. Briggs a Notary for the said County and State,
16 personally appeared TERI L. BRIGGS, a single woman, known or identified
17 to me to be the person whose name is subscribed to the within instrument,
18 and she acknowledged to me that she freely executed the same and that the
19 statements therein contained are true.

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

22 (NOTARY SEAL)



26 MY COMMISSION EXPIRES
27 December 10, 2008
28 FORGED HEREON IS A FELONY UNDER FEDERAL LAWS

29 Brenda L. Edwards
30 Notary Public for State of Idaho.
31 Residing at Washington
32 My commission expires on
33 Dec 10, 2008.

EXHIBIT A

Township 22 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 26: A parcel of land situated in the SW~~1~~⁴ more particularly
described as follows:

Beginning at a $\frac{1}{2}$ "x36" rebar set on the Southeasterly side
of a county road, from which point the West $\frac{1}{4}$ corner of
said Section 26 bears South, 883 feet and West 257 feet;
thence S $16^{\circ}11'$ E, 293.6 feet to the center of Elk Creek,
from which point a $\frac{3}{8}$ "x24" rebar bears N $16^{\circ}11'$ W, 25
feet;

thence N $64^{\circ}12'$ E, 133.3 feet;

thence N $36^{\circ}09'$ E, 271.2 feet;

thence N $40^{\circ}16'$ W, 25 feet, more or less, to a monument;

thence N $40^{\circ}16'$ W, 158.8 feet to the Southerly line of
said road;

thence S $60^{\circ}35'$ W, 279.0 feet all along said Southerly
line of the said County Road to the Place of Beginning.

Sometimes known as Assessors Tax No. 57.