

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004310839
MAILED FROM ZIP CODE 83702
\$00.60
NOV 18 2005
PITNEY BOWES

2-2077F
Preliminary Report

REASON CHECKED
☐ No such No Address
☐ Forwarding Order Expired
☐ Unable To Forward
☐ Addressed - Not Known
☐ No Such Street / P.O. Box Number
☒ Insufficient Address

SYLVIA CAPOUCH
RT 1 BOX 794
MARSING ID 83639

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
FITNEY BOWES
02 1A \$00.60
0004310839 NOV 18 2005
MAILED FROM ZIP CODE 83702

2-2077f
Preliminary
RECEIVED Report
NOV 23 2005

Department of Water Resources

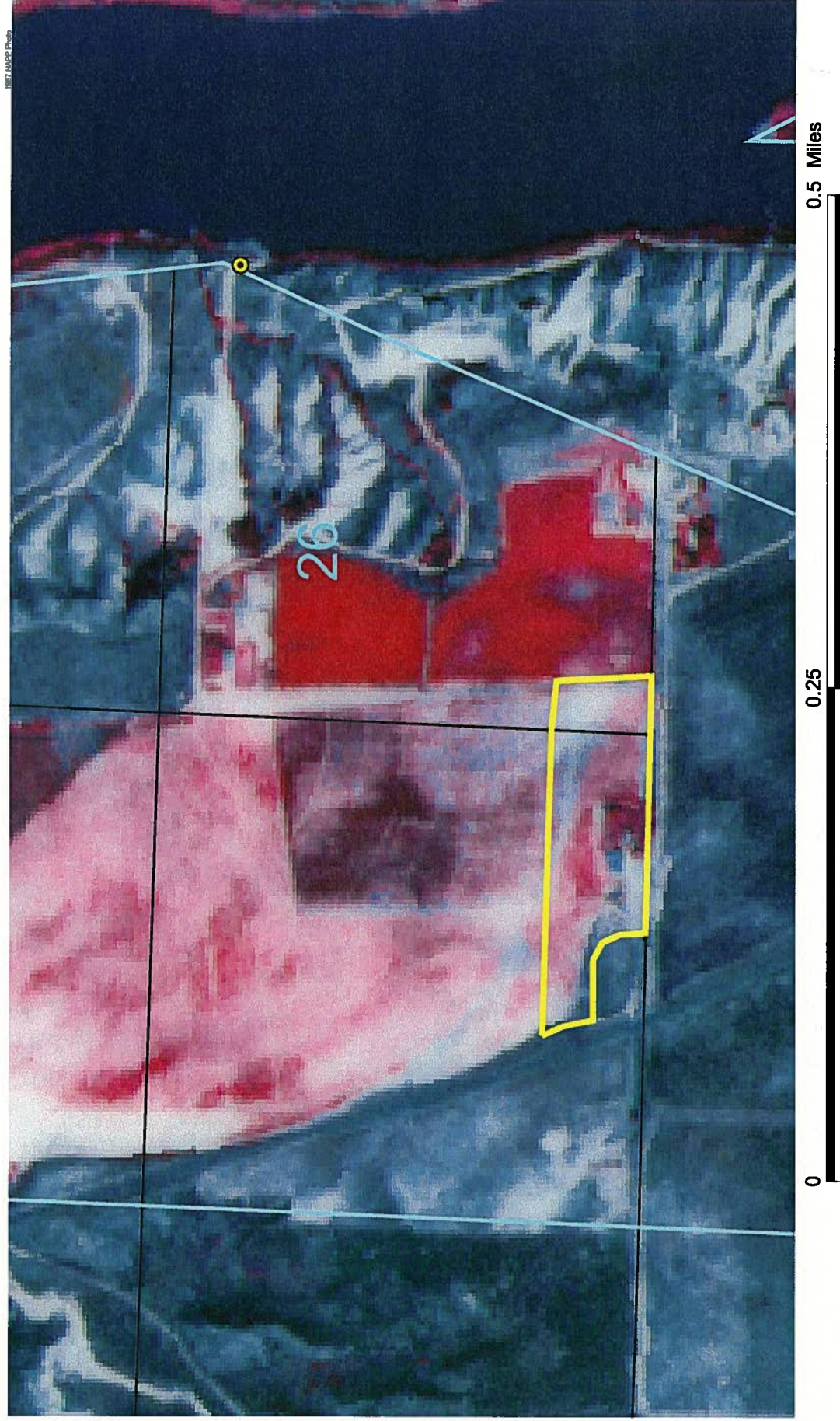


REASON FOR RETURN
☐ No Address
☐ Forwarding Order Expired
☐ Unable To Forward
☐ Unclaimed - Not Known
☐ Return Refused
☐ No Such City/No Such Number
☐ Insufficient Address

STANLEY CAPOUCH
7998 ISLAND VIEW DR
MARSING ID 83643

AKA

Idaho Department of Water Resources



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

Claim Number: 02-2077F
Legal: T02N, R04W, S26
Reviewed By: SJR 5/5/05

05/05/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-2077F

NAME AND ADDRESS: SYLVIA CAPOUCH
RT 1 BOX 794
MARSING ID 83639

STANLEY CAPOUCH
7998 ISLAND VIEW DR
MARSING ID 83639

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 03/08/1950

POINT OF DIVERSION:

T02N R04W S26 NESENW Lot 2 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.080 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T02N R04W S26

SWNW

4.1

T02N R04W S26 Lot 2 SENW

0.9

5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

This right is a split from former right 2-2077C.

The following rights are also diverted through point of diversion described above: 2-2077D, 2-2077E.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Enter Water Right Number

Basin # Sequence # Split Suffix

Find Pedigree

☐ AJ ☐ C ☐ WR

Total Acreage, Volume, & Rate for

Calculate Total

Parent Acreage Parent POU Acreage Parent Rate Parent Volume

Children Acreage Children POU Acreage Children Rates Children Volumes

Difference Difference Difference

Water Right	Status	Owner List	Source	Priority D...	Wat...	Rate	Acres	Vol...	Pedigree Type	Right ID
2-2077 W...	See Rem...	YEHEZKELY, URI...	SNAKE...	03/08/19...	43 01	1.04	67			321306
2-2077A ...	See Rem...		SNAKE...	03/08/19...	43 01	0.88	57		Transfer	128216
2-2077C ...	See Rem...		SNAKE...	03/08/19...	01 43	0.8	52		Ownership Cha...	365122
2-2077E ...	Active	YEHEZKELY, URI...	SNAKE...	03/08/19...	01 43	0.72	47		Ownership Cha...	363394
2-2077F ...	Active	CAPOUCH, SYLV...	SNAKE...	03/08/19...	01	0.08	5		Ownership Cha...	423593
2-2077D ...	Active	YEHEZKELY, AML...	SNAKE...	03/08/19...	01	0.08	5		Ownership Cha...	365123
2-2077B ...	Active	VAN HALL, VANCE	SNAKE...	03/08/19...	01	0.16	10	45	Transfer	128217

Generate Proof Report

View Combined Water Right F →

To view the combined rights, make sure to click on the combined right in the tree view before clicking the button.

Previous Steps: Screen ID null

Return to Home

Show References

Next Step

Done

Start

Inbox - Mc...

Yahoo! Mail...

Log : Data...

Notes:JR

Search Inf...

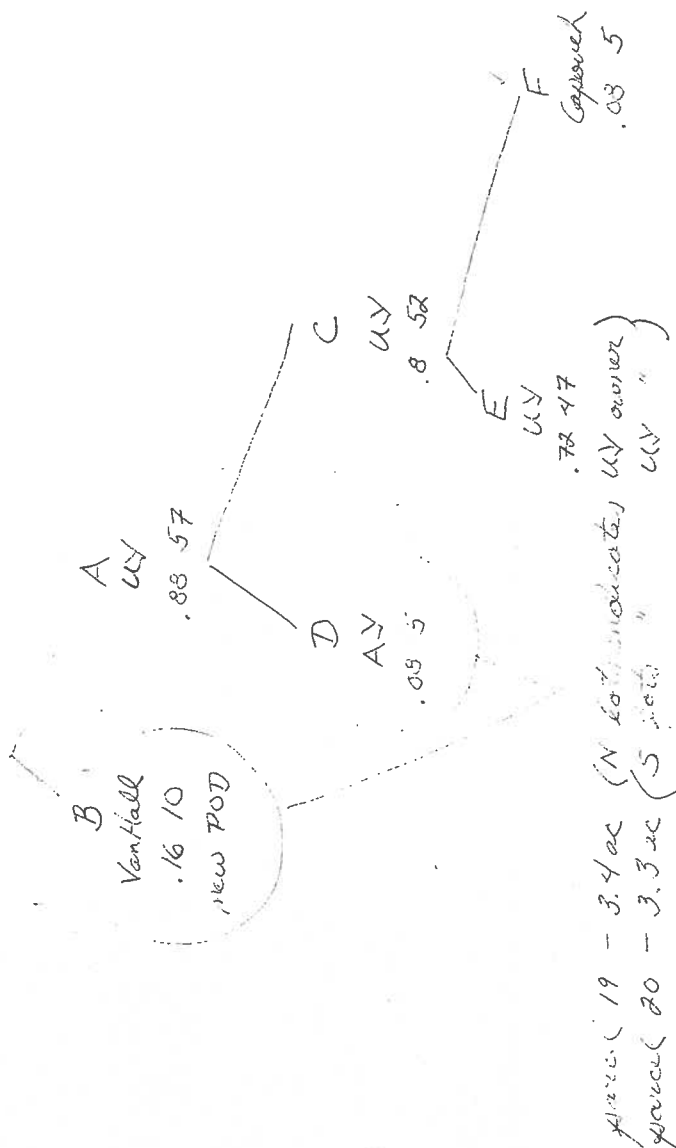
http://we...

Adobe Rea...

Local Intranet

53 9:01 AM

67-3077 UN 1.04 67



↑ C claim like waveguide. Coax AY → UY (1975)
W 1/8 NW 1/4, plus skewer in lot 2, less bottom
(271 + 240)
2 parcels, new triangular strip (2-2077B)

5m, 2.1.19A

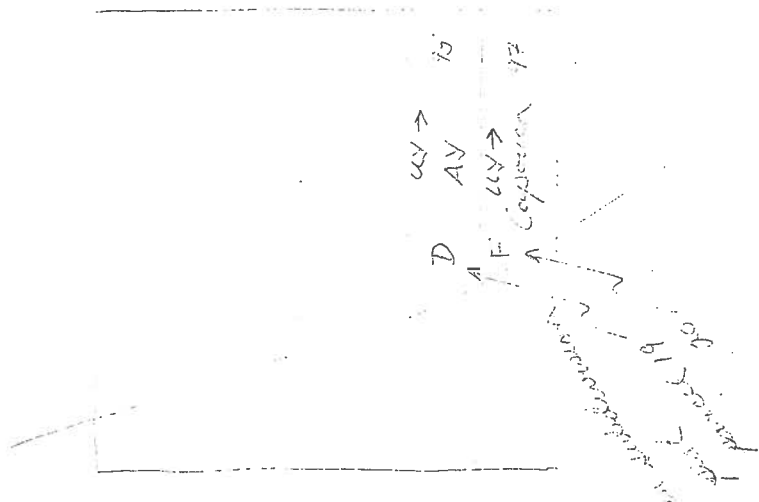
will go to Lin Hall

2-2077B

second lead $UV \rightarrow AV$ (17.5) (9-20-77)

cypher / pweid (2000)

sklearn PLS $U \rightarrow AY$ (1993)



State of Idaho

License and Certificate of Water Right

Water License No. 21404

Amount 1.04 c.f.s.

Water District No. _____

Priority March 8, 1950

THIS IS TO CERTIFY that M. B. ANDERSON - Assignee - ELDON and/or ALLEN BERENDS of Marsing, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 8, 1950; that Permit No. 21404 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.2 second feet, was issued thereunder on February 1, 1955, showing that said works were completed on the 13th day of January, 1955; and that on the 14th day of November, 1960,

ELDON and/or ALLEN BERENDS

of Marsing, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Snake River, a tributary of Columbia River, for the purpose of irrigation & domestic

, under Use Permit No. 21404 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 7073, on the 3rd day of May, 1961;

The right hereby confirmed dates from March 8, 1950;

The Point of Diversion is located

in the SE 1/4 NW 1/4, Sec. 26, Tp. 2 N, R. 4 W., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.04 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	4 W	26	NW 1/4 NW 1/4	40	30
			SW 1/4 NW 1/4	40	37
			Total number of acres to be irrigated:		67

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

30 day of May, 1961.

s/ JOE. N. CARTER

State Reclamation Engineer.

(SEAL)

3 2077

03/29/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-2077F

NAME AND ADDRESS: DAVID LOEFFLER
8026 STATE HWY 78
MARSING ID 83639

KAREN LOEFFLER
8026 STATE HWY 78
MARSING ID 83639

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 03/08/1950

POINT OF DIVERSION:

T02N R04W S26 NESENW Lot 2 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.080 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T02N R04W S26	SWNW	4.10	T02N R04W S26 Lot 2 SENW	0.90
---------------	------	------	--------------------------	------

5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

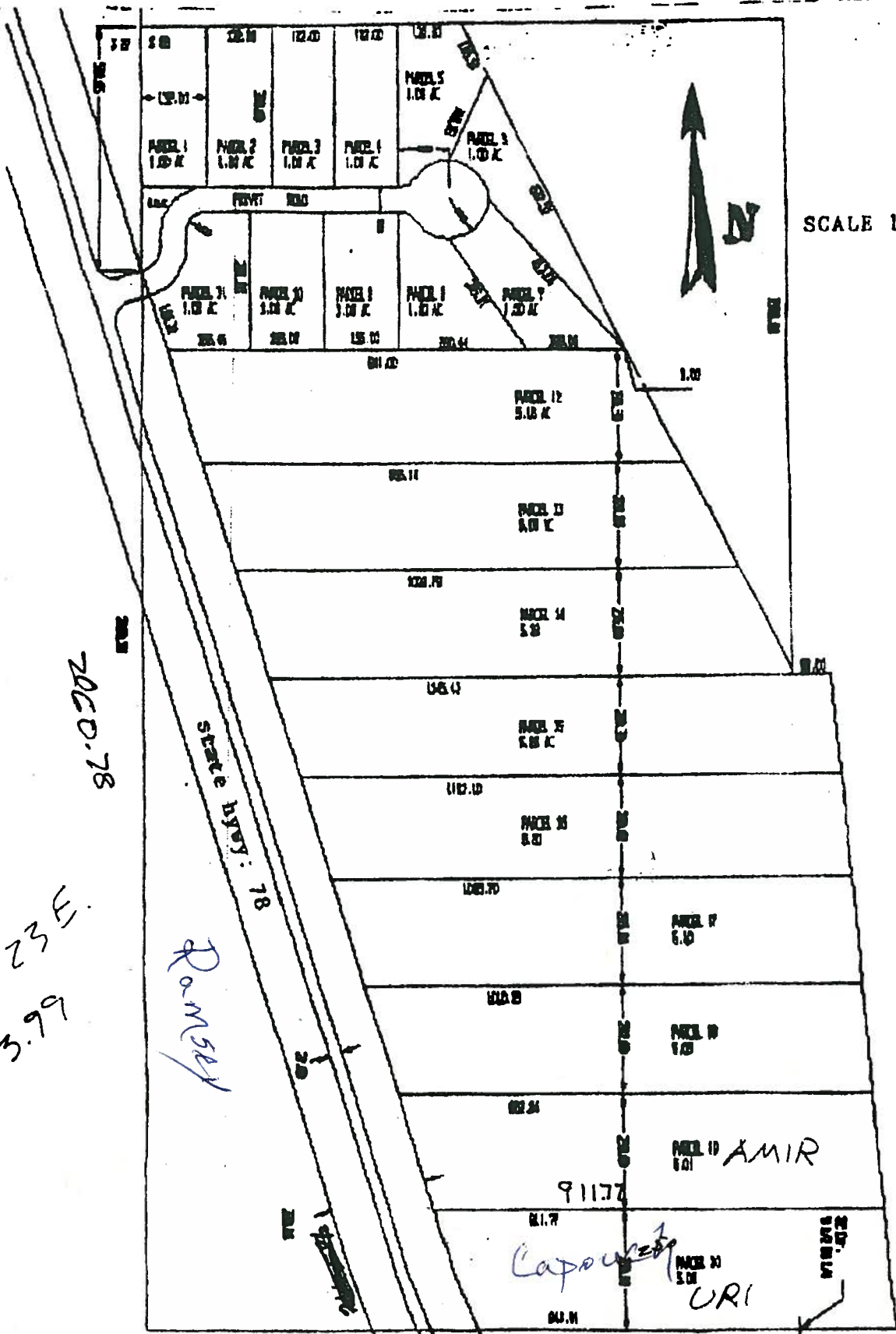
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 2-2077C.

The following rights are also diverted through point of diversion described above: 2-2077D, 2-2077E.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

SECTION 26, T. 2 N. R. 4 W. B. M. OWYHEE COUNTY, IDAHO, U.S.A.



SCALE 1:3520



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

RECEIVED

DEC 28 2005

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 19, 2005

DAVE AND KAREN LOEFFLER
8026 STATE HWY 78
MARSING ID 83639

RE: Snake River Basin Adjudication (SRBA)
Incomplete Notice of Change in Water Right Ownership
Notice of Claim to a Water Right #2-2077

Dear Water Right Holders:

We are returning the Notice of Change of Water Right Ownership you submitted for your property in Owyhee County. Before we can process your ownership change, we need your assistance.

Please correct the adjudication claim number—2-2777 is not a valid number. The Warranty Deed is missing Exhibit A, which is the legal description of your property. We also need a deed showing conveyance from Capouch to you (with Exhibit A).

It is not necessary to send us the Adjudication Claim Reports; you may keep them. Please call me toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Incomplete Notice of Change in Water Right Ownership Form

RECEIVED RECEIVED

DEC 28 2005

OCT 03 2005

DEPARTMENT OF
WATER RESOURCESWATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED

OCT 06 2005

DEPARTMENT OF
WATER RESOURCES

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
	02-2777				

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)

STANLEY SYLVIA CAPOUCH
7998 Island View DR

4. New Owner/Claimant(s)

DAVE & KAREN LOFFLER

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

New Mailing Address

8026 STATE HWY. 78

City, State and ZIP Code

Marsing ID 83639

New Telephone Number

208 896 5153

5. Date you acquired the property

6-24-04

P06248

WARRANTY DEED

FOR VALUE RECEIVED JERRY RAMSEY, a married man, as his sole and separate property

the Grantor, does hereby grant, bargain, sell and convey unto DAVID LOEFFLER and KAREN LOEFFLER, husband and wife

the Grantees, whose address is 8026 STATE HWY 78, MARSING, ID 83639

the following described premises to-wit:

"SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2004 and subsequent years, covenants, conditions, restrictions and easements of record; and that he will warrant and defend the same from all lawful claims whatsoever.

DATED: July 8, 2004

Jerry Ramsey
JERRY RAMSEY

STATE OF Washington
COUNTY OF Stevens

On this 9 day of July, 2004, before me, a notary public, personally appeared JERRY RAMSEY, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

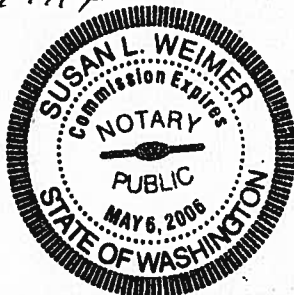
Susan L. Weimer

Notary Public

Residing at Colville, Wa. 99114

My commission expires:

5/16/2006



Instrument # 248633

MURPHY, OWYHEE, IDAHO

2004-07-29

04:28:00 No. of Pages: 2

Recorded for : PIONEER TITLE COMPANY

CHARLOTTE SHERBURN

Ex-Officio Recorder Deputy B. E. E. E. Fee: 6.00

Index to: DEED, WARRANTY

INDEXED
SCANNED

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 8360

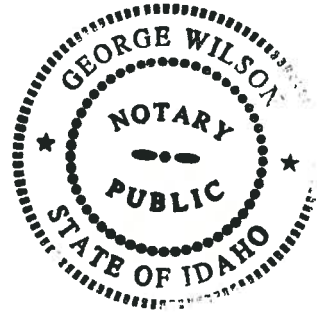
RECEIVED
DEC 28 2005
DEPARTMENT OF
WATER RESOURCES

11/17/2005

To whom it may concern:

Stanley and Sylvia Capouch do hereby transfer our water rights
For 8026 State Hwy 78, Marsing, Id. 83639 to David and Karen
Loeffler .

Stanley J. Capouch
Sylvia Capouch



NOTARY FOR IDAHO

RESIDING AT MARSING, IDAHO

MY COMMISSION EXPIRES:

9/8/06



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

RECEIVED
DEC 28 2005
DEPARTMENT OF
WATER RESOURCES

November 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

STANLEY CAPOUCH
SYLVIA CAPOUCH
RT 1 BOX 794
MARSING ID 83639

Re: Original Notice of Claim to a Water Right No. A02-02077C

Renumbered Notice of Claim to a Water Right No. A02-02077F

Dear Mr. & Mrs. Capouch:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

LH:1
Enclosure

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02077F
Date Received: 11/ 7/1990
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: STANLEY CAPOUCH
Address: RT 1 BOX 794
MARSING ID

83639

208-896-4044

AND/OR

Name: SYLVIA CAPOUCH
Address: RT 1 BOX 794
MARSING ID

83639

208-896-4044

2. Date of Priority: MAR 8, 1950

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	04W	26	NE	SE	NW		OWYHEE

5. Description of diverting works:
75,7.5 AND 1HP. PUMP IN RIVER W/PIVOT AND DRIP. IRR. SYSTEMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	26	SW	NW		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	04W	26	SE NW	2	IRR	1.0
Section Acres						5.0
Total Acres						5.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

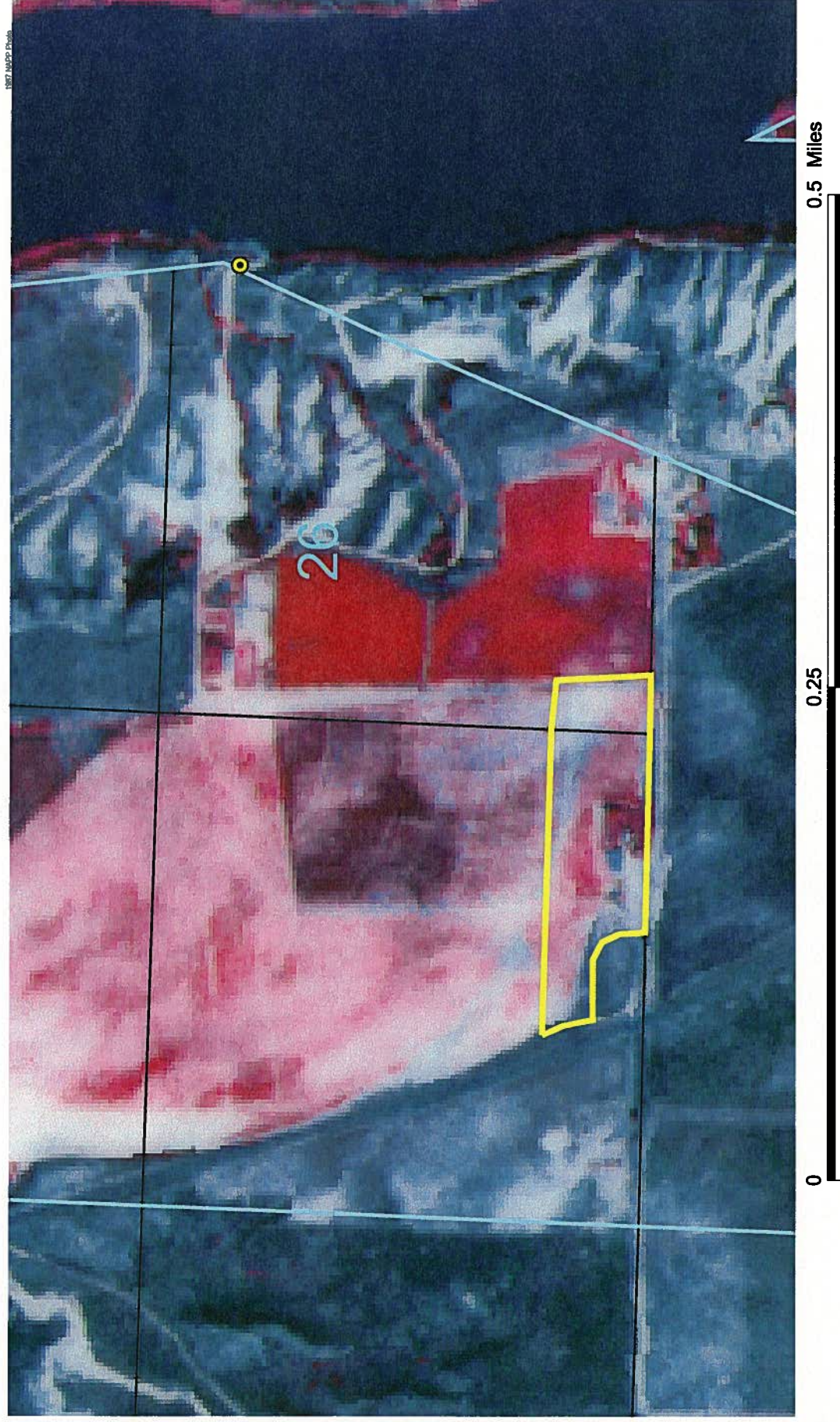
14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
A02-02077C.

15. Basis of Claim: LICENSE

Water Right Number: 21404

Idaho Department of Water Resources



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

Claim Number: 02-2077F
Legal: T02N, R04W, S26
Reviewed By: SJR 5/5/05



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02077 F Date: 7-16-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	2N	4W	26							4	-2									5
GIS										4.1	.9									5
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 5

Overlapping POU Claim #'s:

Total GIS Acres: 5

02-02077D

COMMENTS:

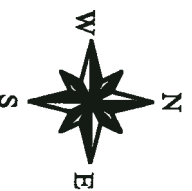
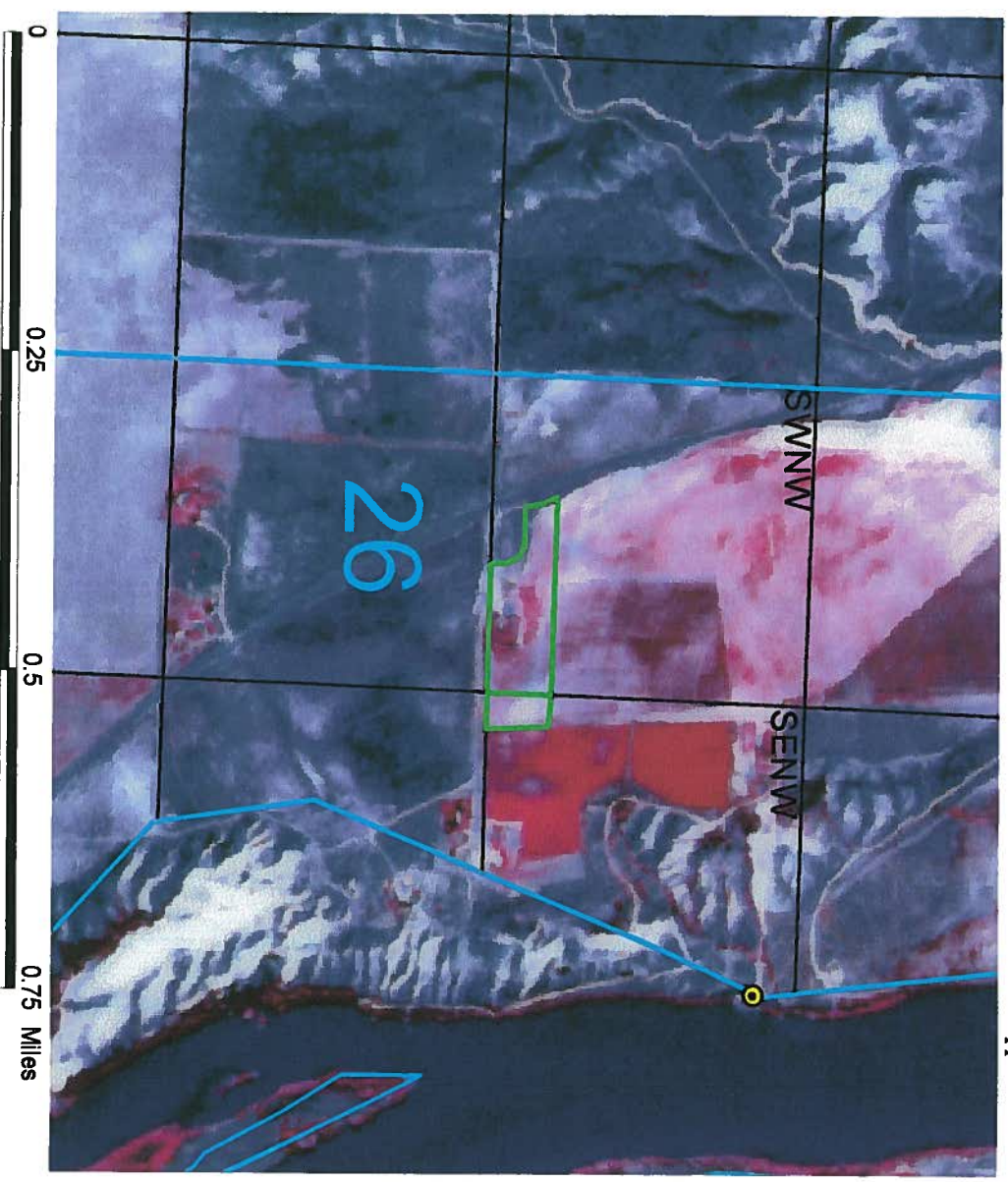
It looks like this should be an ownership change to 02-02077D instead of another split however county data shows that Wuel & Lezekely owns "still owns this property." Applicant owns a parcel in S26 NESW - Not sure what's up here.

Idaho Department of Water Resources

Claim Number: 02-02077F
Legal: T02N, R04W, S26
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

1987 Naep Photo



Idaho Department of Water Resources

Claim Number: 02-02077F

Legal: T02N, R04W, S26

Reviewed By:



Point of Diversion



Place of Use

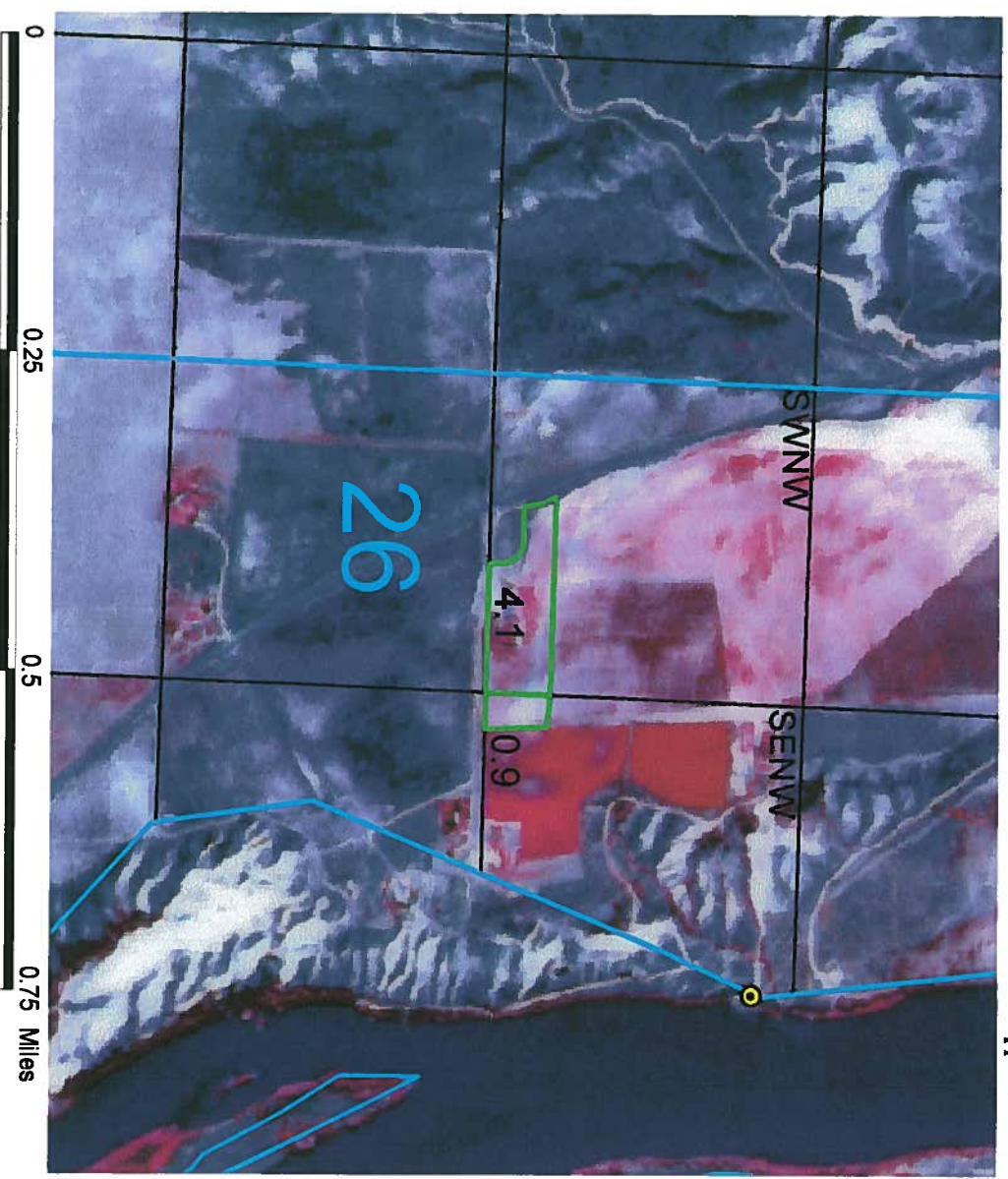


Section Lines



Quarter Quarter Lines

1987 Napp Photo



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A02-02077F**
Date Received: 11/ 7/1990
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: STANLEY CAPOUCH
Address: RT 1 BOX 794
MARSING ID

208-896-4044

83639

AND/OR

Name: SYLVIA CAPOUCH
Address: RT 1 BOX 794
MARSING ID

208-896-4044

83639

2. Date of Priority: MAR 8, 1950

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	04W	26	NE	SE	NW		OWYHEE

5. Description of diverting works:

75,7.5 AND 1HP. PUMP IN RIVER W/PIVOT AND DRIP. IRR. SYSTEMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		

7. Total Quantity Appropriated is:

0.080 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	26	SW	NW		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	04W	26	SE NW	2	IRR	1.0
Section Acres						5.0
Total Acres						5.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
A02-02077C.

15. Basis of Claim: LICENSE

Water Right Number: 21404

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP - 4 1997

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: _____
Adjudication Claim No(s).: A02-02077C

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant LIRIEL YEHZEKELY
RT 1 Box 205 MARSING ID 83639

4. New Owner/Claimant(s) STANLEY SYLVIA CAPORUCH
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address RT 1 Box 794
City, State and ZIP Code MARSING ID 83639
New Telephone Number (208) 896-4044

5. Date you acquired the property 3-4-97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 5 Number and type of stock _____
Diversion rate in CFS .08 Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Sylvia Caporuch
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

SC

WARRANTY DEED

FOR VALUE RECEIVED URIEL YEHEZKELY, a single man

the Grantor, does hereby grant, bargain, sell and convey unto STANLEY CAPOUCH and SYLVIA CAPOUCH, husband and wife

the Grantees, whose address is RT. 1 BOX 794, MARSING, ID 83639

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1997 and subsequent years, covenants, conditions, restrictions and easements of record; and that he will warrant and defend the same from all lawful claims whatsoever.

DATED: March 3, 1997

Uriel Yehezkel

URIEL YEHEZKELY

STATE OF IDAHO

COUNTY OF CANYON

On this 18th day of March, 1997, before me a notary public, personally appeared URIEL YEHEZKELY, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they have executed the same.

Edie R. Caldwell

EDIE R. CALDWELL
NOTARY
Notary Public
Residing at Nampa, Idaho
My commission expires 11/1/97

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

Commitment Number: PO1589

EXHIBIT A

The land referred to in this Commitment is described as follows:

A tract of land being a portion of the SW 1/4 NW 1/4 and a portion of Government Lot 2 of Section 26, Township 2 North, Range 4 West, B. M., Owyhee County, Idaho, more particularly described as follows: COMMENCING at the Southwest corner of said Government Lot 2, being the TRUE POINT OF BEGINNING; Thence running South 90°00'00" East a distance of 200 feet; thence North 05°11'40" West a distance of 251 feet; thence North 90°00'00" West a distance of 911.77 feet to a point on the northeasterly right of way line of Highway 78; thence along said highway right of way on a curve to the left, the long chord of which bears South 18°45'23" East a distance of 263.99 feet to a point on the South boundary of the SW 1/4 NW 1/4 of said Section 26; thence North 05°11'40" East along said South boundary a distance of 649.61 feet to the POINT OF BEGINNING.



*Skinner Land
Survey Co. Inc.*

1904 E. Chicago Street, Suite C
Caldwell, ID 83605
(208) 454-0933
Fax (208) 454-9492

Greg L. Skinner, PLS

June 19, 1997

Description for
Stan Capouch
Job No. JN1297

Parcel 1

This parcel is a portion of the SW1/4 NW1/4 and of Government Lot 2 of Section 26, Township 2 North Range 4 West of the Boise Meridian and is more particularly described as follows:

BEGINNING at the southeast corner of said SW1/4 NW1/4;

thence North 90° 00' 00" West along the south boundary of said SW1/4 NW1/4 a distance of 636.61 feet to a point on the easterly right-of-way boundary for Idaho State Highway 78;

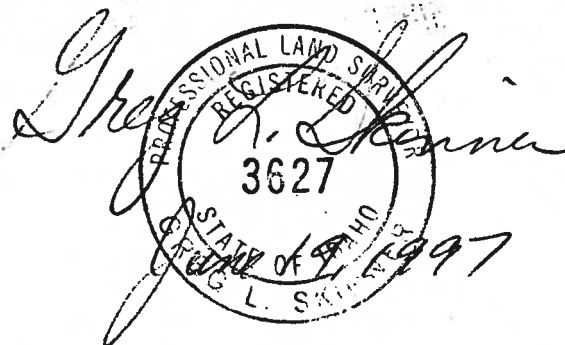
thence northwesterly 272.48 feet along the arc of a curve to the right having a central angle of 2° 46' 23", a radius of 5629.58 feet and a long chord which bears North 23° 26' 16" West a distance of 272.45 feet;

thence North 90° 00' 00" East parallel with said south boundary a distance of 922.25 feet;

thence South 5° 11' 40" East a distance of 251.00 feet to a point on the south boundary of said Government Lot 2;

thence North 90° 00' 00" West along said south boundary a distance of 200.00 feet to the POINT OF BEGINNING.

This parcel contains 5.05 acres, more or less, and is subject to all easements and rights-of-way of record or implied.



RECORD OF SURVEY

A PORTION OF THE SW1/4NW1/4 AND A PORTION OF GOVERNMENT LOT 2 OF SECTION 26
TOWNSHIP 2 NORTH, RANGE 4 WEST, BOISE MERIDIAN
OWYHEE COUNTY, IDAHO



SCALE: 1" = 100'

BASIS OF BEARING:
R.O.S. Insl. No. 210498

LEGEND

- BRASS CAP MONUMENT - FOUND
- 5/8" x 30" REBAR - SET
- 5/8" REBAR - FOUND
- 1/2" x 24" REBAR - SET
- 1/2" REBAR - FOUND
- P.K. NAIL & BRASS WASHER
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- WITNESS CORNER
- () DATA OF RECORD

CERTIFICATION

I, Greg L. Skinner, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been made from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner of Perpetuation Act, Idaho Code 55-1601 through 55-1612.



INDEX NO. 244-26-4-3-0-00-00
SURVEY FOR

STAN CAPOUCH

Drawn by W.F.L.

Date: JUNE 19, 1997

Book:

Job No. JN1297

**Skinner Land
Survey Co. Inc.**

1844 E. College, Idaho C
Caldwell, ID
(208) 454-0833

SW1/4NW1/4

GOV'T. LOT 2

SE NW

PARCEL 1
5.00 Acres

W 1/4 Corner
Section 26

677.72

N 90°00'00" E 1314.33

585.61

S 80°00'00" W 858.61

POB

Mid. 1" Iron Pipe
W 1/4 Corner
Section 26

200.00

E. Concrete
Irrigation Ditch

E. East. Road

816.5

Remainder ~ 4 Acres

200 x 250 ~ 1 Acre

- Notes 82 2/4/97

22.28
35.35

From R.O.S. Insl. No. 210498

N 0°03'36" W
2660.79

AJ5809NP
No. A02-02077C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/04/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	URIEL YEHEZKELY RT 1 BOX 205 MARSING ID 83639 (208) 896-4281	03/08/1950	IRRIGATION DOMESTIC	03-15 11-15 01-01 12-31	0.80 CFS 0.04 CFS	
TOTAL DIVERSION:					0.80 CFS	47 = E

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: LICENSE

Point(s) of Diversion: T02N R04W S26 NESENW OWYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
02N	04W	26	:	:	25	23	02-03	:	:	:	:	:	:	52.0		
TOTAL ACRES													52.0			

Handwritten notes: 19, 2, 47 = E, 5 acres to Capone = F

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac				
02N	04W	26	:	:	D	:	:	:	:	:	:	:				

POU County: OWYHEE

Non-Irrigation Uses: D/ 1 HOUSE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A02-02077D

Other Water Rights Listing Overlapping Place(s) of Use:

A02-00044 A02-02077 A02-02077A A02-02077B A02-02077D A02-07419 R02-02077

Remarks: GEN OWNERSHIP CHANGED BY KW 3/4/97.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

$$\frac{0.80 \text{ cfs}}{52 \text{ acres}} = 0.01538 \text{ cfs/acre}$$

split C into E = 47 Ac. @ .72 cfs
F = Capone 5 Ac. @ .08 cfs

Splitting Water Right / SRBA claim(s) e 02-02077

① Original W.R. License

$$\frac{1.04 \text{ cfs}}{67 \text{ Acres}} = .01552 \text{ cfs/acre}$$

② Split per Transfer 4316

$$02-02077A \quad \frac{.88 \text{ cfs}}{57 \text{ Acres}} = .01544 \text{ cfs/acre}$$

$$02-02077B \quad \frac{.16 \text{ cfs}}{10 \text{ Acres}} = .016 \text{ cfs/acre}$$

③ SRBA claims to date prior to Capone's change in ownership info:

A02-02077A split to C & D

$$A02-02077B \text{ VAN HALL} \quad \frac{.16 \text{ cfs}}{10 \text{ Acres}} = .016 \text{ cfs/acre}$$

$$A02-02077C \text{ URIEL YEHZKELY} \quad \frac{.80 \text{ cfs}}{52 \text{ Acres}} = .01538 \text{ cfs/acre}$$

$$A02-02077D \text{ Amia YEHZKELY} \quad \frac{.08 \text{ cfs}}{5 \text{ Acres}} = .016 \text{ cfs/acre}$$

Now
split

u.y. = E

Capone = F } See profile report = 47 AC .72 cfs
A02-02077C w/ notes on it = 5 AC .08 cfs

ABOVE RATES ARE OK PER rounding procedures.

CC: S.O. File 02-02077
Reym " "

JL 9/4/97

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02077C

Date Received: 11/ 7/1990

Receipt No: X777777

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: URIEL YEHEZKELY 208-896-4281
Address: RT 1 BOX 205
MARSING ID 83639

2. Date of Priority: MAR 8, 1950

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	04W	26	NE	SE	NW		OWYHEE

5. Description of diverting works:
75,7.5 AND 1HP. PUMP IN RIVER W/PIVOT AND DRIP. IRR. SYSTEMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	04W	26	NW	NW		IRR	25.0
			SW	NW		IRR	23.5
			SW	NW		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	26	SE	NW	2	IRR	3.5

Section Acres 52.0

Total Acres 52.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGED BY KW 3/4/97.

15. Basis of Claim: LICENSE

Water Right Number: 21404

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not ____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

9

RECEIVED

OCT 15 1996

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

FOR VALUE RECEIVED AMIR YEHEZKELY, a single person
 the Grantor, does hereby grant, bargain, sell and convey unto
URIEL YEHEZKELY, a widower
 the Grantee, whose address is
 the following described premises, to-wit:
 See attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he the owner is in fee simple of said premises; that said premises are free from all encumbrances, except for general taxes and assessments for the year 1995 and subsequent years, covenants, conditions, restrictions and easements of record; and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: 1 - 95

Amir Yehezkel
 AMIR YEHEZKELY

State of New York)
 County of New York) ss.
 County of New York)

On this 4 day of January in the year 1996,
 before me, a Notary Public, personally appeared AMIR YEHEZKELY, a single person,
 known and identified to me to be the person whose name is subscribed
 to within instrument, and acknowledged to me that he executed the same.

[Signature]
 Notary Public
 residing at 216 W. 10th Ave., NYC NY 10011
 My Commission Expires 03-30-96

ASA L. CONEN
 Notary Public, State of New York
 Commission Expires March 30, 1996

OWYIIEE TITLE COMPANY
 200 DASHY STREET, MURPHY, IN 46360

PROPERTY OF
 U.S. DEPT. OF AGRICULTURE
 REVENUE TITLE
 6.00

[Signature]
 JIM CONNELL JR.
 CLERK OF SUPERIOR COURT
 COUNTY OF MURPHY, INDIANA

RECORDED
 96 AUG 9 PM 11:51

FILED - RECORDED

217918

219561

EXHIBIT "A"

PARCEL I:

IN TOWNSHIP 2 NORTH, RANGE 4 WEST, D.M., OWYHEE COUNTY, IDAHO
 Section 26: W1/4NW1/4
 EXCEPTING THEREFROM:

That part of the W1/4NW1/4 lying West of the centerline of Sta Highway No. 78, as now constructed.

ALSO EXCEPTING:

That portion of a strip of land 200 feet wide lying within the NW1/4, Section 26, T2N, R4W, B.M. as conveyed to the Gem Highway District, a quasi-municipal corporation by Quitclaim Deed Recorded April 15, 1945 as Instrument No. 88913 in Book 45 of Deeds, page 377 and 88915 in Book 45 of Deeds, page 381, Owyhee County records and lying 100 feet each side of a centerline which is described as follows: BEGINNING at a point South 0°30' West a distance of approximately 440 feet from the Northwest corner of said Section 26, thence South 17°02' East a distance of approximately 440 feet to the South line of said NW1/4, Section 26.

ALSO EXCEPTING:

A strip of land 200 feet wide lying within the SW1/4, Section 26, T2N, R4W, B.M., as conveyed by Quitclaim Deed to Gem Highway District, a quasi-municipal corporation, Recorded April 15, 1945 as Instrument No. 88914 in Book 45 of Deeds, page 379, Owyhee County records and lying 100 feet each side of a centerline which is described as follows: BEGINNING at a point South 0°30' West a distance of 840.8 feet from the Northwest corner of said Section 26; thence South 17°02' East a distance of approximately 440 feet to the North line of said SW1/4, Section 26, which is the REAL POINT OF BEGINNING; thence South 17°02' East a distance of approximately 650 feet to a point of curvature; thence along a curve to the left which has a radius of 4729.58 feet, a distance of approximately 681 feet to the South line of said SW1/4, Section 26.

PARCEL II:

BEGINNING at the Northeast corner of the SW1/4 of Section 26, T2N, R4W, B.M.; thence East along the North boundary line of Lot 2 of said Section, Township and Range, a distance of 80 feet; thence in a southeasterly direction to a point on the South boundary line of said Lot 2 of said Section, Township and Range, which point is 200 feet from the Southwest corner of said Lot 2; thence West along the South boundary line of said Lot 2, 200 feet to the Southwest corner of said Lot 2; thence North along the westerly boundary line of said Lot 2, to THE PLACE OF BEGINNING.

EXCEPTING from both Parcel I and Parcel II above the Southerly 270 feet thereof.

ALSO EXCEPTING THEREFROM:

A tract of land being a portion of the SW1/4 and a portion of Government Lot 2 of Section 26, Township 2 North, Range 4 West, B. M., Owyhee County, Idaho, more particularly described as follows: BEGINNING at the Southwest corner of said Government Lot 2, thence running South 90°00'00" East a distance of 200 feet; thence North 05°11'40" West a distance of 271.113 feet to a point, being THE TRUE POINT OF BEGINNING; thence North 90°00'00" West a distance of 911.77 feet to a point on the northeasterly right of way line of Highway 78; thence along said highway right of way on a curve to the left, the long chord of which bears North 18°45'23" West a distance of 246.07 feet to a point; thence North 90°00'00" East a distance of 969.72 feet to a point; thence South 05°11'40" East, a distance of 233.96 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho described as follows:

BEGINNING at the Northeast corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, being THE TRUE POINT OF BEGINNING; thence running South along the East boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 1320 feet; thence running northwesterly to a point on the North boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ which lies 660 feet West of the Northeast corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence running East along said North boundary a distance of 660 feet to the POINT OF BEGINNING.

219853

FILED-RECORDED

SEP 13 PM 1 24

JANUARY JR.
BY *Charles J. [unclear]*
RECORDS

FIDELITY

RECORDED

FILE

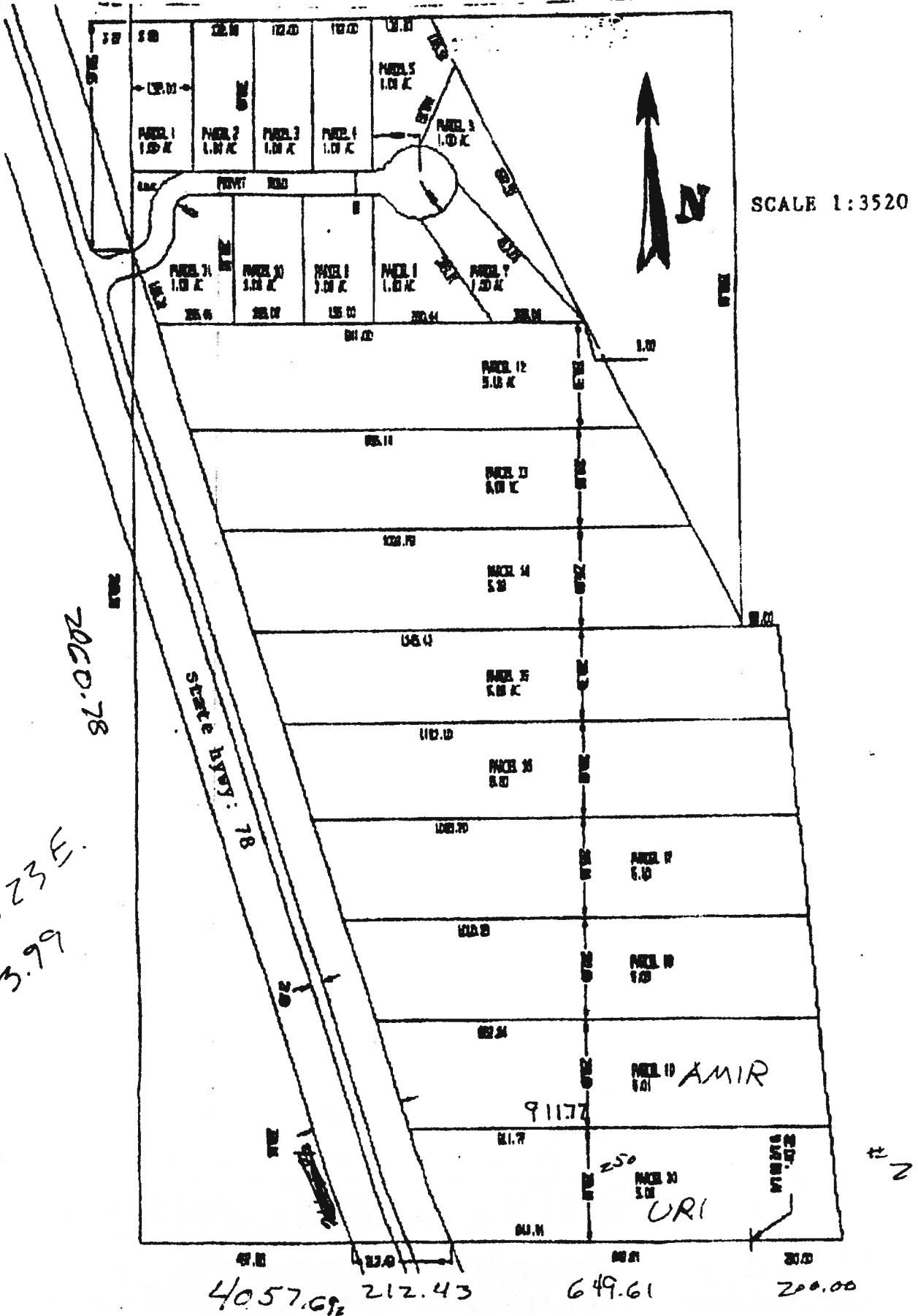
Charles J. [unclear]
100

FOLLOWS:

COMMENCING

AT

SECTION 26, T. 2 N. R. 4 W. B. M. OWYHEE COUNTY, IDAHO, U.S.A.



WARRANTY DEED

For Value Received **URIEL YEHEZKELY, a widower**

the grantor, do es hereby grant, bargain, sell and convey unto **AMIR YEHEZKELY,**
a single person

the grantee, whose current address is,

the following described premises, to-wit:

per Exhibit "A" attached hereto and by reference thereto made
hereof.

together with all water rights, ditch rights, rights of way,
hereditaments and appurtenances thereto belonging or
in connection therein.

together with all exceptions and reservations contained in patents from
the United States,
and all easements, restrictions and reservations of record

THIS DEED IS GIVEN AS A CORRECTION DEED TO CORRECT THAT CERTAIN
DEED DATED AND BECAME THE PARTIES HERETO DATED OCTOBER 28, 1993 and
RECORDED IN BOOK 25, 1993. An instrument #211367, records of
the State of Idaho, and is acknowledged by the grantor and grantee to
be the true and correct description of the parcel intended to be
conveyed.

THE GRANTOR, URUEL YEHEZKELY, does hereby covenant to and
warrant to the grantee, AMIR YEHEZKELY, that said
premises are free from all liens, claims, taxes, assessments, levies for the
same, and all other encumbrances, and that the grantor is the owner of the same.

IN WITNESS WHEREOF, the grantor has hereunto set his hand and seal of office, at the County of _____, State of Idaho, this _____ day of _____, 1993.

Amir Yehezkel (grantee)



Notary Public
Meridian, Idaho
4-26-2000

STATE OF IDAHO, COUNTY OF _____
I hereby certify that this instrument was filed for record at
the request of _____
at _____ minutes past _____ o'clock a.m.,
this _____ day of _____,
19____, in my office, and duly recorded in Book _____
of Deeds at page _____
Ex-Officio Recorder
By _____ Deputy.
Fees \$ _____
Mail to: _____

INSTRUMENT NO.

KELY,

Uriel Yehezkely and Amir Yehezkely

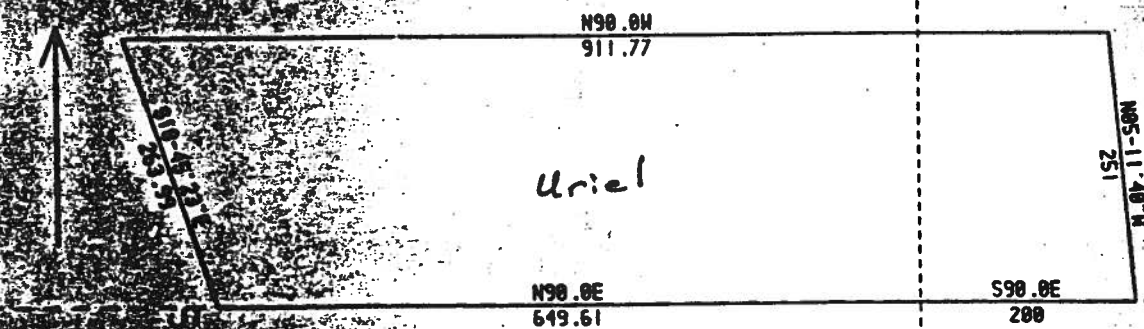
EXHIBIT "A"

A tract of land being a portion of the SW¼NW¼ and a portion of Government Lot 2 of Section 26, Township 2 North, Range 4 West, S. M., Owyhee County, Idaho, more particularly described as follows: COMMENCING at the Southwest corner of said Government Lot 2; thence running South 90°00'00" East a distance of 200 feet; thence North 05°11'40" West a distance of 251 feet to a point, being THE TRUE POINT OF BEGINNING; thence North 90°00'00" West a distance of 911.77 feet to a point on the northeasterly right of way line of Highway 78; thence along said highway right of way on a curve to the left, the long chord of which bears North 18°45'23" West a distance of 246.07 feet to a point; thence North 90°00'00" East a distance of 969.72 feet to a point; thence South 05°11'40" East, a distance of 233.96 feet to the TRUE POINT OF BEGINNING

for record at

o'clock m.,

INSTRUMENT No.



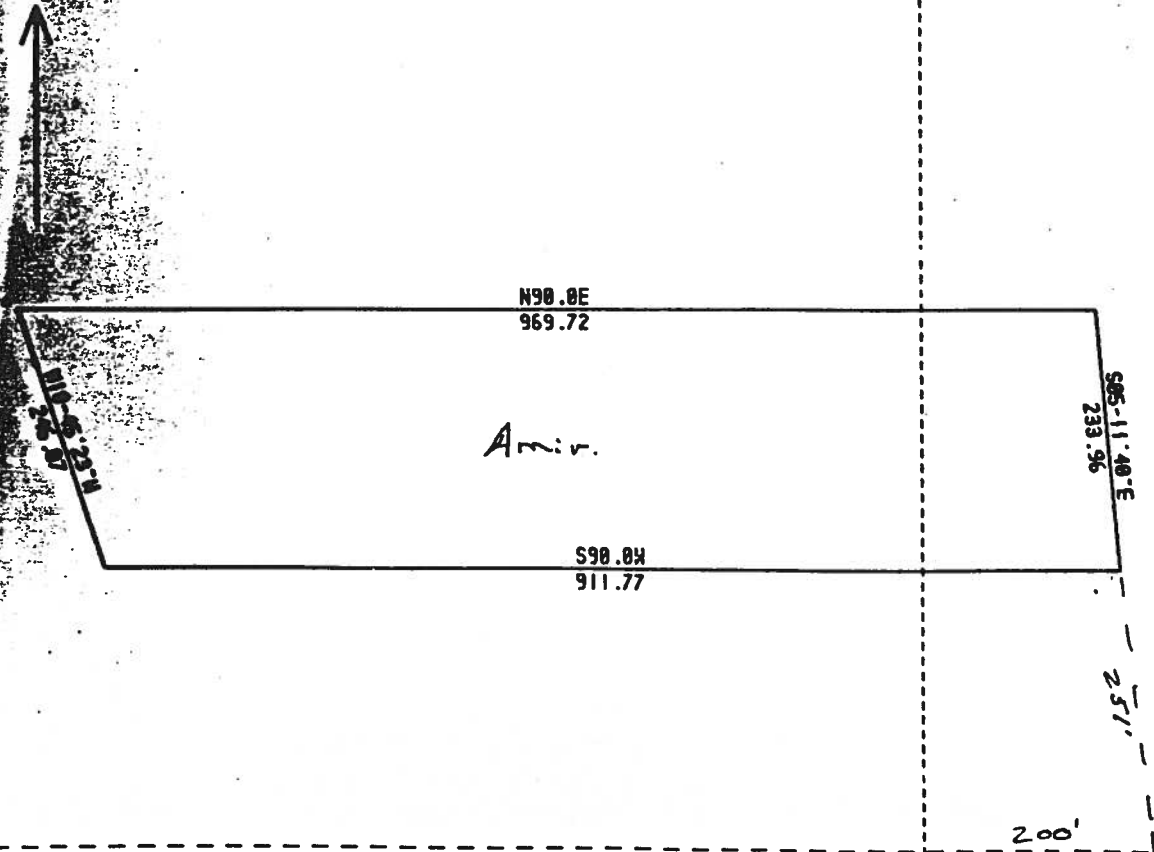
Client: Kelly

THIS SKETCH IS MADE SOLELY TO ASSIST
IN LOCATING THE PROPERTY. THE COMPANY
ASSUMES NO LIABILITY FOR VARIATION
IF ANY WITH AN ACTUAL SURVEY.

Plat of Deed Calls for: skelly2

=====		
skelly2	 AREA	.. CLOSING ERROR ..
Scale : 131 ft/in	Acres : 5.032	Bearing: S71.2208W
North Shift: +0	Sq. Feet : 219194	Feet : 0.01
East Shift : +0	Sq. Meters: 20363.8	Meters : 0.003
DMS Rotated: +000.0000	Perimeter : 2361.52	Precision: 1/200000
=====		

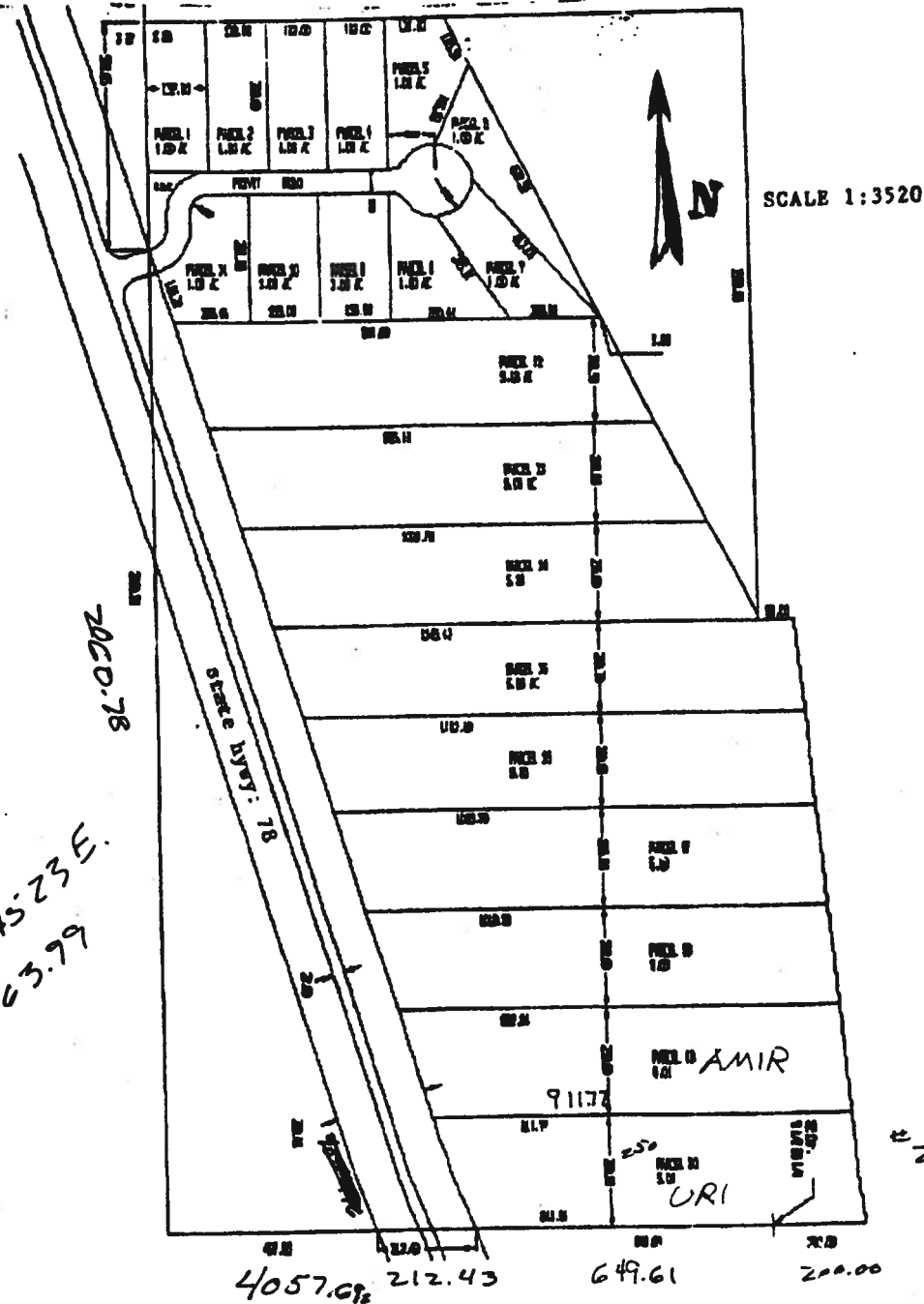
1. /SW,SE,NW,29,2N,4W
2. /S90.0E 200
3. /N05.1140W 251
4. S90.0W 911.77
5. N18.4523W 246.07
6. N90.0E 969.72
7. S05.1140E 233.96



MASADA

OWNER: URI SKELLY

SECTION 26, T. 2 N. R. 4 W. B. M. OWYHEE COUNTY, IDAHO, U.S.A.



WARRANTY DEED

For Value Received URIEL YEHEZKELY, a widower

the grantor, do es hereby grant, bargain, sell and convey unto
AMIR YEHEZKELY, a single person

the grantee, whose current address is, 46-09 Astoria Blvd., Astoria, N.Y. 11105
the following described premises, to-wit:

As per Exhibit "A" attached hereto and by reference thereto made
a part hereof.

together with all water rights, ditch rights, rights of way,
tenements, hereditaments and appurtenances thereto belonging or
used in connection therein.

Subject to exceptions and reservations contained in patents from
the United States.

Subject to all easements, restrictions and reservations of record
and of use.

FILED-RECORDED
211367
93 OCT 29 AM 10 41
BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *B. Jayo*
DEPUTY
REC'D *B. Jayo*

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
warrant that he is the owner in fee simple of said premises; that said
premises are free from all incumbrances except taxes and assessments levied for the
years 1991 and subsequent years.

And the said Grantor warrant and defend the same from all lawful claims whatsoever.
October 16, 1993

COUNTY OF OWYHEE
day of October, 1993,
I, *Uriel Yehezkel*, being in and for said State, personally

do hereby certify that the foregoing instrument, and acknowledged to
me this *16th* day of *October*, 1993, executed the same.
BARBARA JAYO *By: B. Jayo*

Residing at *46-09 Astoria Blvd., Astoria, N.Y. 11105*

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at *10* minutes past *10* o'clock a.m.,
this *29th* day of *October*,
19 *93*, in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder
By *B. Jayo* Deputy.
Fees \$

INSTRUMENT NO.

EXHIBIT "A"

PARCEL I:

IN TOWNSHIP 2 NORTH, RANGE 4 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 26: W $\frac{1}{2}$ NW $\frac{1}{4}$

EXCEPTING THEREFROM:

That part of the W $\frac{1}{2}$ NW $\frac{1}{4}$ lying West of the centerline of State Highway No. 78, as now constructed.

ALSO EXCEPTING:

That portion of a strip of land 200 feet wide lying within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, T2N, R4W, B.M. as conveyed to the Gem Highway District, a quasi-municipal corporation by Quitclaim Deed, Recorded April 15, 1945 as Instrument No. 88913 in Book 45 of Deeds, page 377 and 88915 in Book 45 of Deeds, page 381, Owyhee County records and lying 100 feet each side of a centerline which is described as follows: BEGINNING at a point South 0°30' West along the section line a distance of 840.8 feet from the Northwest corner of said Section 26; thence South 17°02' East a distance of approximately 440 feet to the South line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26.

ALSO EXCEPTING:

A strip of land 200 feet wide lying within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, T2N, R4W, B.M., as conveyed by Quitclaim Deed to Gem Highway District, a quasi-municipal corporation, Recorded April 15, 1945 as Instrument No. 88914 in Book 45 of Deeds, page 379, Owyhee County records and lying 100 feet each side of a centerline which is described as follows: BEGINNING at a point South 0°30' West a distance of 840.8 feet from the Northwest corner of said Section 26; thence South 17°02'; East a distance of approximately 440 feet to the North line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, which is the REAL POINT OF BEGINNING; thence South 17°02' East a distance of approximately 650 feet to a point of curvature; thence along a curve to the left which has a radius of 5729.58 feet, a distance of approximately 681 feet to the South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26.

PARCEL II:

BEGINNING at the Northeast corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, T2N, R4W, B.M.; thence East along the North boundary line of Lot 7 of said Section, Township and Range, a distance of 80 feet; thence in a Southeasterly direction to a point on the South boundary line of said Lot 2 of said Section, Township and Range, which point is 200 feet from the Southwest corner of said Lot 2; thence West along the South boundary line of said Lot 2, 200 feet to the Southwest corner of said Lot 2; thence North along the Westerly boundary line of said Lot 2, to THE PLACE OF BEGINNING.

EXCEPTING from both Parcel I and Parcel II above the Southerly 270 feet thereof.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02077A
Date Received: 11/ 7/1990
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: URIEL YEHEZKELY 208-896-4281
Address: RT 1
MARSING ID 83639

2. Date of Priority: MAR 8, 1950

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	04W	26	NE	SE	NW		OWYHEE

5. Description of diverting works:
75,7.5 AND 1HP. PUMP IN RIVER W/PIVOT AND DRIP. IRR. SYSTEMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.880		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.880 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	26	NW	NW		IRR	25.0
			SW	NW		IRR	28.0
			SW	NW		DOMEST	

~~MICROFILMED~~
~~AUG 10 1994~~

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	26	SE	NW	2	IRR	4.0
Section Acres							57.0
Total Acres							57.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

SPLIT CLAIM: A02-02077A, YEHEZKELY, 57 ACRES, 0.88 CFS
A02-02077B, VANHALL, 10 ACRES, 0.16 CFS

15. Basis of Claim: LICENSE

Water Right Number: 21404

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

~~MICROFILMED~~
~~AUG 10 1994~~

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

~~MICROFILMED~~
~~AUG 10 1994~~



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

November 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

STANLEY CAPOUCH
SYLVIA CAPOUCH
RT 1 BOX 794
MARSING ID 83639

Re: Original Notice of Claim to a Water Right No. A02-02077C

Renumbered Notice of Claim to a Water Right No. A02-02077F

Dear Mr. & Mrs. Capouch:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

LH:1
Enclosure