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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 37-20601
Date Received: 11/13/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

MICHAEL D HOLLAND
1619 E 1400 S
GOODING ID USA 83330

Phone: (208)934-9614

BRIANA HOLLAND
1619 E 1400 S
GOODING ID USA 83330

Phone: (208)934-9614

2. Date of Priority: 04/02/1906

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot				County	Type
05S	16E	7	SW	NW	NW	1	GOODING	
05S	16E	7	NW	SW	NW	2	GOODING	

5. Description of diverting works:

ROBERTSON DITCH, CONCRETE STRUCTURE DIVERTS INTO GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.4	

7. Total Quantity Appropriated is:
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	14E	14	NW	NW	IRRIGATION	19
Section Acres						19
Total Acres						19

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

THIS IS A SPLIT OF 37-20599 (WHICH WAS A SPLIT OF ORIGINAL RIGHT 37-582),
CREATED WHEN CAPPS SOLD A PORTION OF THE RIGHT TO HOLLAND. 11/14/01 jr

15. Basis of Claim: Decreed

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

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.

RECEIVED
OCT 17 2000
Department of Water Resources
Southern Region

1. Water Right No(s).: _____
Adjudication Claim No(s).: A37-00582

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.

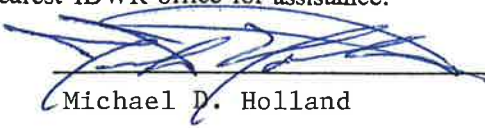
3. Name and Address of Former Owner/Claimant LARRY M. CAPPES & LORI CAPPES/CAPPES FARMS, INC.
1846 S. 1800 East Gooding, ID 83330

4. New Owner/Claimant(s) MICHAEL D. HOLLAND AND BRIANA HOLLAND
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 1619 East 1400 South
City, State and ZIP Code Gooding, ID 83330
New Telephone Number () _____

5. Date you acquired the property 4/17/00

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 _____ Number and type of stock _____
Diversion rate in CFS _____ 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)


Michael D. Holland


Briana Holland

- (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..

THIS DEED IS BEING GIVEN TO CORRECT THE WATER DESCRIPTIONS SHOWN ON THAT CERTAIN WARRANTY DEED RECORDED APRIL 17, 2000 AS INSTRUMENT #185399, AND RE-RECORDED MAY 10, 2000 AS INSTRUMENT #185766 AND RE-RECORDED JULY 18, 2000 AS INSTRUMENT #186684, RECORDS OF GOODING COUNTY, IDAHO.

WARRANTY DEED

For Value Received

LARRY M. CAPPS and LORI CAPPS, husband and wife

The grantor(s), does hereby Grant, Bargain, Sell, and Convey unto

MICHAEL D. HOLLAND and BRIANA HOLLAND, husband and wife

the grantee(s), whose current address is: 1619 East 1400 South, Gooding, Idaho, 83330

the following described real estate, situated in GOODING County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH:

36.50 shares of Robertson Ditch Company

17.85 shares of American Falls Supplement

20 inches of Idaho Department of Water Resources Claim #A37-00582

4 & S

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all lawful claims whatsoever.

Larry M. Capps
LARRY M. CAPPS
Lori Capps
LORI CAPPS

ACCEPTED AND APPROVED

Michael D. Holland
MICHAEL D. HOLLAND
Briana Holland
BRIANA HOLLAND

Instrument # 187293

GOODING GOODING, IDAHO

2000-09-06

01:28:42 No. of Pages: 3

Recorded for : GOODING TITLE

HELEN EDWARDS

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

State of Idaho

County of Gooding

On this 18 day of September, 2000, in the year 2000, before me, the undersigned, a notary public in and for said state, personally appeared LARRY M. CAPPS and LORI CAPPS, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Gwen A. Sherman
Notary Public

Residing At: Shoshone, Id

Commission Expires: 3-27-06



TITLE & ESCROW
COMPANIES

State of IDAHO

County of GOODING

} ss.

On this 1st day of September, in the year 2000, before me, the undersigned, a notary public in and for said state, personally appeared **MICHAEL D. HOLLAND** and **BRIANA HOLLAND**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Gwen A. Sherman
Notary Public
Residing At: Shoshone
Commission Expires: 3-27-06



TITLE & ESCROW
COMPANIES

EXHIBIT A

Township 5 South, Range 14 East of the Boise Meridian, Gooding County, Idaho

SECTION 14: The North Half of the Northwest Quarter of the Northwest Quarter

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

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.

RECEIVED
OCT 17 2000
Department of Water Resources
Southern Region

1. Water Right No(s).: AJ5809NP
Adjudication Claim No(s).: A37-00582
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 Larry M. Capps
1619 East 1400 South
Gooding, ID 83330
4. New Owner/Claimant(s) Bill & Anita Eshleman
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address 7045 Oak Hills Road
City, State and ZIP Code Oak Hills, CA 92345
New Telephone Number (760) 949-2365
5. Date you acquired the property July 3, 2000
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 8.25 Number and type of stock _____
Diversion rate in CFS _____ 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) William C Eshleman
Anita Eshleman
(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..

THIS DEED IS BEING C. IN TO CORRECT THE WATER DESCRIPTIONS SHOWN ON THAT CERTAIN WARRANTY DEED RECORDED JULY 3, 2000 AS INSTRUMENT #186482, RECORDS OF GOODING COUNTY, IDAHO.

CORPORATION WARRANTY DEED

For Value Received

CAPPS FARMS, INC. an Idaho Corporation

a corporation duly organized and existing under the laws of the State of Idaho, does hereby Grant, Bargain, Sell, and Convey unto

WILLIAM C. ESHLEMAN and ANITA L. ESHLEMAN, husband and wife

the grantee(s), whose current address is: 7045 OAK HILLS RD., OAKHILLS, CA 92345

the following described real estate, situated in GOODING County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH:

15.06 shares of Robertson Ditch Company

7.36 shares of American Falls Supplement

8.25 inches of Idaho Department of Water Resources Claim #A37-00582

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its board of directors has caused its corporate name to be hereunto subscribed by its President this 15th day of September, 2000.

CAPPS FARMS, INC.

ACCEPTED AND APPROVED

Larry M. Capps
LARRY M. CAPPS, President

WILLIAM C. ESHLEMAN

ANITA L. ESHLEMAN

State of Idaho

County of Gooding

On this 15th day of September, in the year 2000, before me, the undersigned, a notary public in and for said state, personally appeared LARRY M. CAPPS, known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

Gwen A. Sherman
Notary Public
Residing At: Shoshone, Id
Commission Expires: 3-27-06



Instrument # 187295

GOODING GOODING, IDAHO

2000-09-06

01:33:23 No. of Pages: 5

Recorded for: GOODING TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Index to: DEED, CORPORATION WARRANTY

Fee: 15.00

Diane Houser

 **TITLE & ESCROW**
COMPANIES

DEED IS BEING GRANTED TO CORRECT THE WATER DESCRIPTIONS SHOWN ON THAT CERTAIN
WARRANTY DEED RECORDED JULY 3, 2000 AS INSTRUMENT #186482, RECORDS OF GOODING
COUNTY, IDAHO.

CORPORATION WARRANTY DEED

For Value Received

CAPPS FARMS, INC. an Idaho Corporation

a corporation duly organized and existing under the laws of the State of Idaho, does hereby Grant, Bargain, Sell,
and Convey unto

WILLIAM C. ESHLEMAN and ANITA L. ESHLEMAN, husband and wife

the grantee(s), whose current address is: **7045 OAK HILLS RD., OAKHILLS, CA 92345**

the following described real estate, situated in GOODING County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH:

15.06 shares of Robertson Ditch Company

7.36 shares of American Falls Supplement

8.25 inches of Idaho Department of Water Resources Claim #A37-00582

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s),
his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said
Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the
same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its board of directors has caused its
corporate name to be hereunto subscribed by its President this 15th day of September, 2000.

CAPPS FARMS, INC.

LARRY M. CAPPS, President

ACCEPTED AND APPROVED

William C. Eshleman
WILLIAM C. ESHLEMAN

Anita L. Eshleman
ANITA L. ESHLEMAN

State of Idaho)

County of Gooding)

ss.)

On this _____ day of September, in the year 2000, before me, the undersigned, a notary public in and for said state,
personally appeared **LARRY M. CAPPS**, known or identified to me to be the president, or vice-president, or secretary or
assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said
corporation, and acknowledged to me that such corporation executed the same

WITNESS my hand and official seal.

Notary Public

Residing At:

Commission Expires:

 **TITLE & ESCROW**
COMPANIES

EXHIBIT A
G000149

out of RP05S14E143187
out of RP05S14E142401

Township 5 South, Range 14 East of the Boise Meridian, Gooding County, Idaho

Section 14: A tract of land located in the Northwest Quarter, more particularly described as follows:

Beginning at the Northwest corner of said Northwest Quarter;
Thence South 00°00'00" East a distance of 1289.74 feet along the Westerly boundary of said Northwest Quarter to the TRUE POINT OF BEGINNING;
Thence South 87°28'59" East a distance of 742.49 feet to the center of Dry Creek;
Thence generally Southerly and Easterly the following courses and distances:
South 07°00'32" West a distance of 186.20 feet;
Thence South 20°11'48" West a distance of 193.90 feet;
Thence South 43°42'46" West a distance of 202.04 feet;
Thence South 88°51'54" West a distance of 512.59 feet to the Westerly boundary of said Northwest Quarter;
Thence North 00°00'00" West a distance of 555.59 feet along the Westerly boundary of said Northwest Quarter to the TRUE POINT OF BEGINNING.

SUBJECT TO the rights of a public road which affects the Westerly 25.00 feet thereof.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

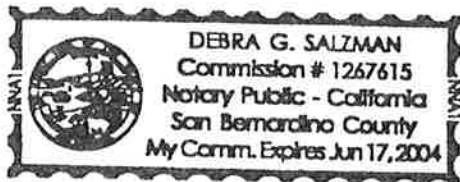
County of San Bernardino } ss.

On Sept 2, 2000, before me, Debra G. Salzman
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared William C. Eshleman
Name(s) of Signer(s)

- ☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Debra G. Salzman
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Corporation warranty Deed

Document Date: Sept 1, 2000 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☒ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**

Top of thumb here



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

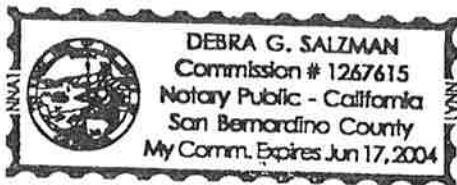
County of San Bernardino } ss.

On Sept 2, 2000, before me, Debra G. Salzman
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Anita Eshleman
Name(s) of Signer(s)

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Debra G. Salzman
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Corporation Warranty Deed.

Document Date: Sept 2, 2000 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☒ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here





GOODING
TITLE & ESCROW
COMPANY

October 16, 2000

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

RECEIVED
OCT 17 2000
Department of Water Resources
Southern Region

RE: Water Transfer on A37-00582

Dear Sir or Madam,

Enclosed are three water transfers that originally belonged to Larry M. & Lori Capps. I had sent the transfer on Eshleman in previously but the amount of water was incorrect. Enclosed our recorded Warranty Deed transferring the proper amount of water with each piece of property.

Michael D. & Briana Holland purchased two separate pieces of property. Copies of both Warranty Deeds have been attached to the change of ownership form.

If you have any questions please do not hesitate to call me. Thank you for your assistant in this matter.

Sincerely,

Gwen A. Sherman
Escrow Officer

encl.

8.25 m. x .02 = 0.165 cfs

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 19 2000

Department of Water Resources
Southern 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).: AJ5809NP
Adjudication Claim No(s).: A37-00582
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 Larry M. Capps
1619 East 1400 South
Gooding, ID 83330
4. New Owner/Claimant(s) William C. & Anita L. Eshleman
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address 7045 Oak Hills Road
City, State and ZIP Code Oak Hills, CA 92345
- New Telephone Number (760) 949-~~2635~~ 2635
5. Date you acquired the property July 3, 2000
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 8.25 Number and type of stock _____
Diversion rate in CFS 0.17 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) William C. Eshleman
Anita L. Eshleman
(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..

Am

WARRANTY DEED

For Value Received

Capps Farms, Inc., An Idaho Corporation,

Instrument # 186482

GOODING GOODING, IDAHO

2000-07-03

03:41:04 No. of Pages: 2

Recorded for: GOODING TITLE

HELEN EDWARDS

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

William C. Eshleman And Anita L. Eshleman,
Husband And Wife.

the grantee(s), whose current address is

7045 OAK HILLS RD., OAKHILLS, CA 92345

the following described premises, to-wit:

See Attached Exhibit "A"

Together with 15.06 shares of Robertson Ditch Company.

Together with 7.36 shares of American Falls Supplement.

Together with State of Idaho Department of Water Resources water adjudication

~~Claim No. A37-000582 with 0.17 CFS of Water.~~

Claim No. A37-00582 with 0.17 CFS of water

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all claims whatsoever.

Dated: July 3, 2000

Capps Farms Inc
CAPPS FARMS, INC., an Idaho Corporation

Larry M. Capps
By: Larry M. Capps, President

STATE OF IDAHO

: ss

COUNTY OF GOODING

On This 3rd day of JULY, in the year 2000, before me, a Notary Public in and for said State, personally appeared Capps Farms, Inc., An Idaho Corporation, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Gwen A. Sherman
Notary Public of Idaho
Residing at SHOSHONE, Idaho
Commission Expires: 03/27/06



EXHIBIT A
G000149

out of RP05S14E143187
out of RP05S14E142401

Township 5 South, Range 14 East of the Boise Meridian, Gooding County, Idaho

Section 14: A tract of land located in the Northwest Quarter, more particularly described as follows:

Beginning at the Northwest corner of said Northwest Quarter;
Thence South 00°00'00" East a distance of 1289.74 feet along the Westerly boundary of said Northwest Quarter to the TRUE POINT OF BEGINNING;
Thence South 87°28'59" East a distance of 742.49 feet to the center of Dry Creek;
Thence generally Southerly and Easterly the following courses and distances:
South 07°00'32" West a distance of 186.20 feet;
Thence South 20°11'48" West a distance of 193.90 feet;
Thence South 43°42'46" West a distance of 202.04 feet;
Thence South 88°51'54" West a distance of 512.59 feet to the Westerly boundary of said Northwest Quarter;
Thence North 00°00'00" West a distance of 555.59 feet along the Westerly boundary of said Northwest Quarter to the TRUE POINT OF BEGINNING.

SUBJECT TO the rights of a public road which affects the Westerly 25.00 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: A37-00582

Date Received: 8/10/1988

Receipt No: MOOD 966

Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY M. CAPPS
Address: 1619 EAST 1400 SOUTH
GOODING, ID 83330 208-934-4760

2. Date of Priority: APR 02, 1906

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	16E	7	SW	NW	NW	1	GOODING
			NW	SW	NW	2	GOODING

5. Description of diverting works:
ROBERTSON DITCH, CONCRETE STRUCTURE DIVERTS INTO GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is 426.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	14E	14	NE	NW		IRR	39.0
			NW	NW		IRR	38.0
			SW	NW		IRR	34.0

A37-00582

Page 1

Date: 08/10/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	14E	14	SE	NW		IRR	32.0

Section Acres 143.0

Total Acres 143.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

37-04104, AMERICAN FALLS RES. DIST. #2, BIG WOOD CANAL.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BIG WOOD CANAL CO.

Decree Plaintiff

vs

S. H. CHAPMAN, ET. AL.

Decree Defendant

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: -2-

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): Larry M. Capps Date: 8-10-88
Date: _____

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 10th day

of August 19 88

Carter Fritchler
Notary Public

Seal

Residing at Eagle, Id
My Commission Expires 3-21-94

12/22/2006

**NOTICE OF ERROR
REPLY**

RECEIVED

JAN 09 2007

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-20601

MICHAEL D HOLLAND
1619 E 1400 S
GOODING ID 83330
Telephone Number: (208)934-9614

BRIANA HOLLAND
1619 E 1400 S
GOODING ID 83330
Telephone Number: (208)934-9614

RECEIVED

JAN 11 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 1-3-07 SIGNATURE: [Signature]
Please print your name: Mike Holland

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

COANNED

JAN 09 2007

12/19/2006

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

RIGHT NUMBER: 37-20601

NAME AND ADDRESS: MICHAEL D HOLLAND
1619 E 1400 S
GOODING ID 83330

BRIANA HOLLAND
1619 E 1400 S
GOODING ID 83330

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 04/02/1906

POINT OF DIVERSION:

T05S R16E S7 NWSNW Lot 2 Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.400 CFS

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in GOODING County

T05S R14E S14 NWNW 18.00

18 ACRES TOTAL

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

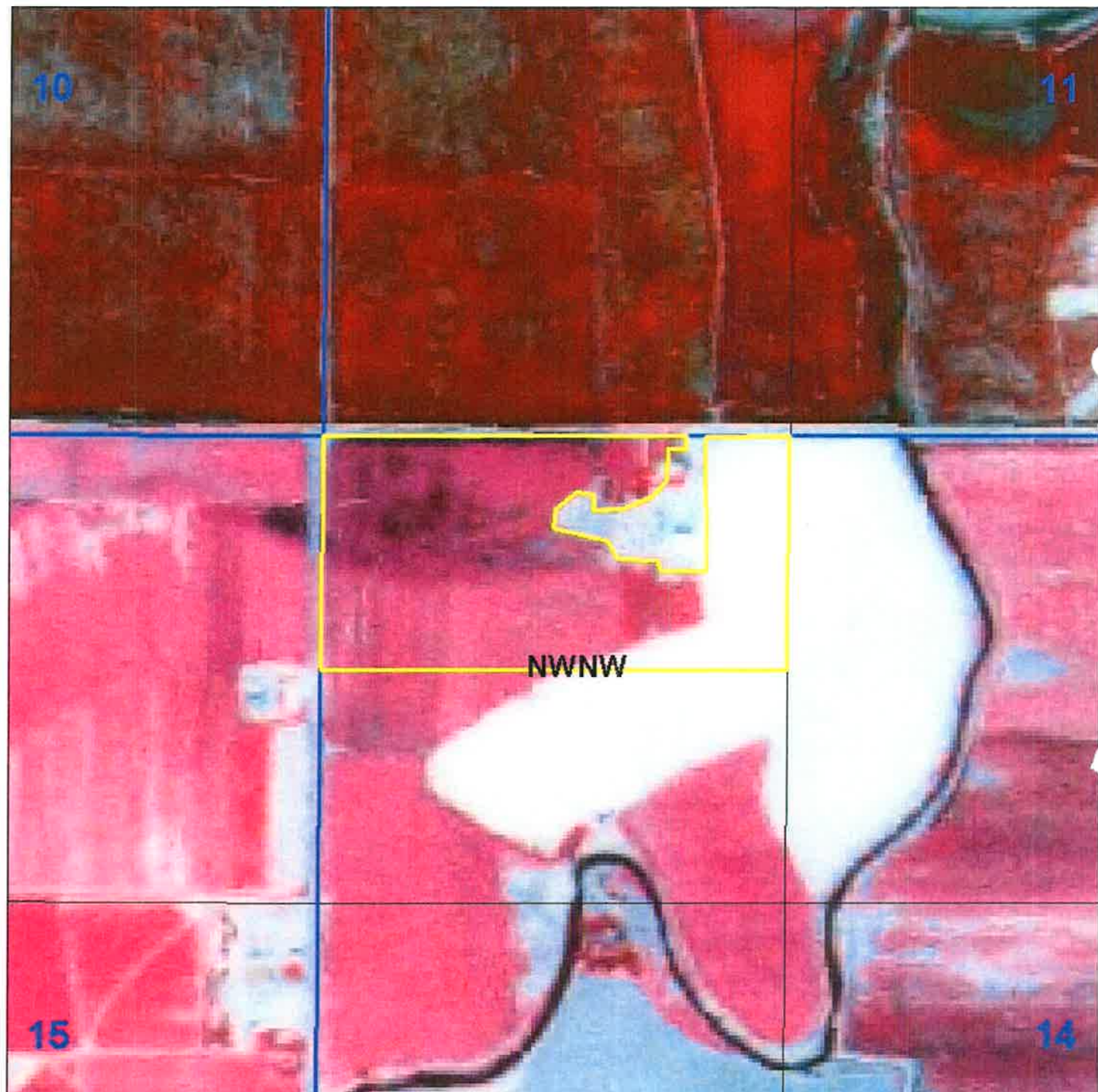
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

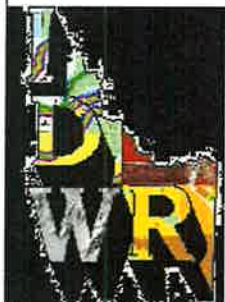
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from Big Wood Canal Co.

This right is a split from former right 37-582.

37-20601





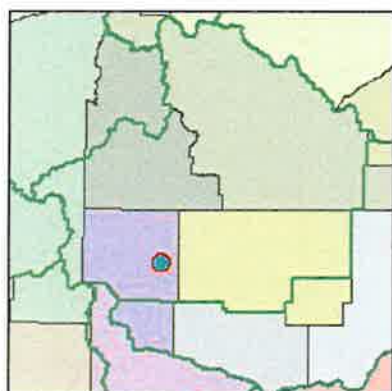
Idaho Department of Water Resources

SRBA Recommendation:

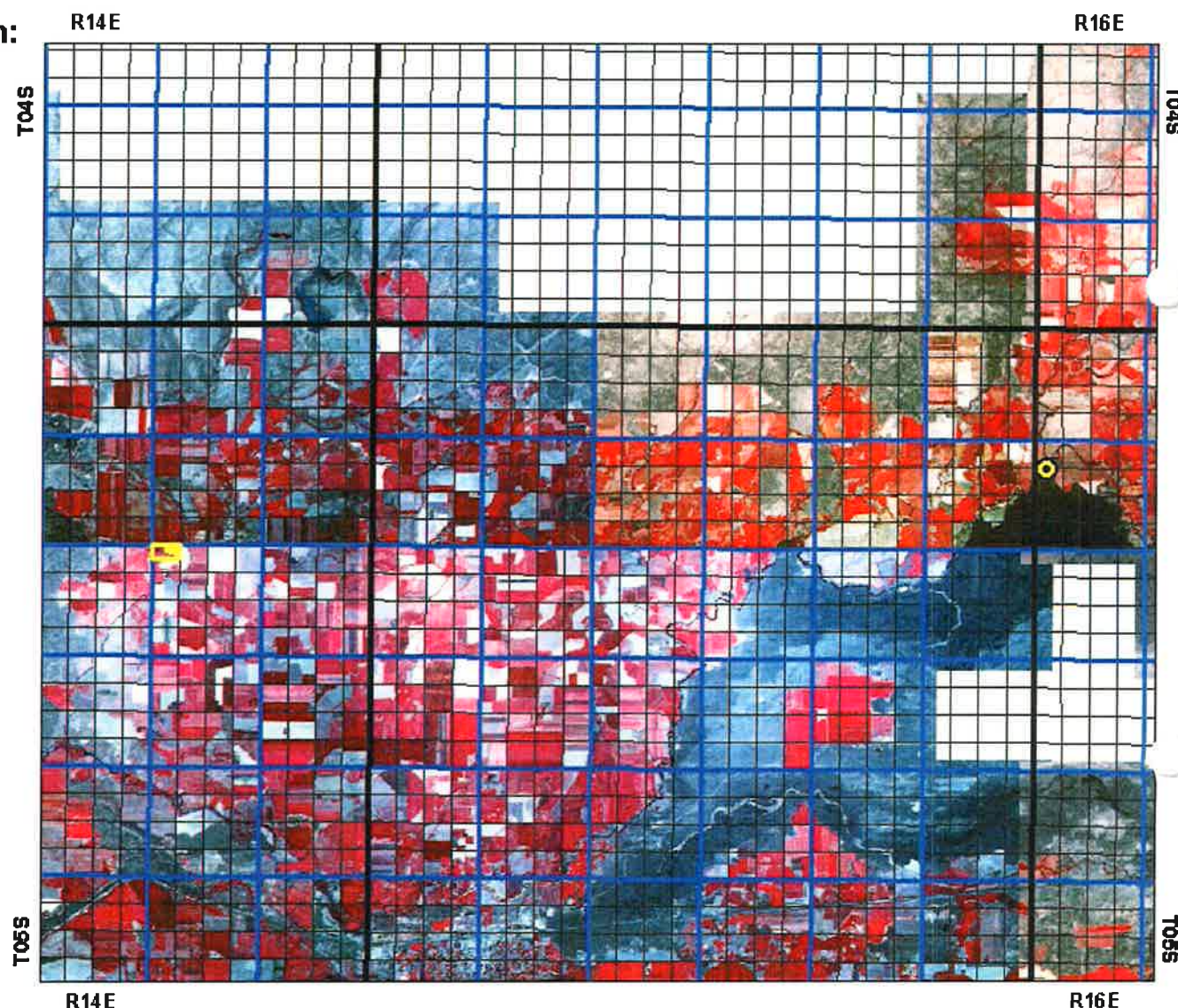
37-20601

Legend

- ⊙ Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Gooding County
IDWR Basin 37



0 3 6 Miles



Prepared by N. Erickson
On Tuesday, December 19, 2006
1987/88 Aerial Photography

37-20601

14

T05S, R14E, Sec. 14

(14)

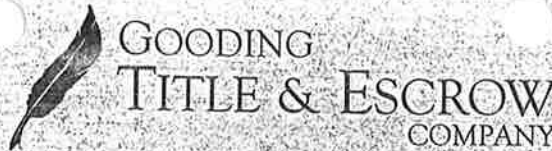
37-20601

37-20602

37-20600

37-20603

T055, R14E, Sec. 14



October 16, 2000

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

RECEIVED
OCT 17 2000
Department of Water Resources
Southern Region

RE: Water Transfer on A37-00582

Dear Sir or Madam,

Enclosed are three water transfers that originally belonged to Larry M. & Lori Capps. I had sent the transfer on Eshleman in previously but the amount of water was incorrect. Enclosed our recorded Warranty Deed transferring the proper amount of water with each piece of property.

Michael D. & Briana Holland purchased two separate pieces of property. Copies of both Warranty Deeds have been attached to the change of ownership form.

If you have any questions please do not hesitate to call me. Thank you for your assistant in this matter.

Sincerely,

Gwen A. Sherman
Escrow Officer

encl.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-20599

WATER RIGHT NUMBER: 37-20599

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JENNIE ROBERTSON
	, ID
Current Owner	LARRY M CAPPs
	1619 EAST 1400 SOUTH
	GOODING, ID 83330
	(208)934-4760

Priority Date: 04/02/1906

Basis: Decreed

Status: **Parent**

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01	to 11/01	3.035 CFS	
	<u>Total Diversion:</u>		3.035 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	L1 SW1/4NW1/4NW1/4	Sec. 7,	Twp 05S,	Rge 16E, B.M.
GOODING County				
BIG WOOD RIVER	L2 NW1/4SW1/4NW1/4	Sec. 7,	Twp 05S,	Rge 16E, B.M.
GOODING County				

Place of UseIRRIGATION Within GOODING County

T05S R14E S14	NENW	39.0	T05S R14E S14	NWNW	37.7
T05S R14E S14	SWNW	27.0	T05S R14E S14	SEnw	32.0
Total Acres: 135.7					

Conditions of Approval:Remarks:

1. Explanatory **THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-582.**
2. General **SPLIT RIGHT: SEE RIGHT NOS. 37-20601, 37-20602, AND 37-20603.**
3. General THIS RIGHT WAS CREATED AS A SPLIT FROM 37-582 WHEN CAPPs SOLD A PORTION OF THE RIGHT TO ESHLEMAN. 11/13/01 jr

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-582

WATER RIGHT NUMBER: 37-582

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JENNIE ROBERTSON
	, ID
Current Owner	LARRY M CAPPS 1619 EAST 1400 SOUTH GOODING, ID 83330 (208)934-4760

Priority Date: 04/02/1906

Basis: Decreed

Status: **Parent**

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01	to 11/01	3.200 CFS	
	<u>Total Diversion:</u>		3.200 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	L2 NW1/4SW1/4NW1/4	Sec. 7,	Twp 05S, Rge 16E, B.M.
GOODING County			
BIG WOOD RIVER	L1 SW1/4NW1/4NW1/4	Sec. 7,	
GOODING County			

Place of UseIRRIGATION Within GOODING County

T05S R14E S14	NENW	39.0	T05S R14E S14	NWNW	38.0
T05S R14E S14	SWNW	34.0	T05S R14E S14	SEnw	32.0
Total Acres: 143					

-20599
37-582 ↗
↘ -20600

Conditions of Approval:Remarks:

1. General

SPLIT RIGHT: SEE RIGHT NOS. 37-20599 AND 37-20600.

TRANSMITTAL COVER SHEET

TO: KEVIN VARRON @

736-2938

TOTAL PAGES SENT: 6
(including cover sheet)

DOCUMENT DESCRIPTION: PROFILE REPORTS OF WATER RIGHT

RECORDS 37-000582 AND 37-04104 AND SNAKE RIVER BASIN

ADJUDICATION CLAIMS A37-00582, A37-04104, AND A37-10658.

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES

1341 FILLMORE ST, STE 200

TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: _____ Please remit to the above address.

SENDER: Corey Skinner

COMMENTS: _____

T4S

T5S

400 000
FEET

82 00'



114°37'30"

340 000 FEET

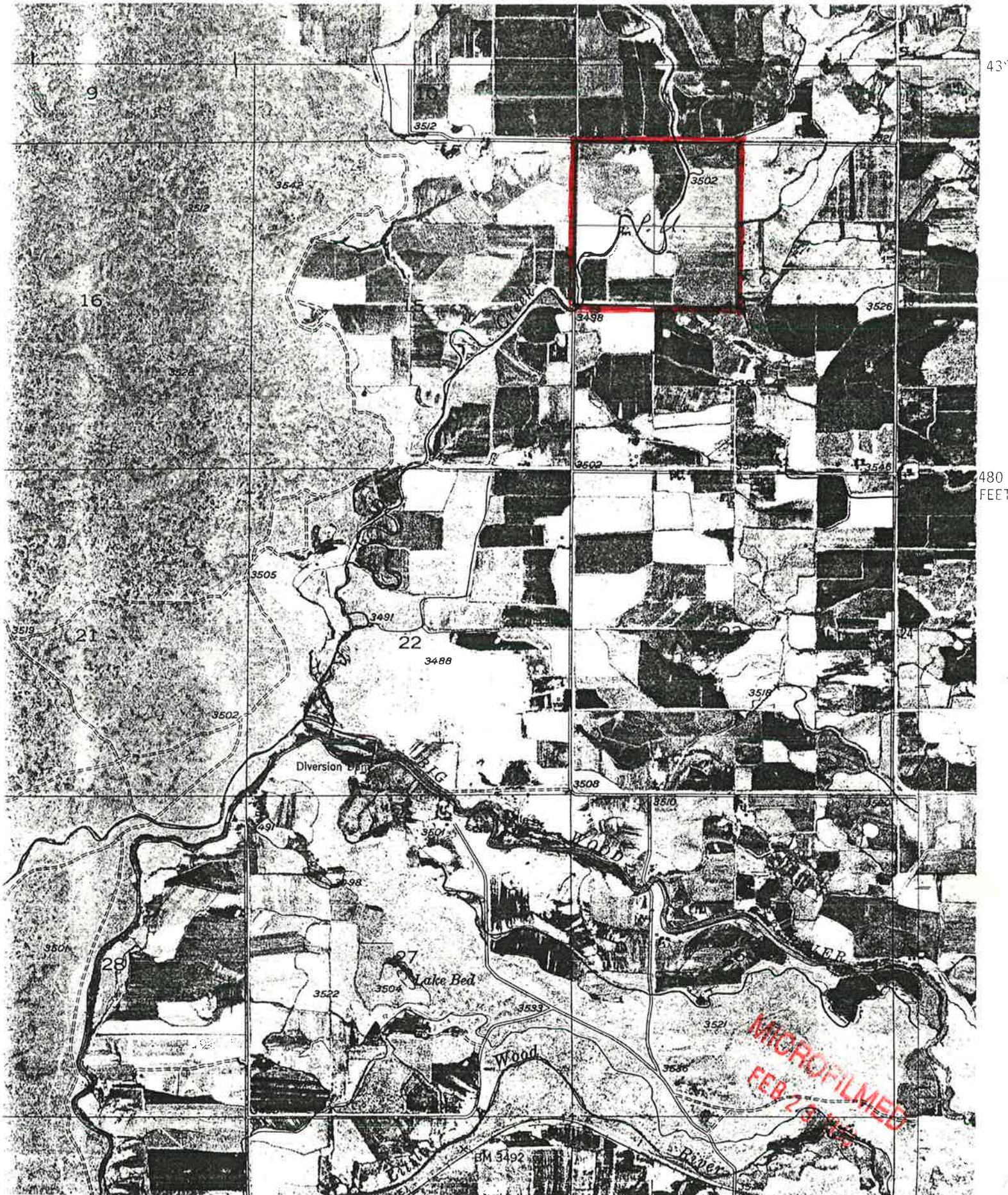
Produced by the Geological Survey

Orthophotograph prepared from 1:76,000-scale
aerial photographs taken August 4, 1974

Projection and 10,000-foot grid ticks: Idaho coordinate
system, central zone (transverse Mercator)
Massachusetts, 1974, 2nd edition, Massachusetts grid ticks

T5S R16E
A37-00582
MICROFILMED
FEB 23 1993
IRTH

114°45'





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 14, 2001

MICHAEL & BRIANA HOLLAND
1619 E 1400 S
GOODING ID 83330

RE: ADJUDICATION CLAIM - OWNERSHIP CHANGE CAPPS/HOLLAND

Dear Mr. & Mrs. Holland,

Pursuant to the notification that you purchased two portions of Claim #37-582 from Larry Capps, I have split the claim and **renumbered** your portions to **37-20601 & 37-20602**. I have enclosed copies of each for your records. Please look them over carefully and feel free to call the office if you have any questions or corrections.

Sincerely,

A handwritten signature in cursive script that reads 'Jeanie'.

Jeanie Robertson
Sr. Water Resource Agent