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SEP 02 2010

WATER 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.

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
PD 78-7183		no			

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) Darlene Capps & Gene Capps
703 Warner, Lewiston, ID 83501
4. New Owner/Claimant(s) Michael J Thornton, Gina Marie Thornton
Name Connector (Check one) ☒ and, ☐ or, ☒ and/or & Austin Thornton
- New Mailing Address 3580 Gem Avenue
- City, State and ZIP Code Emmett, ID 83617
- New Telephone Number (208) 866-5297
5. Date you acquired the property June 25, 2010

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)

M. Bailey Thornton

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 SB

Date

Fee

Received by gmk

Date

Receipt No.

Processed by AJ

Date

WR

Date

25

W 038708

9-3-10

WARRANTY DEED

COPY

For Value Received, GENE A. CAPPS and DARLENE CAPPS, husband and wife

the grantors do hereby grant, bargain, sell and convey unto
MICHAEL J. THORNTON and GINA MARIE THORNTON, husband and wife, and AUSTIN
THORNTON, a single man

the grantees, whose current address is 3580 Gem Avenue, Emmett, ID 83617

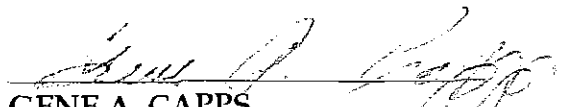
the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

TOGETHER WITH decreed Water Right No. 78-7183 and all perpetual water rights from Trail Creek,
including easements for waterlines and roadway through other property located in E1/2SW1/4 of Section 2.

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 excepting for
all easements of record, rights of way, matters visible, and all matters of record and title and that they will
warrant and defend the same from all lawful claims whatsoever.

Date: June 21, 2010

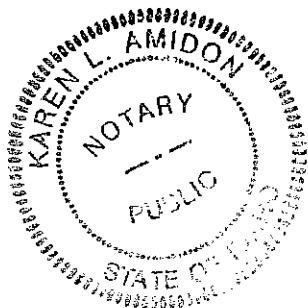

GENE A. CAPPS


DARLENE CAPPS

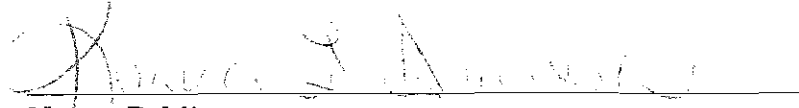
STATE OF Idaho)

COUNTY OF Adams : ss)

On this 21st day of June, in the year of 2010, before me, a Notary Public in and for said State, personally
appeared GENE A. CAPPS and DARLENE 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 they executed the same.



#10-1152


Notary Public

Residing at: Emmett, ID

Commission expires: 6-25-2011

Instrument # **120437**

COUNCIL, ADAMS, IDAHO

6-25-2010 02:30:32 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

SHERRY WARD

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 6.00

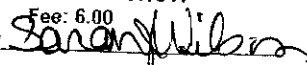


EXHIBIT 'A'

Township 21 North, Range 1 East, Boise Meridian, Adams
County, Idaho

Section 2: A tract of land situated in the E1/2SW1/4
described as follows:

Beginning at Highway Station 247.96.85;

Thence running in a Westerly direction 230 feet;

Thence in a Northerly direction 945 feet to Trail Creek;

Thence in a Northeasterly direction 374 feet, more or less,
and following Trail Creek to the West boundary line Highway
95;

Thence in a Southerly direction 1165 feet to the REAL POINT
OF BEGINNING.

EXCEPTING a parcel described as beginning at Highway 95
boundary line and South bank of Trail Creek;

Thence in a Southerly direction 80 feet along Highway 95
West boundary line;

Thence 80 feet in a Westerly direction;

Thence in a Northerly direction 80 feet to Trail Creek;

Thence in an Easterly direction along Trail Creek 80 feet to
the REAL POINT OF BEGINNING.

ALSO EXCEPTING that certain parcel deeded to the State of
Idaho, Idaho Transportation Department as Instr. No. 92413.