

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

RECEIVED  
JUL 25 2002  
WATER RESOURCES  
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
|                      | A 78-042654 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)  
Jay H. or Delora Capener  
5603 Hwy 95, New Meadows, ID 83654
4. New Owner/Claimant(s)  
Walter J. Eggert or Janet F. Eggert  
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address  
P.O. Box 234
- City, State and ZIP Code  
Riggins, ID 83549
- New Telephone Number  
(208) 628-4115
5. Date you acquired the property  
July 9, 2002

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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
|--------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Irrigation   | _____                                                                      | _____                                                        |
| Stock        | _____                                                                      | _____                                                        |
| Domestic     | _____                                                                      | _____                                                        |
| Other _____  | _____                                                                      | _____                                                        |
| <b>Total</b> | _____                                                                      | _____                                                        |

**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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
|--------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Irrigation   | _____                                                                      | _____                                                        |
| Stock        | _____                                                                      | _____                                                        |
| Domestic     | _____                                                                      | _____                                                        |
| Other _____  | _____                                                                      | _____                                                        |
| <b>Total</b> | _____                                                                      | _____                                                        |

7.

Signature of New Owner(s) or Claimant(s) \_\_\_\_\_  
(include title if applicable)

*Walter J. Eggert*  
*Walter J. Eggert*

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 DH Date 7/25/02 Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

WARRANTY DEED

For Value Received, JAY H. CAPENER and DELORA CAPENER aka DELORA T. CAPENER,  
husband and wife

the grantors, do hereby grant, bargain, sell and convey unto  
WALTER J. EGGERT and JANET F. EGGERT, husband and wife,

the grantees, whose current address is P.O. Box 234, Riggins, ID 83549

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

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

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: July 9, 2002

Instrument # 101900

COUNCIL, ADAMS, IDAHO

2002-07-10

04:05:00 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED

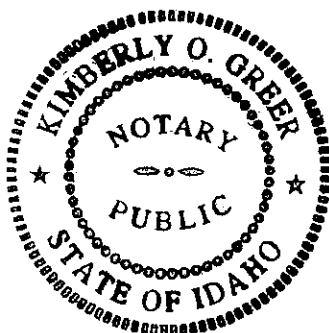
Jay H. Capener  
JAY H. CAPENER

Delora Capener AKA Delora T. Capener  
DELORA CAPENER aka DELORA T. CAPENER

STATE OF Idaho )  
COUNTY OF Adams ) : ss

On this 10<sup>th</sup> day of July in the year of 2002, before me, a Notary Public in and for said State, personally appeared  
JAY H. CAPENER and DELORA CAPENER aka DELORA T. CAPENER

known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged  
to me that they executed the same.



Kimberly O. Greer  
Notary Public  
Residing at: Council ID 83612  
Commission expires: 6/11/08

INSTRUMENT NO. 101900  
PAGE 2 OF 2

EXHIBIT 'A'

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho  
Section 16: A parcel of land in the NE1/4NE1/4 lying Westerly of the Westerly line  
of the right-of-way of U.S. Highway 95, as it existed in 1977

**EXCEPTING THEREFROM the following parcel:**

Commencing at a point on the south line of the NE1/4NE1/4 as intersected by the  
West line of U.S. Highway 95 (as established in 1953), the **REAL POINT OF  
BEGINNING;**

Thence Northeasterly along the West line of said Highway 550 feet;

Thence West and parallel to the South line of the NE1/4NE1/4 550 feet;

Thence Southeasterly and parallel to the West line of said Highway 550 feet to the  
South line of the NE1/4NE1/4;

Thence along said South line 550 feet to the **REAL POINT OF BEGINNING.**