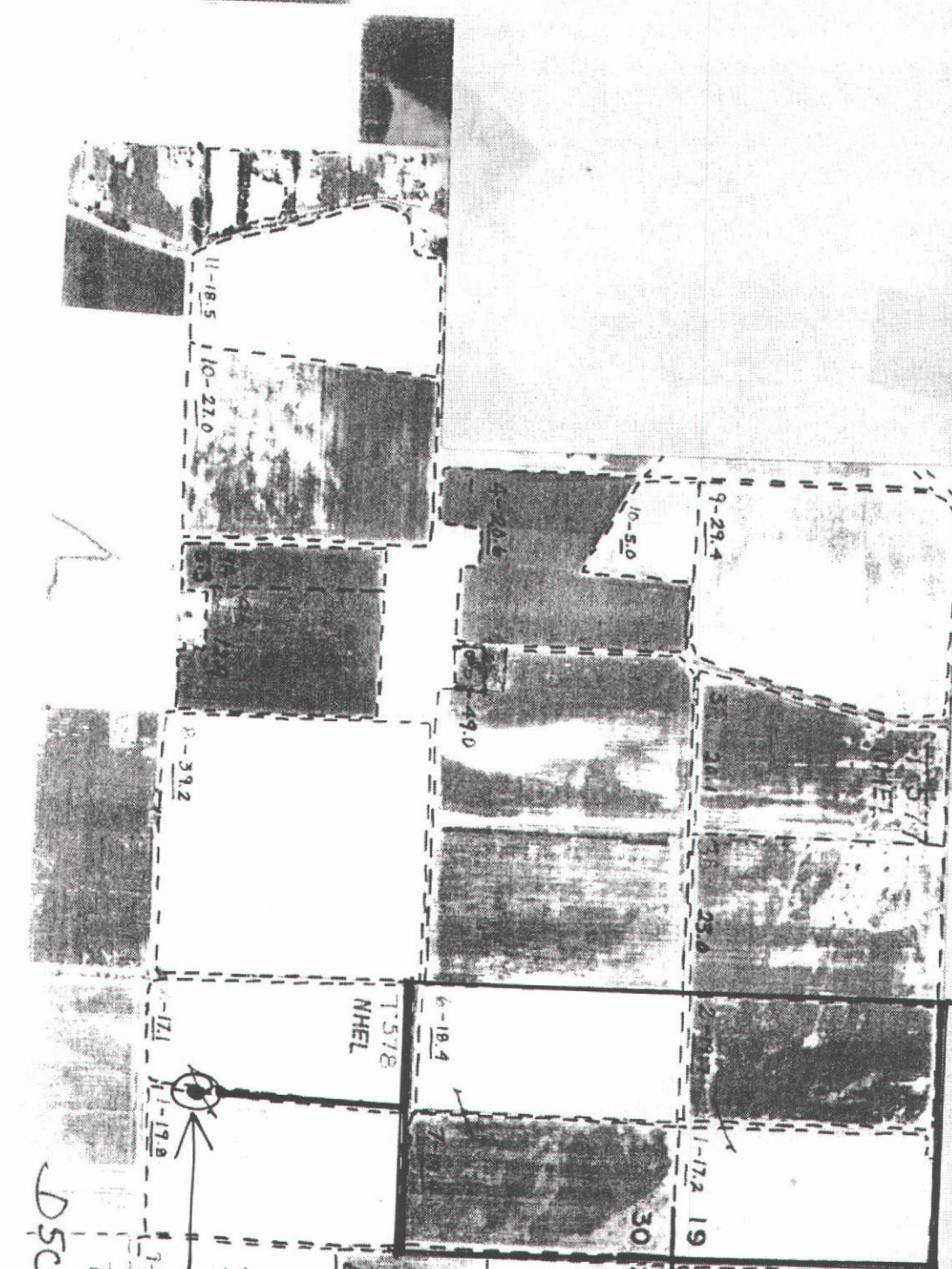




DSC

Point of
Divergence

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MAY 09 2001

Place of use

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

RECEIVED
MAR 28 2001
 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, 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
<u>A65-9385</u>	<u>39576</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>A65-4142</u>	<u>39576</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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Department of Water Resources

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25.00 received 4.6.01
- 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) are 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) MARVIN HOLM
3250 NW 2 1/2 Ave Fruitland ID 83619
4. New Owner/Claimant(s) DAVID W & STANLEY L HOLM
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address 3223 NW 3rd Ave.
- City, State and ZIP Code Fruitland IDAHO 83619
- New Telephone Number 208 452-4398
5. Date you acquired the property 4-15-92

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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)

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 J. Barron Date _____ Fee \$25.00
 Received by J. Barron Date 4/6/01 Receipt No. 0053084
 Processed by _____ AJ Date _____ WR 16+ Date 4.6.01

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CORRECTION WARRANTY DEED

For Value Received, DAVID W. HOLM, as Trustee of THE MARVIN W. HOLM AND JUNE E. HOLM FAMILY TRUST u/t/a dated September 13, 1983, the Grantor, does hereby grant, bargain, sell and convey unto DAVID W. HOLM and SHARYL L. HOLM, husband and wife, the Grantees, of 3223 NW 3rd Avenue, Fruitland, ID 83619, all those certain described premises, located in Payette County, State of Idaho, and more particularly described in EXHIBIT "A" attached hereto and incorporated herein by reference.

This deed is given and accepted as a correction and in lieu of that certain deed dated January 1, 1992, and recorded April 15, 1992, as Instrument No. 238519, in the Deed Records of Payette County, Idaho, for the purpose of correcting an error in the legal description.

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 it is the owner in fee simple of said premises; that they are free from all incumbrances excepting incumbrances, reservations, easements, encroachments, restrictions, rights-of-way and dedications appearing of record, of use, and/or existing; and that it will warrant and defend the same from all lawful claims whatsoever excepting the aforesaid incumbrances and exceptions, and any discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose.

DATED this 30 day of December, 1992.

GRANTOR:

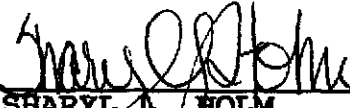


DAVID W. HOLM, Trustee

GRANTEES:



DAVID W. HOLM



SHARYL L. HOLM

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241982

STATE OF IDAHO

)
: ss.
)

County of Payette

On this, the 30th day of December, 1992,
before me, Glenn M. Lee, a Notary Public in and for
said State, personally appeared DAVID W. HOLM, as Trustee of The
Marvin W. Holm and June E. Holm Family Trust, known or identified
to me to be the person whose name is subscribed to the foregoing
instrument, and acknowledged to me that he executed the same as
said Trustee on behalf of said Trust and the subtrusts thereof.

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

Glenn M. Lee
Notary Public for said State
Residing at: Frontland
Commission expires: 12-16-93

STATE OF IDAHO

)
: ss.
)

County of Payette

On this, the 30th day of December, 1992,
before me, Glenn M. Lee, a Notary Public in and for
said State, personally appeared DAVID W. HOLM and SHARYL L. HOLM,
husband and wife, known or identified to me to be the persons
whose names are subscribed to the foregoing instrument and
acknowledged to me that they executed the same.

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

Glenn M. Lee
Notary Public for said State
Residing at: Frontland
Commission expires: 12-16-93

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MAY 09 2001

EXHIBIT "A"

In Twp. 8 N., R. 4 W., B.M., in Payette County, Idaho:

In Sec. 19: $SE\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$, and all that part of the $SE\frac{1}{4}SW\frac{1}{4}$ lying East of the drain ditch;

In Sec. 30: $NE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$;

$NE\frac{1}{4}NW\frac{1}{4}$, SAVE AND EXCEPTING that portion of the following described tract contained therein:

Beginning at a point on the North line of said Sec. 30, which point is S. $89^{\circ}36'$ E. 1229.0 feet from the NW corner of said Sec. 30;

thence N. $89^{\circ}36'$ E. along said Section line 890.55 feet;

thence S. $4^{\circ}16'$ W. 597.55 feet;

thence N. $57^{\circ}59'$ W. 622.35 feet;

thence N. $49^{\circ}32'$ W. 423 feet to the point of beginning.

AND FURTHER EXCEPTING the following parcel of land:

Commencing at the NW corner of said $NE\frac{1}{4}NW\frac{1}{4}$;

thence S. $0^{\circ}14'10''$ W. along the Westerly boundary of said $NE\frac{1}{4}NW\frac{1}{4}$ 315.73 feet to the TRUE POINT OF BEGINNING;

thence S. $48^{\circ}36'50''$ E. 46.48 feet;

thence S. $0^{\circ}14'10''$ W. parallel to the Westerly boundary of said $NE\frac{1}{4}NW\frac{1}{4}$ 979.66 feet;

thence N. $89^{\circ}17'30''$ W. 35.00 feet;

thence N. $0^{\circ}14'10''$ E. along the Westerly boundary of said $NE\frac{1}{4}NW\frac{1}{4}$ 1009.96 feet to the true point of beginning.

$SW\frac{1}{4}NE\frac{1}{4}$;

$SE\frac{1}{4}NW\frac{1}{4}$, SAVE AND EXCEPTING the South 46.2 feet thereof;

AND FURTHER EXCEPTING the South 175 feet of the West 250 feet of the East 570 feet thereof.

GOVERNMENT LOT 2, SAVE AND EXCEPTING THEREFROM the South 46.2 feet thereof, and ALSO EXCEPTING the following tract:

Beginning on the West side line of said

MICROFILMED Government Lot 2 at a point 46.2 feet North of the SW corner of said Lot 2;

MAY 10 2004 thence North following said West side line to the NW corner of said Lot 2;

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thence East following the North side line of said Lot 2 to a point 197 feet East of the center line of a certain slough or swale (said point being approximately 494 feet East of the NW corner of said Lot 2);
thence South 210 feet;
thence West to the center line of said slough or swale;
thence Southeasterly following said center line of said slough or swale to a point 46.2 feet North of the South side line of said Lot 2 and 618.75 feet East of the West side line of said Lot 2;
thence West in a straight line to the point of beginning.

Together with all water and water rights, ditches and ditch rights, tenements and hereditaments, appurtenances and fixtures, easements, rights, privileges, permits and licenses thereunto belonging, in anywise appertaining or used in connection therewith, and the reversions, remainders, rents, issues and profits thereof.

SUBJECT TO:

- (1) That certain Deed of Trust, Recorded July 30, 1979, as Instrument No. 180071, Mortgage Records, Payette County, Idaho, in the original amount of \$59,000.00
- (2) That certain Mortgage, Recorded February 5, 1981, as Instrument No. 187716, Mortgage Records, Payette County, Idaho, in the original amount of \$188,000.00
- (3) That certain Mortgage, Recorded December 17, 1981, as Instrument No. 191997, Mortgage Records, Payette County, Idaho, in the original amount of \$22,000.00

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State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of Glenn M. Lee, Attorney

Dec. 31, 1992 @ 3:34 P, M, in Book 48 of Deeds at page 241982.

Laura L. Stigile, Ex-Officio Recorder by Leella Sepple; Deputy

Fee: \$12.00

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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 SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-04142

NAME AND ADDRESS: MARVIN W HOLM
3250 NW 2 1/2 AVENUE
FRUITLAND, ID 83619

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
1.20 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1940

POINT OF DIVERSION: T08N R04W S19 SESE Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
			1.20 AFY

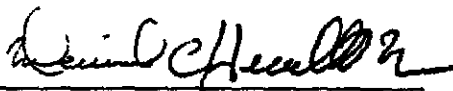
PLACE OF USE: Domestic Within Payette County
T08N R04W S19 SESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

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MAY 03 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 9, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID W HOLM
SHARYL L HOLM
3223 NW 3RD AVE
FRUITLAND ID 83619

RE: Change of Ownership for Water Right 65-4142

Dear Water Right Holder(s).

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is your receipt for the \$25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department

Please feel free to contact this office if you have any questions regarding this matter

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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MAY 09 2001