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JUL 11 1983

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that GEORGE L. MOODY, JR.

(Name of Claimant)

Route #1 GOODING, IDAHO

83330

Telephone No. 886-7509

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1910

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Runoff, waste and decreed water tributary to Thorne Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>10.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov 1</u>		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		

- (4) 10.0 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ SE ¼, Sec. 25 Twp. 4S Rge. 15 E B.M., County of Gooding

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Low rock diversion dam which diverts waste water, runoff water

and decreed canal water into Thorne Creek.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	15E	25															40	40	80
4S	15E	36	40	40	35	35	40			30									220
4S	16E	31						40	35	15	20								110

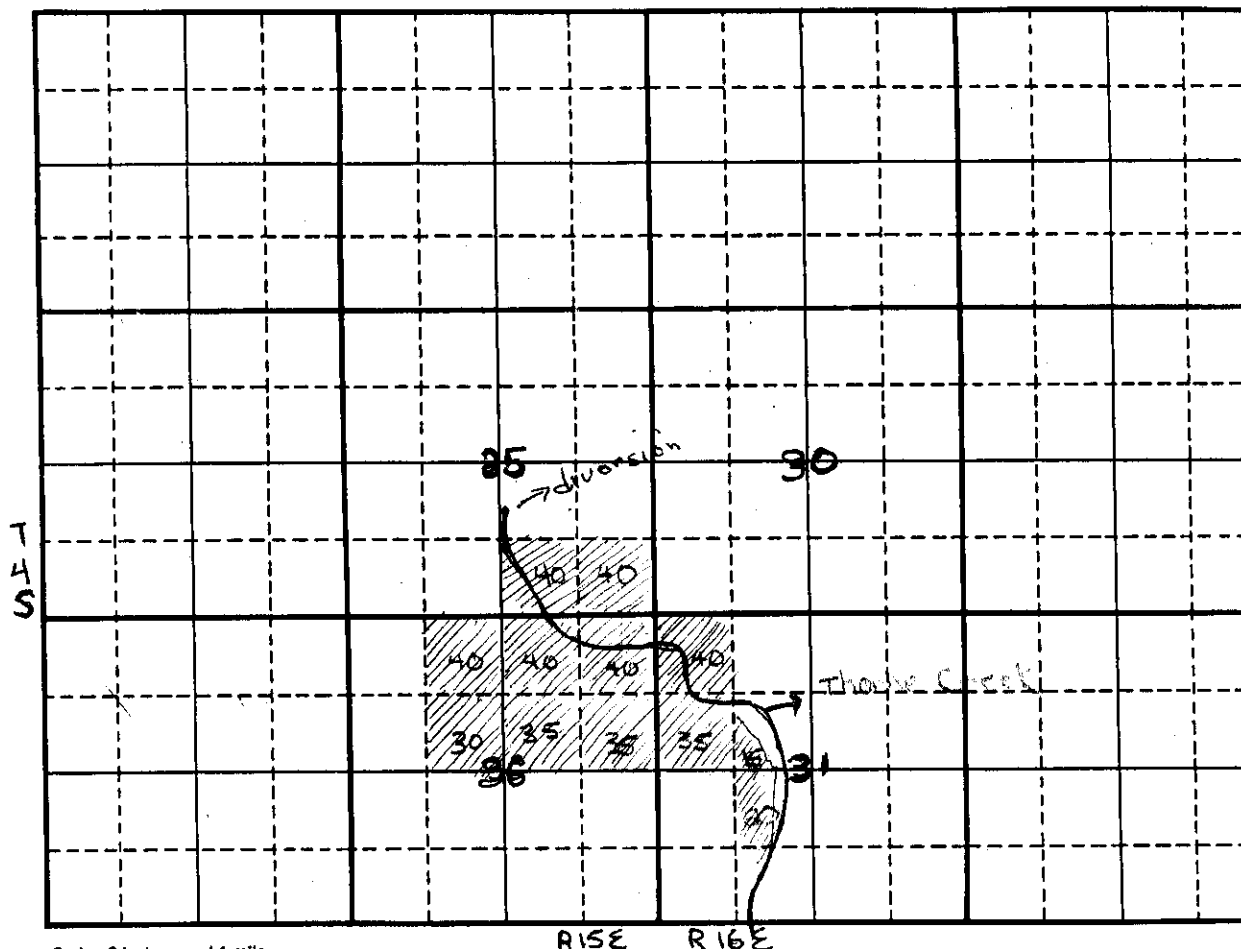
No. of acres 410

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Idaho) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 26th day of June, 1983.

George Z. Moody Jr.
(Claimant)

James L. Shaw
Notary Public
Residing at Gooding Idaho

My commission expires Life Appointment

Received by SPR Date 7/1/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SPR Date 7/12/83
\$20.00 fee received by man Date 2-12-85 # 29188
Published in Gooding Co. Leader
Dates 12/1 + 12/27/83

FOR DEPARTMENT USE ONLY

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: **A37-04386**

Date Received: 9/14/1989

Receipt No: N003328

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: PAUL T WALTON 1990 REVOCABLE TRUST 307-773-3828
Address: STAR RT BOX 325
JACKSON, WY 83001

2. Date of Priority: APR 1, 1910

3. Source: WASTE WATER Trib. to: THORNE CREEK
THORN CREEK BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	15E	25		NW	SE		GOODING

5. Description of diverting works:
DIVERSION DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	10.000		

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

8. Total consumptive use is 1230.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	15E	25	SW	SE		IRR	40.0
			SE	SE		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
		36	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	35.0
			SE	NE	IRR	35.0
			NE	NW	IRR	40.0
			SE	NW	IRR	30.0
					Section Acres	220.0
	16E	31	NW	NW	IRR	40.0
			SW	NW	IRR	35.0
			SE	NW	IRR	15.0
			NE	SW	IRR	20.0
					Section Acres	110.0
					Total Acres	410.0

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:

14. Remarks:

SOURCE DETERMINED FROM USGS MAP.

15. Basis of Claim: STATUTORY CLAIM



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 11/27/90

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ SEE ATTACHED
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. LEGAL DESCRIPTION
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
 Assigned by IDWR: 37-4383, 37-4384, 37-4385, 37-4386, 37-4099

☐ Name and Address of Former Owner/Claimant(s)(Seller): Paul T. Walton and Helen B. Walton
175 So. Main St., #1102
Salt Lake City, UT 84111

☐ New Owner/Claimant (Purchaser): Paul T. Walton 1990 Revocable Trust

☐ New Mailing Address: Star Route Box 325
Jackson, WY 83001

☐ New Telephone Number: (307) 773 - 3828

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes XX no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deeds evidencing transfer to Paul T. Walton & Helen B. Walton; Warranty Deed evidencing transfer to Paul T. Walton Revocable Trust

proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Paul T. Walton Date 1/2/91
Helen B. Walton Date 1/2/91

☐ Signature of Former Owner/Claimant(s): _____ Date _____
 _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 02-24-1991 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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 JUL 10 1991

Department of Water Resources
 Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

WARRANTY DEED

FOR VALUE RECEIVED, PAUL T. WALTON and HELEN B. WALTON, husband and wife, ("Grantors"), do hereby grant, bargain, sell and convey unto Paul T. Walton as Trustee under the Paul T. Walton 1990 Revocable Trust Agreement dated Nov. 19, 1990, whose address is Star Route, Box 325, Jackson, WY 83001 ("Grantee"), the real property located in Gooding County, Idaho, and described on Exhibits "A" and "B" hereto and incorporated herein by this reference, hereinafter referred to as the "premises".

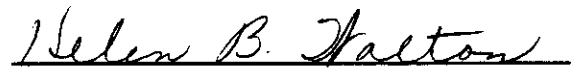
TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee, it heirs, successors and assigns forever.

And the Grantors do hereby covenant to and with the Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except those shown on Exhibit "C" attached hereto and incorporated herein, and that they will warrant and defend the same from all other lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantors have executed this Deed effective as of the 27 day of November, 1990.

"Grantors"


Paul T. Walton


Helen B. Walton

145058

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of Land Title & Escrow Inc

35 min. past 9 o'clock A M. this 3

of Jan, 1991.

JOHN A. MYERS, Recorder *ju 21.00*

By Alvita Sides Deputy

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JUL 10 1991

Department of Water Resources

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EXHIBIT "A"

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: S½SE½;

Section 36: NE½; E½NW½;

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: Lot 3;

Section 31: Lot 3 and that part of the NE½SW½ lying West of
Thorn Creek.

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

A parcel of land located in Sections 30 and 31, more particu-
larly described as follows:

Commencing at the West quarter corner of Section 31 and being
THE TRUE POINT OF BEGINNING;

Thence North 0°03'51" West along the West boundary of Section
31 for a distance of 2638.23 feet to the Northwest corner
of Section 31;

Thence North 0°11'51" West along the West boundary of Section
30 for a distance of 1317.80 feet to the Northwest corner
of the SW½SW½ of Section 30;

Thence South 89°58'28" East along the North boundary of the
S½SW½ of Section 30 for a distance of 2564.64 feet to the
center of Preacher Creek;

Thence along the center of Preacher Creek on the following
courses:

South 29°31'14" West, 53.02 feet;
South 42°35'33" West, 75.06 feet;
South 36°04'40" West, 129.01 feet;
South 26°55'26" East, 84.12 feet;
South 25°15'58" West, 66.62 feet;
South 15°06'01" East, 136.13 feet;
South 2°32'04" East, 79.51 feet;
South 25°14'16" West, 130.95 feet;
South 3°48'48" West, 148.10 feet;
South 36°19'28" West, 29.68 feet;
South 8°57'11" West, 136.38 feet;
South 21°18'00" East, 118.28 feet;
South 59°22'56" West, 211.41 feet;
South 15°54'25" East, 168.03 feet;
South 37°32'13" East, 265.16 feet;
South 54°20'46" East, 71.47 feet;
South 32°33'05" East, 231.75 feet;
South 0°59'11" West, 86.50 feet;
South 23°17'30" West, 123.41 feet;
South 28°34'58" East, 52.36 feet;
South 66°20'07" East, 110.19 feet;
South 85°11'50" East, 94.16 feet;
North 79°05'35" East, 150.27 feet;
South 59°52'59" East, 49.79 feet;
South 31°24'39" East, 27.66 feet;
South 66°14'04" East, 34.46 feet;
North 80°02'54" East, 81.70 feet;
South 51°22'45" East, 60.87 feet;
South 9°39'12" West, 36.14 feet;

Information FILED
FEB 24 1993

South 57°35'41" West, 139.46 feet;
 South 12°59'07" West, 106.48 feet;
 South 41°21'08" East, 74.18 feet;
 South 89°40'27" East, 127.67 feet;
 South 38°41'36" East, 67.95 feet;
 North 84°13'46" East, 40.50 feet;
 South 38°43'05" East, 24.13 feet;
 South 4°47'47" West, 37.19 feet;
 South 32°53'08" East, 78.56 feet;
 South 30°57'47" West, 93.20 feet;
 South 45°51'59" West, 55.04 feet;
 South 61°40'56" West, 45.57 feet;
 North 81°11'18" West, 130.10 feet;
 South 77°27'26" West, 56.87 feet;
 South 37°10'43" West, 121.42 feet;
 South 17°01'36" West, 68.89 feet;
 South 8°08'56" West, 70.28 feet;
 South 31°55'44" West, 39.52 feet;
 South 1°27'47" East, 72.37 feet;
 South 35°52'58" West, 22.70 feet;
 South 1°49'02" East, 57.96 feet;
 South 16°03'53" West, 38.77 feet;
 North 70°46'32" West, 24.10 feet;
 South 52°35'08" West, 70.09 feet;
 South 88°20'20" West, 71.75 feet;
 South 62°01'58" West, 55.35 feet;
 South 48°32'14" West, 31.94 feet;
 South 3°31'48" West, 194.91 feet;
 South 73°59'48" West, 49.24 feet;
 South 88°50'28" West, 52.37 feet;
 North 66°52'25" West, 48.89 feet;
 North 80°09'31" West, 66.56 feet;
 South 64°46'29" West, 24.43 feet;
 North 87°40'00" West, 23.41 feet;
 South 51°15'19" West, 25.79 feet;
 South 5°40'17" West, 45.57 feet to the junction of
 Preacher Creek and Thorn Creek;

Thence along the center of Thorn Creek on the following courses:

South 11°39'10" West, 65.79 feet;
 South 57°51'16" West, 37.67 feet;
 North 63°32'31" West, 38.11 feet;
 South 80°44'42" West, 22.04 feet;
 South 12°01'52" West, 53.55 feet;
 South 3°19'05" West, 70.74 feet;
 South 6°59'19" East, 80.14 feet;
 South 14°02'21" West, 68.86 feet;
 South 8°10'05" West, 97.04 feet to a point on the South
 boundary of the NW¼ of Section 31;

Thence leaving the center of Thorn Creek North 89°52'39" West along the South boundary of the NW¼ of Section 31 for a distance of 2188.61 feet to the West quarter corner of Section 31 and being THE TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county road right of way along the Southerly boundary of the above described parcel.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to 608 shares of Stock in Big Wood Canal Company, 450 acres of water rights to Thorn Creek under Claim Nos. 37-4383 and 37-4386, and 100 acres of water rights to Preacher Creek under Claim No. 37-4384, and water rights for domestic and stockwater use under Claim No. 37-4385.

TOGETHER WITH any and all grazing rights, including BLM grazing privileges for 761 AUMs.

RECORDED
 FEB 24 1993

EXHIBIT B
TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

That part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30 and the E $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ NEX,
and SE $\frac{1}{4}$ NEX of Section 31, lying Easterly of the following
described line:

Beginning at a point South 89°58'28" East, 2564.64 feet from
the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, said
point being in the center of Preacher Creek;

Thence along the center of Preacher Creek on the following
courses:

South 29°31'14" West, 53.02 feet;
South 42°35'33" West, 75.06 feet;
South 36°04'40" West, 129.01 feet;
South 26°55'26" East, 84.12 feet;
South 25°15'58" West, 66.62 feet;
South 15°06'01" East, 136.13 feet;
South 2°32'04" East, 79.51 feet;
South 25°14'16" West, 130.95 feet;
South 3°48'48" West, 148.10 feet;
South 36°19'28" West, 29.68 feet;
South 8°57'11" West, 136.38 feet;
South 21°18'00" East, 118.28 feet;
South 59°22'56" West, 211.41 feet;
South 15°54'25" East, 168.03 feet;
South 37°32'13" East, 265.16 feet;
South 54°20'46" East, 71.47 feet;
South 32°33'05" East, 231.75 feet;
South 0°59'11" West, 86.50 feet;
South 23°17'30" West, 123.41 feet;
South 28°34'58" East, 52.36 feet;
South 66°20'07" East, 110.19 feet;
South 85°11'50" East, 94.16 feet;
North 79°05'35" East, 150.27 feet;
South 59°52'59" East, 49.79 feet;
South 31°24'39" East, 27.66 feet;
South 56°14'04" East, 34.46 feet;
North 80°02'54" East, 81.70 feet;
South 51°22'45" East, 60.87 feet;
South 9°39'12" West, 36.14 feet;
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South 38°41'36" East, 67.95 feet;
North 84°13'46" East, 40.50 feet;
South 38°43'05" East, 24.13 feet;
South 4°47'47" West, 37.19 feet;
South 32°53'08" East, 78.56 feet;
South 30°57'47" West, 93.20 feet;
South 45°51'59" West, 55.04 feet;
South 61°40'56" West, 45.57 feet;
North 81°11'18" West, 130.10 feet;
South 77°27'26" West, 56.87 feet;
South 37°10'43" West, 121.42 feet;
South 17°01'36" West, 68.89 feet;
South 8°08'56" West, 70.28 feet;
South 31°55'44" West, 39.52 feet;
South 1°27'47" East, 72.37 feet;
South 35°52'58" West, 22.70 feet;
South 1°49'02" East, 57.96 feet;
South 16°03'53" West, 38.77 feet;
North 70°46'32" West, 24.10 feet;
South 52°35'08" West, 70.09 feet;
South 88°20'20" West, 71.75 feet;

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FEB 24 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 2, 1991

Michael C. Creamer
Givens, Pursley, Webb
& Huntley
P.O. Box 2720
Boise, ID 83701

RE: Snake River Basin Adjudication (SRBA)
Blaine County - Claims A67-04383, A37-04384,
A37-04385, A37-04386 & A37-04099
Paul T. Walton 1990 Revocable Trust

Dear Mr. Creamer:

Notice of the change in ownership of the above-referenced water rights has been received. The Claim to Water Rights records of the Department have been changed to reflect such notice.

Claims prepared from the Agency's computer are enclosed for your review and records. I have also enclosed your copies of the Change in Ownership form you submitted. If you find the address is incorrect, please contact us.

Yours truly,

A handwritten signature in cursive script that reads "John D. Carlson".

John D. Carlson
Adjudication Supervisor

JDC:sf:south

Enclosures:

Claims A67-04383, A37-04384,
A37-04385, A37-04386 & A37-04099
(2) Copies Change in Ownership Form

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LAW OFFICES
GIVENS, PURSLEY, WEBB & HUNTLEY

REBECCA W. ARNOLD
CHRISTOPHER J. BEESON
JOANN C. BUTLER†
MICHAEL C. CREAMER
JEFFREY C. FEREDAY
ALAN R. GARDNER
RAYMOND D. GIVENS
JAMES D. HANSEN
JUDITH K. HOLCOMBE
ROBERT C. HUNTLEY, JR.
DAVID R. LOMBARDI
KENNETH R. MCCLURE
L. EDWARD MILLER
PATRICK J. MILLER
TERRY L. MYERS
STEVEN L. OLSEN
KENNETH L. PURSLEY
MICHAEL T. SPINK
CONLEY WARD
JAY L. WEBB

† ADMITTED ONLY IN ILLINOIS

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

JAMES A. MCCLURE
OF COUNSEL

TELEPHONE
(208) 342-6571

FACSIMILE
(208) 343-9492
(208) 342-8920

June 7, 1991

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

RE: Change in Ownership of Water Rights 37-4383, 37-4384, 37-4385, 37-4386, 37-4099

Dear Sir or Madam:

Enclosed please find a "new" executed change in ownership of claim form and copies of deeds showing the transfer of the appurtenant lands. Please record these changes in your files. If you have any questions, please call immediately.

Sincerely,



Michael C. Creamer

MCC/mcc
Enclosure

cc: Paul T. Walton

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JUL 10 1991

Department of Water Resources

FEB 24 1993

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: A37-04386
Date Received: 9/14/1989
Receipt No: N003328
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL T. WALTON 801-364-4333
Address: 175 SOUTH MAIN STREET
SALT LAKE CITY, UT 84111

Name: HELEN B. WALTON 801-364-4333
Address: 175 SOUTH MAIN STREET
SALT LAKE CITY, UT 84111

2. Date of Priority: APR 01, 1910

3. Source: WASTE WATER Trib. to: THORNE CREEK
THORN CREEK BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	15E	25	NW	SE			GOODING

5. Description of diverting works:
DIVERSION DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	10.000		

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

8. Total consumptive use is 1230.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-04386

Page 1

Date: 01/23/90

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
04S	15E	25	SW	SE		IRR	40.0	
			SE	SE		IRR	40.0	
		Section Acres						80.0
		36	NE	NE		IRR	40.0	
			NW	NE		IRR	40.0	
			SW	NE		IRR	35.0	
			SE	NE		IRR	35.0	
			NE	NW		IRR	40.0	
			SE	NW		IRR	30.0	
		Section Acres						220.0
	16E	31	NW	NW		IRR	40.0	
			SW	NW		IRR	35.0	
			SE	NW		IRR	15.0	
			NE	SW		IRR	20.0	
Section Acres						110.0		
Total Acres						410.0		

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:

14. Remarks:

SOURCE DETERMINED FROM USGS MAP.

15. Basis of Claim: STATUTORY CLAIM

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FEB 24 1993

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

RECEIVED

SEP 20 1989

Ident. Number: A37-04386
Date Received: 6/20/1989
Receipt No: N003328
Received By: 22

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FARM CREDIT BANK OF SPOKANE 208-733-2577
Address: BOX 288
TWIN FALLS, ID 83301

2. Date of Priority: APR 01, 1910

3. Source: WASTE WATER Trib. to: THORNE CREEK
THORN CREEK BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	15E	25	NW	SE			GOODING

5. Description of diverting works:
DIVERSION DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	10.000		

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

8. Total consumptive use is 1230.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	15E	25	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	80.0

A37-04386

Page 1

Date: 6/20/89

MICROFILMED
FEB 24 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04S	15E	36	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	35.0
			SE		NE		IRR	35.0
			NE		NW		IRR	40.0
			SE		NW		IRR	30.0
							Section Acres	220.0
04S	16E	31	NW		NW		IRR	40.0
			SW		NW		IRR	35.0
			SE		NW		IRR	15.0
			NE		SW		IRR	20.0
							Section Acres	110.0
							Total Acres	410.0

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:

14. Remarks:

SOURCE DETERMINED FROM USGS MAP.

15. Basis of Claim: STATUTORY CLAIM

16. Signatures(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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments: 1

For Organizations

I do solemnly swear or affirm that I am the Senior Engineer-Appraiser of Farm Credit Bank of Spokane, that I have signed the foregoing document in the space below as Senior Engineer-Appraiser of Farm Credit Bank of Spokane and that the statements contained in the foregoing document are true and correct.

Herbert J. Sanders
(Signature of authorized Agent)

Senior Engineer-Appraiser
Farm Credit Bank of Spokane
(Title and Organization)

9/13/89
(Date)

State of Washington)
County of Spokane) ss.

Subscribed and sworn (or affirmed) before me this 13th day of September, 1989

Joan E. Haynes
Notary Public

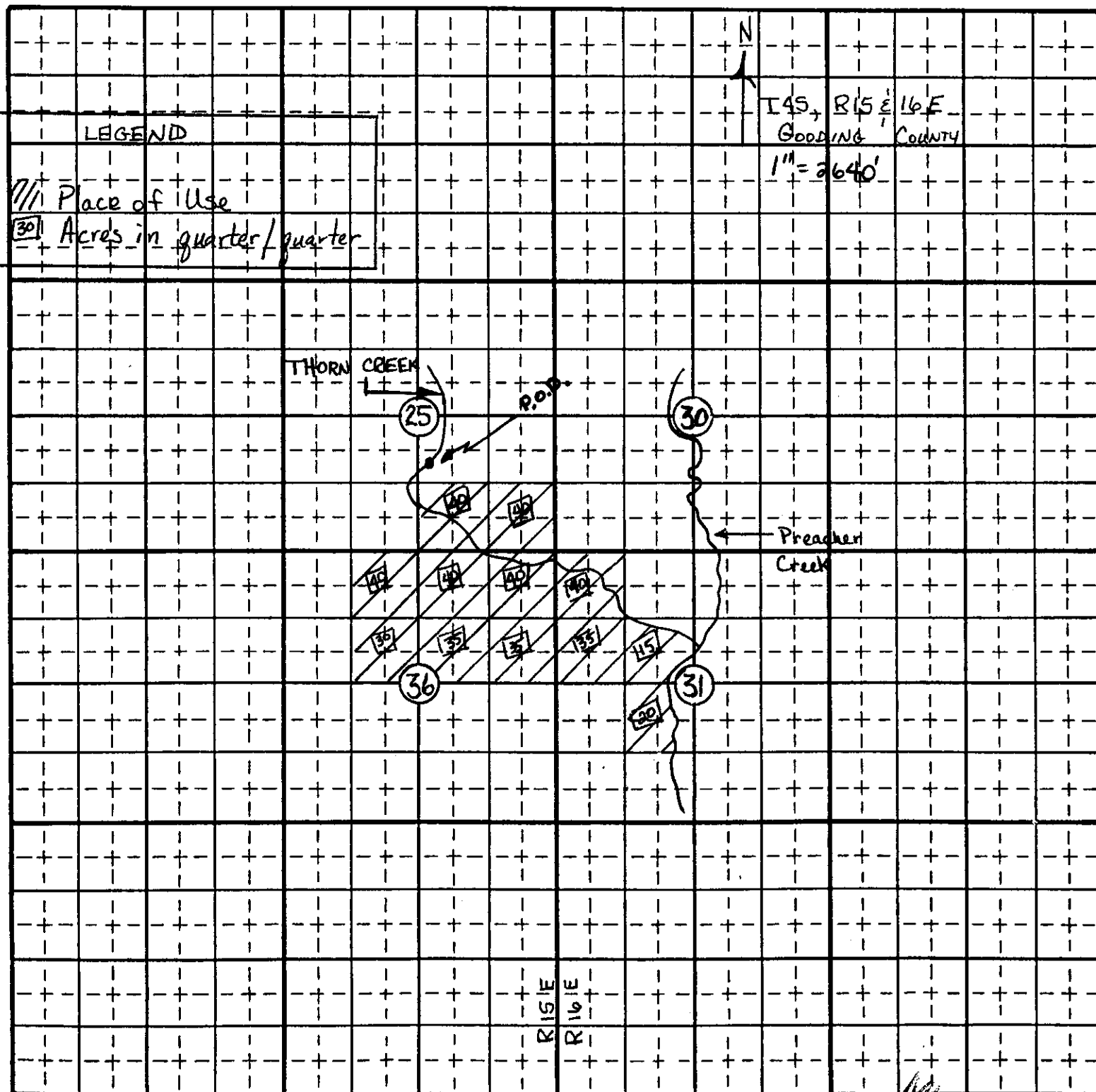
Residing at Spokane
My Commission Expires: 6/18/93

SEAL

MICROFILMED
FEB 24 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Farm Credit Bank
of Spokane

Ident No. A37-04386

Copies: White-State, Yellow-Claimant

MICROFILMED
FEB 24 1993

CHANGE IN OWNERSHIP

JAN 24 1993

- [] Water Right Number(s): 37-4384 37- 4386
- [] Name and Address of Former Claimant: George L. and Dorothy E. Moody/ Farm Credit Bank of Spokane
Route 1, Gooding ID 83338 Box 288, Twin Falls 83301
- [] New Claimant(s): Paul T. and Helen B. Walton
175 South Main Street
- [] New Mailing Address: Salt Lake City UT 84111

New Telephone Number: (801) 364 - 4333

- [] Does the change in ownership result in a splitting of the water right claimed? yes x no

If yes, then describe the portion of the water right that is now claimed by the new owner:

- [] Attach proof of ownership
Describe proof attached:

Warranty Deed

- [] Signature of New Claimant(s):

Paul T. Walton
Helen B. Walton

Date:

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

No Action taken

Claims A37-04384 & A37-04386
Filed by Farm Credit - No
Claim of Lt. 37-04383,

REPROFILMED
FEB 24 1993

WARRANTY DEED

COPY

For Value Received FARM CREDIT BANK OF SPOKANE, a corporation, successor by merger to THE FEDERAL LAND BANK OF SPOKANE, a corporation

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

PAUL T. WALTON and HELEN B. WALTON, husband and wife
whose address is: 175 South Main Street # 1102,
Salt Lake City, Utah 84111

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"
and by this reference made a part hereof.
(containing three pages)

RECEIVED

JAN 29 1990

Register of Deeds
Gooding County, Idaho

STATE OF IDAHO
COUNTY OF GOODING, SS
RECORDED AT REQUEST
Land Title & Escrow, Inc.
89 DEC 29 PM 1 32
JAN A. PETERS, REC.
DER. No. FEE 12.00

139234

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 29, 1989

FARM CREDIT BANK OF SPOKANE,
a corporation, successor by merger to
THE FEDERAL LAND BANK OF SPOKANE
a corporation

John Schnoor,

Regional Manager - Special Credits

STATE OF IDAHO, COUNTY OF

STATE OF IDAHO, COUNTY OF GOODING

On this day of , 19 ,
before me, a notary public in and for said State, personally appeared

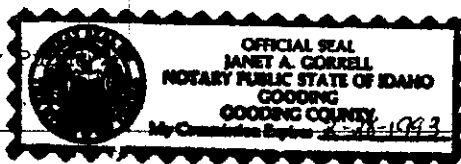
On this 29th day of December, 1989, before me, a notary public in and for said State, personally appeared John Schnoor, known to me to be the Regional Manager-Special Credits of Farm Credit Bank of Spokane, a corporation, successor by merger to the Federal Land Bank of Spokane, a corporation who executed the foregoing instrument and acknowledged to me that such corporation executed the same.

known to me to be the person whose name
subscribed to the within instrument, and acknowledged
to me that executed the same.

Janet A. Garrell
Notary Public

Notary

Residing at



JAN 10 1980

EXHIBIT "A"

TOWNSHIP 4 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: S½SE½;

Section 36: NE½; E½NW½;

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: Lot 3;

Section 31: Lot 3 and that part of the NE½SW½ lying West of
Thorn Creek.

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

A parcel of land located in Sections 30 and 31, more particu-
larly described as follows:

Commencing at the West quarter corner of Section 31 and being
THE TRUE POINT OF BEGINNING;

Thence North 0°03'51" West along the West boundary of Section
31 for a distance of 2638.23 feet to the Northwest corner
of Section 31;

Thence North 0°11'51" West along the West boundary of Section
30 for a distance of 1317.80 feet to the Northwest corner
of the SW½SW½ of Section 30;

Thence South 89°58'28" East along the North boundary of the
S½SW½ of Section 30 for a distance of 2564.64 feet to the
center of Preacher Creek;

Thence along the center of Preacher Creek on the following
courses:

South 29°31'14" West, 53.02 feet;
South 42°35'33" West, 75.06 feet;
South 36°04'40" West, 129.01 feet;
South 26°55'26" East, 84.12 feet;
South 25°15'58" West, 66.62 feet;
South 15°06'01" East, 136.13 feet;
South 2°32'04" East, 79.51 feet;
South 25°14'16" West, 130.95 feet;
South 3°48'48" West, 148.10 feet;
South 36°19'28" West, 29.68 feet;
South 8°57'11" West, 136.38 feet;
South 21°18'00" East, 118.28 feet;
South 59°22'56" West, 211.41 feet;
South 15°54'25" East, 168.03 feet;
South 37°32'13" East, 265.16 feet;
South 54°20'46" East, 71.47 feet;
South 32°33'05" East, 231.75 feet;
South 0°59'11" West, 86.50 feet;
South 23°17'30" West, 123.41 feet;
South 28°34'58" East, 52.36 feet;
South 66°20'07" East, 110.19 feet;
South 85°11'50" East, 94.16 feet;
North 79°05'35" East, 150.27 feet;
South 59°52'59" East, 49.79 feet;
South 31°24'39" East, 27.66 feet;
South 56°14'04" East, 34.46 feet;
North 80°02'54" East, 81.70 feet;
South 51°22'45" East, 60.87 feet;
South 9°39'12" West, 36.14 feet;

South 57°35'41" West, 139.46 feet;
South 12°59'07" West, 106.48 feet;
South 41°21'08" East, 74.18 feet;
South 89°40'27" East, 127.67 feet;
South 38°41'36" East, 67.95 feet;
North 84°13'46" East, 40.50 feet;
South 38°43'05" East, 24.13 feet;
South 4°47'47" West, 37.19 feet;
South 32°53'08" East, 78.56 feet;
South 30°57'47" West, 93.20 feet;
South 45°51'59" West, 55.04 feet;
South 61°40'56" West, 45.57 feet;
North 81°11'18" West, 130.10 feet;
South 77°27'26" West, 56.87 feet;
South 37°10'43" West, 121.42 feet;
South 17°01'36" West, 68.89 feet;
South 8°08'56" West, 70.28 feet;
South 31°55'44" West, 39.52 feet;
South 1°27'47" East, 72.37 feet;
South 35°52'58" West, 22.70 feet;
South 1°49'02" East, 57.96 feet;
South 16°03'53" West, 38.77 feet;
North 70°46'32" West, 24.10 feet;
South 52°35'08" West, 70.09 feet;
South 88°20'20" West, 71.75 feet;
South 62°01'58" West, 55.35 feet;
South 48°32'14" West, 31.94 feet;
South 3°31'48" West, 194.91 feet;
South 73°59'48" West, 49.24 feet;
South 88°50'28" West, 52.37 feet;
North 66°52'25" West, 48.89 feet;
North 80°09'31" West, 66.56 feet;
South 64°46'29" West, 24.43 feet;
North 87°40'00" West, 23.41 feet;
South 51°15'19" West, 25.79 feet;
South 5°40'17" West, 45.57 feet to the junction of

Preacher Creek and Thorn Creek;

Thence along the center of Thorn Creek on the following
courses:

South 11°39'10" West, 65.79 feet;
South 57°51'16" West, 37.67 feet;
North 63°32'31" West, 38.11 feet;
South 80°44'42" West, 22.04 feet;
South 12°01'52" West, 53.55 feet;
South 3°19'05" West, 70.74 feet;
South 6°59'19" East, 80.14 feet;
South 14°02'21" West, 68.86 feet;
South 8°10'05" West, 97.04 feet to a point on the South

boundary of the NW¼ of Section 31;

Thence leaving the center of Thorn Creek North 89°52'39" West
along the South boundary of the NW¼ of Section 31 for a
distance of 2188.61 feet to the West quarter corner of
Section 31 and being THE TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county road right of way along
the Southerly boundary of the above described parcel.

TOGETHER WITH all water and water rights, ditches and ditch
rights used thereon or appurtenant thereto, including but not
limited to 608 shares of Stock in Big Wood Canal Company, 450
acres of water rights to Thorn Creek under Claim Nos. 37-4383
and 37-4386, and 100 acres of water rights to Preacher Creek
under Claim No. 37-4384 and water rights for domestic and
stockwater use under Claim No. 37-4385.

TOGETHER WITH any and all grazing rights, including BLM
grazing privileges for 761 AUMs.

SUBJECT TO THE FOLLOWING:

Taxes subsequent to the year 1989, a lien, but not yet due and

payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Rights of way of Thorn Creek as disclosed by available maps.

Power Line Easement given by E. G. Gooding and Edith L. Gooding, husband and wife, to Idaho Power Company, a corporation, dated September 6, 1941, recorded November 12, 1941 in Book 4 Page 601 as Instrument Number 81916, Gooding County records, affecting Lot 2 of Section 31, Township 4 South, Range 16, East Boise Meridian, and SE~~SE~~ of Section 25, Township 4 South, Range 15, East Boise Meridian.

Power Line Easement given by D. Sid Smith and Alta G. Smith, husband and wife, to Idaho Power Company, a corporation, dated March 30, 1944, recorded October 23, 1944 in Book 5 Page 453 as Instrument Number 91488, Gooding County records, affecting a portion of Lot 1 and Lot 2 of Section 31, Township 4 South, Range 16, East Boise Meridian.

Reservation contained in State of Idaho Patent given by the State of Idaho to Edward G. Gooding dated September 26, 1950, recorded November 27, 1951 in Book 2 Page 349 as Instrument Number 116843, Gooding County records.

The effect of an Agreement by and between Thorn Creek Ranch, Inc., a corporation, first party, and Curtis R. Glasscock and Kathryn Glasscock, husband and wife, second party, dated July 30, 1970, recorded January 6, 1972 as Instrument Number 38496, Gooding County records, pertaining to waste water in the E~~SE~~ of Section 31, Township 4 South, Range 16, East Boise Meridian.

Reservation contained in Patent given by the United States of America to George L. Moody, Jr. and Dorothy E. Moody dated August 6, 1979, recorded April 25, 1984 as Instrument Number 107756, Gooding County records.

Any question that may arise due to shifting or change in the course of the Thorn Creek herein named in that part of the NE~~SE~~SW~~SE~~ lying West of Thorn Creek, or due to said creek having changed its course.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOŠHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 FAX (208) 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 5, 1996

PAM HILL
HALL AND HALL
PO BOX 1924
BILLINGS MT 59103

RE: HIGH DESERT RANCH WATER RIGHTS & MOODY WATER RIGHTS

Dear Pam Hill,

Enclosed please find the summary reports for all the water rights and claims to water rights I could locate for the information you recently faxed to me.

Here are the listings for the High Desert Ranch (HDR) findings:

SRBA CLAIMS

A67-02091 SORENSEN
A67-04171 HDR
A67-04451 HDR
A67-10354 HDR
A67-10686 USA
A67-10687 USA
A67-13110 USA

WATER RIGHTS

67-02091 F. AGE
67-04171 HILL
67-04451 HILL
N/A
N/A
N/A
N/A

Here are the Moody claims and rights:

SRBA CLAIMS

A37-04099 WALTON
A37-04383 "
A37-04384 "
A37-04385 "
A37-04386 WALTON

WATER RIGHTS

37-04099 MOODY
37-04383 "
37-04384 "
37-04385 "
37-04386 MOODY

If you have any further questions please contact our office. You may note the rights listed under the High Desert Ranch are better addressed through our Western Regional Office in Boise, ID. The telephone number there is 208-334-2190.

We generally handle the rights in Basin 37, the Moody rights, from this office. However, either office will make every effort to accommodate your requests and needs. Thank You.

Sincerely,


STEVE CLELLAND
Water Resource Agent

ENC:
CC: WESTERN REGION OFFICE

A37-04386

COPY

MEMORANDUM

TO: SRBA Files A37-04383 and A37-04386

FROM: Corey Skinner *CS*

DATE: April 21, 1997

SUBJECT: Information Request

This day, Jim Doyle and Judy Cash came by the office inquiring about water rights appurtenant to ground that Mr. Doyle was thinking of purchasing (or had purchased?) along Thorn Creek north of Gooding. The land was part of Sections 13, 14, 23, and 26, Township 03 South, Range 15 East. Mr. Doyle said that the property had been irrigated with water out of Thorn Creek and a nearby spring. I researched the database and found no SRBA claims filed on the property. I did find one license, 37-02323 in the name of Frank Gooding, for irrigation uses out of a spring.

I explained to Mr. Doyle that SRBA claims must be filed on all water rights existing in 1987. I also explained beneficial use claims prior to the mandatory statutes. I gave Mr. Doyle various SRBA forms and brochures for his possible use.

Mr. Doyle also inquired about what water rights existed on Thorn Creek. I gave Mr. Doyle a copy of the AJ query by source printout that listed the SRBA claims filed on Thorn Creek. Most of the claims were federal (BLM), but there were a couple of claims, A37-04383 and A37-04386, filed by a private individual. Mr. Doyle was curious where these claims were diverted from Thorn Creek, so I gave Mr. Doyle copies of the profile reports of claims A37-04383 and A37-04386 and pointed out the locations of the claimed points of diversion on a map.