

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-18-1997
PAGE: A-23

RIGHT NUMBER: 43-1D048

NAME & ADDRESS: JAY R THORTON
KIM THORTON
PO BOX 635
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1880

POINT OF DIVERSION: T13S R27E S19 SESWSE Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T13S R27E S19 SWSE

DOMESTIC Within CASSIA County
T13S R27E S19 SWSE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 13S27E198401
STOCKWATER, 120 RANGE

Claim proofread by: KT

Date: 9-4

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-8-1997
PAGE: A-27

RIGHT NUMBER: 43-10048

NAME & ADDRESS: JAY R THORTON
KIM THORTON
PO BOX 635
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/31/1880

POINT OF DIVERSION: T13S R27E S19 SESWSE Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC DOMESTIC, 1 HOME; STOCKWA	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within CASSIA County
	T13S R27E S19	SWSE
	DOMESTIC	Within CASSIA County
	T13S R27E S19	SWSE

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

PARCEL NO. 13S27E198401
OWNERSHIP CHANGE MADE 5-27-94 BY TLB

copy to cmts

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: KST

Date: 8/13/97

Data entry verified by: [Signature]

Date: 8-15-97

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: **A43-10048**
Date Received: 3/16/1989
Receipt No: S006577
Received By: _____

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

1. Name: JAY R THORTON 208-645-2557
Address: PO BOX 635
MALTA ID 83342

AND/OR

Name: KIM THORTON 208-645-2557
Address: PO BOX 635
MALTA ID 83342

2. Date of Priority: DEC 31, 1880

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	27E	19	SE	SW	SE		CASSIA

5. Description of diverting works:
WELL WITH 1 H.P. PUMP TO PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSEHOLD, S/ 120 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	19	SW	SE		DOMEST	
			SW	SE		STOCK	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

NONE

14. Remarks:

OWNERSHIP CHANGE MADE 5-27-94 BY TLB

15. Basis of Claim: BENEFICIAL USE

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 _____

Water Right Number - R43-10048

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***

THORTON

JAY R

1 - PO BOX 635
2 -
3 -
City- MALTA
Phone - 208-645-2557
1 - PO BOX 635
2 -
3 -
City- MALTA
Phone - 208-645-2557

State- ID Zip- 83342

THORTON

KIM

1 - PO BOX 635
2 -
3 -
City- MALTA
Phone - 208-645-2557

State- ID Zip- 83342

*** O - ORIGINAL OWNER ***

PIERCE

DALE O

1 - HC 72 BOX 2058
2 -
3 -
City- MALTA
Phone - 208-645-2514

State- ID Zip- 83342

PIERCE

JEAN

1 - HC 72 BOX 2058
2 -
3 -
City- MALTA
Phone - 208-645-2514

State- ID Zip- 83342

Priority Date - - - +

12/31/1880

ERROR IN REGION

J - BENEFICIAL USE

Status - - - +

Source - - - - - +

GROUNDWATER

Tributary - - - - - +

Point of Diversion - - - - - +

13S 27E 19 SE SW SE (31) CASSIA

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040

04 - STOCKWATER 01/01 12/31 0.040

Total Div. Rate - + Total Div. Volume - +

0.040

Total Consumptive Use - + KM Usage - +

0.0

Place of Use - - - - - +

04 STOCKWATER (31) CASSIA

43 DOMESTIC (31) CASSIA

Prefix Translation: RESEARCH

+	Twn	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
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+ - - Diversion Means - WELL WITH 1 H.P. PUMP TO PIPELINES

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME; STOCKWATER, 120 RANGE

+ - - Other Rights for Same Use - NONE

	Remarks
PARCEL NO. 13S27E198401	
OWNERSHIP CHANGE MADE 5-27-94 BY TLB	

	No Old Water Right Numbers Found	Old Water Right Numbers
+	- - - - -	- - - - - +

+ - - - - Conditions of Approval - - - - -
+ - - - - No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
00/00/0000		

+-----+
-Comments-
No Comments Found

05/27/94 TBACLUN

[illegible]



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

AUG 19 1993

Department of Water Resources
Southern Region Office

DATE OF CLOSING: 3-24-1993

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
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: A43-10048
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Dale O. &/or Jean Pierce
HC 72 Box 2058
Malta, ID 83342
- ☐ New Owner/Claimant (Purchaser): Jay R. &/or Kim Thornton
- ☐ New Mailing Address: PO Box 635
Malta, ID 83342
- ☐ New Telephone Number: () 645 - 2557
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
The Ralph Peak Family Trust bought the original 60 acres & immediately
resold 58 acres to the Thorntons (see attached deeds). This home is on
the 58 acres.
- ☐ Attach proof of ownership, describe proof attached: _____

(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) Jay R. Thornton Date 1-24-94
Kim Thornton Date 1-24-94
- ☐ Signature of Former Owner/Claimant(s) Mary Lou Peak Trustee Date 8/19/93
Ralph F. Peak Trustee Date 8/19/93

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

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: 5-27-94 By: HLB

Claim Numbers of Split, if any:

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



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 3-24-1993

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
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: A43-10048

☐ Name and Address of Former Owner/Claimant(s)(Seller): Dale O. &/or Jean Pierce

HC 72 Box 2058

☐ New Owner/Claimant (Purchaser): Malta, ID 83342

Jay R. &/or Kim Thornton

☐ New Mailing Address: PO Box 635

Malta, ID 83342

☐ New Telephone Number: () 645 - 2557

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
The Ralph Peak Family Trust bought the original 60 acres & immediately
resold 58 acres to the Thorntons (see attached deeds). This home is on
the 58 acres.

☐ Attach proof of ownership, describe proof attached: _____

(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) Jay R. Thornton Date 1-24-94

Kim Thornton Date 1-24-94

☐ Signature of Former Owner/Claimant(s): Mary Lou Heath, Trustee, Ralph Peak Family Trust Date 8/19/93

Ralph F. Heath, Trustee Date 8/19/93

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

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: 3-27-94 By: 713

Claim Numbers of Split, if any:

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

WARRANTY DEED

THIS INDENTURE, made this 22 day of March, 1993,
between Dale O. Pierce also known as Dale Pierce and Jean
Pierce, husband and wife, HC 72, Box 2058, Malta, Idaho 83342
hereinafter called the "Grantors", The Ralph Peak Family Trust,
whose address is 4237 Forrest Park Street, Northwest, Olympia,
Washington 98502 hereinafter called the "Grantee".

W I T N E S S E T H

That the Grantors, for and in consideration of the sum
of Ten Dollars (\$10.00), lawful money of the United States of
America, and other good and valuable consideration, to the
Grantors in hand paid by the Grantee, the receipt whereof is
hereby acknowledged, have granted, bargained and sold, and by
these presents do grant, bargain and sell, convey and confirm
unto the Grantee, and to the Grantee's successors and assigns
forever, all of the following described real estate situated in
the County of Cassia, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

SUBJECT TO: Agreement for Purchase of Power with
Raft River Rural Electric recorded August 5, 1955
in Book 9 of Miscellaneous, on Page 102, records of
Cassia County, Idaho; Agreement for Purchase of

1
2
3 Power with Raft River Rural Electric recorded April 6,
4 1978 as Instrument No. 106395 on Film No. 116, records
5 of Cassia County, Idaho, and Agreement for Electric
6 Service with Raft River Rural Electric recorded August
7 1, 1990 as Instrument No. 208791 on Film No. 218,
8 records of Cassia County, Idaho.
9

10 TOGETHER with all and singular the tenements,
11 hereditaments and appurtenances thereunto belonging or in
12 anywise appertaining, the reversion and reversions, remainder
13 and remainders, rents, issues and profits thereof, and all
14 estate, right, title and interest in and to the said property as
15 well in law as in equity of the Grantors.

16 TO HAVE AND TO HOLD, all and singular, the above-
17 mentioned and described premises, together with appurtenances
18 unto the Grantee, and to the Grantee's successors and assigns
19 forever.

20 The Grantors shall and will warrant and by these
21 presents will forever defend the said premises in the quiet and
22 peaceable possession of the Grantee, and the Grantee's
23 successors and assigns, and against all and every person and
24 persons whomsoever lawfully claiming the same, except as
25 aforesaid.
26

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IN WITNESS WHEREOF, the Grantors have executed this deed the day and year first above written.

Dale O Pierce
DALE O. PIERCE, aka DALE PIERCE

Jean Pierce
JEAN PIERCE

STATE OF IDAHO)
County of Cassia) ss

On this 22 day of March, in the year of 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared DALE O. PIERCE AKA DALE PIERCE AND JEAN PIERCE, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

E. Ruth Thrall
Notary Public for Idaho
Residing at _____
My commission expires on _____

E. RUTH THRALL
NOTARY PUBLIC
STATE OF IDAHO
Residing at Rupert Idaho
My Commission Expires 5-16-93

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: $E\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$ and $E\frac{1}{2}W\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: $E\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$ and $E\frac{1}{2}W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$

RECORDED AT THE REQUEST OF
LAND TITLE & EXCHG
FILM 243
1993 MAR 29 P 4:14
CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER
FEE 12.00 DEPUTY MM

223777



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

10-May-1994 09:25

JAY & KIM THORTON
PO BOX 635
MALTA, ID 83342

RE: ADJUDICATION CLAIM(S): A43-10048
DALE & JEAN PIERCE

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM, WE HAVE CHANGED THE DEPARTMENT'S RECORD(S) AS YOU HAVE REQUESTED. PLEASE REVIEW THE RECORD(S) FOR ACCURACY.

SHOULD YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
RECORDS CLERK

/TLB
ENCLOSURE

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: A43-10048
Date Received: 3/16/1989
Receipt No: 5006577
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE O. PIERCE 208-645-2514
Address: HC 72 BOX 2058
MALTA, ID 83342

AND/OR

Name: JEAN PIERCE 208-645-2514
Address: HC 72 BOX 2058
MALTA, ID 83342

2. Date of Priority: DEC 31, 1880

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	27E	19	SE	SW	SE		CASSIA

5. Description of diverting works:
WELL WITH 1 H.P. PUMP TO PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSEHOLD, S/ 120 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	19	SW	SE		DOMEST	
			SW	SE		STOCK	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____ See Map A43-10047

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): Dale & Rita Date: 3/16/89

Date: _____

State of Idaho)
County of Twin Falls) ss.

Subscribed and sworn (or affirmed) before me this 16th day
of March 19 89 [Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/94

WATER RIGHT NUMBER - A43-10048

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD CO NUMBER -

[illegible]** C - CURRENT OWNER **
** PIERCE **

DALE C.

1 - HC 72 BOX 2058

21

3

CITY- MALTA

PHONE - 208-645-2514

1 - HC 72 BOX 2058

12

11

CITY- MALTA

PHONE - 208-645-2514

STATE- ID ZIP- 833342

STATE- ID ZIP- 83342

2
3
4
5
6
7

2
4
6
8

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+ - - PRIORITY DATE - - + + - - - REGION - - + + - - - STAGE - - - + - - - STATUS - - -
12/31/1880
ERROR IN REGION
J - BENEFICIAL USE

```

[illegible][illegible]

13S	27E	19	SE SW SE	(31)	CASSIA
-----	-----	----	----------	------	--------

[illegible]

43 - DOMESTIC
04 - STOCKWATER

01/01
01/01

$$\begin{array}{r} 0.040 \\ 0.040 \end{array}$$
[illegible][illegible]

Station	Time	Wind	Temp	Humid	Clouds	Pressure	Remarks
135	27E	13	SE				
135	27E	13	SE				

04 STOCKWATER
43 DOMESTIC

(31) CASSIA

+ - - DIVERSION MEANS - WELL WITH 1 H.P. PUMP TO PIPELINES

+ - - NON-IRRIGATION USE - D/ 1 HOUSEHOLD, 5/ 120 RANGE

+ - - OTHER RIGHTS FOR SAME USE - NONE

[illegible]

+ - - - - -
- - - - - OLD WATER RIGHT NUMBERS
- - - - - NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED
MAR 05 1993

WATER RIGHT NUMBER - A43-10043

PREFIX TRANSLATION: ADJUDICATION CLAIM

[illegible][illegible]

+ - - AUDIT FIELDS - 03/16/89 MERRITT

[illegible]

13527E198401

CERTIFIED
SEP 16 1991
WATER EXAMINER

Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

DATA ENTRY

ENTERED 4.9.92 DMH
CHECKED 6/17/92 AB

VERIFIED
AUG 24 1991