

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: A72-00024D

Date Received: 10/26/1989

Receipt No: X777777

Received By: *ownership change*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C ROD THORNTON 208-788-2113
Address: PO BOX 246
KETCHUM ID 83340

AND

Name: CHRISTINE L THORNTON 208-788-2113
Address: PO BOX 246
KETCHUM ID 83340

2. Date of Priority: MAY 1, 1879

3. Source: CHALLIS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	19E	7	SW	NW		2	CUSTER

5. Description of diverting works:
HIGH LINE CANAL, GRAVITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.290		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14N	19E	7	SW	NW	2	IRR	3.5

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	7	SE	NW		IRR	11.0
Section Acres							14.5
Total Acres							14.5

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-04231D

14. Remarks:

OWNERSHIP CHANGE WITH SPLIT 12/16/93 BY JG.

OWNERSHIP CHANGE MADE 8/29/95 TF.

OWNERSHIP CHANGE/SPLIT 11/13/97 jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/ 9/1911

STEPHENS, ET. AL.
Decree Plaintiff

SHAW, ET. AL.
vs Decree Defendant

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: _____

A72-00024

Lusher

35 Ac.

.9 cfs

(A)

Lusher

3.5 Ac.

.08 cfs

(B)

Peterson → Wunsch

31.5 Ac.

.82 cfs

(C)

Wunsch

17 Ac.

.53 cfs

(D)

Thornton

14.5 Ac.

.29 cfs



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 13, 1997

C ROD AND CHRISTINE THORNTON
PO BOX 246
KETCHUM ID 83340

RE: SRBA CLAIM A72-00024B, AND A72-04231B

Dear Mr. and Mrs. Thornton:

Pursuant to the notification that you purchased a portion of the property to which the above referenced adjudication claims are appurtenant, the Department has split the original claims into parts C and D. Your portions have been renumbered to A72-00024D and A72-04231D. I apologize for the length of time it has taken us to make these changes, but I think we finally have it figured out. You purchased two parcels in two different transactions, so I have added the amounts together into this one claim which represents the total. Please find enclosed a copy of the computer generated claims noting the changes.

Please review the records and if you have any corrections or questions, feel free to give me a call at the office.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures:

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A72-00024B - A72 04231B

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document showing ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually required for parcels less than ten acres.) OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (FSA) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

*1st. transaction
(parcel #4)*

3. Name and Address of Former Owner/Claimant(s) Charles and Shirley Wenech

4. New Owner/Claimant(s) C. Rod and Christine Schornton

Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address Box 246

City, State and ZIP Code Ketchum, Idaho 83340

New Telephone Number 208-788-2113

5. Date you acquired the property Sept 20, 96

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the space below. If necessary, attach additional pages.

Number of acres actually irrigated 17.24 Number and type of stock Horses

Diversion rate in CFS 260 Number of homes 0 Other uses Hay - Pasture
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) C. Rod Schornton Date Oct 27, 96

Christine Schornton Date 10-27-96

(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

For Value Received CHARLES W. WUNSCH and SHIRLEY M. WUNSCH as Co-Trustees of THE CHARLES W. AND SHIRLEY M. WUNSCH FAMILY TRUST, dated June 20, 1995, the Grantors, do hereby grant, bargain, sell and convey unto C. ROD THORNTON and CHRISTINE L. THORNTON, husband and wife, the Grantees, whose current address is P.O. Box 246, Ketchum, Idaho 83340, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land located in the S1/2NW1/4, SW1/4NE1/4, Section 7, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the NE corner of the S1/2NW1/4, run thence South 88°58'43" West, a distance of 1309.89 feet to a point in the center of Challis Creek Road and the POINT OF BEGINNING;

Thence the following courses and distances along said centerline; South 69°11'38" East, 54.17 feet, 222.49 feet along a curve to the left having a chord of South 77°29'06" East, 221.72 feet, a delta of 16°34'54", a radius of 768.80 feet; thence South 85°46'33" East, 427.72 feet; 212.82 feet along a curve to the right having a chord of South 74°21'33" East, 211.41 feet, a delta of 22°49'58", a radius of 534.04 feet; thence South 62°56'34" East, 243.59 feet; 223.57 feet along a curve to the right having a chord of South 50°04'37" East, 221.69 feet, a delta of 25°43'53", a radius of 497.83 feet; thence South 37°12'40" East, 147.84 feet to a point in the center of Challis Creek;

Thence the following courses and distances along said centerline; South 76°10'46" East, 165.11 feet; thence South 63°29'05" West, 466.32 feet; thence South 61°04'43" West, 142.69 feet; thence North 71°34'33" West, 9.13 feet; thence South 37°46'38" West, a distance of 51.07 feet; thence North 71°02'04" West, a distance of 944.64 feet; thence North 27°55'09" East, a distance of 560.02 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM County road right of way.

TOGETHER WITH 0.260 C.F.S. of water from Sellers water claim number A72-00024B on file with Idaho Department of Water Resources and 0.260 C.F.S. of water from Sellers water claim number A72-04231B on file with the Idaho Department of Water Resources. **All water transfer in this deed is without warranty.**

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 therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 19 day of September, 1996.

Shirley M. Wunsch
SHIRLEY M. WUNSCH, Attorney in Fact for

Charles W. Wunsch
Charles W. Wunsch

Shirley M. Wunsch
SHIRLEY M. WUNSCH

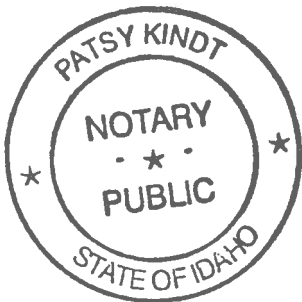
STATE OF IDAHO)
 : ss

County of CUSTER

On this 19th day of
September 1996, before
 me, a Notary Public, per-
 sonally appeared Shirley
M. Johnson

known or identified to me to
 be the person(s) whose name(s)
 are subscribed to the within
 instrument, and acknowledged to
 me that he executed the same.

Patsy Kindt
 Notary Public for Idaho
 Residing at Challis, Id.
 Commission Expires 3/12/98



STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
 record at the request of Custer County Title
 at 30 minutes past 3
 o'clock P.M., this 25th day of September
 1996, in my office, and duly recorded in Book
 of Deeds at page .

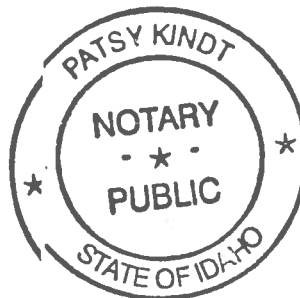
Ethel M. Peck

Ex-Officio Recorder

BY Mary Sker
 Deputy

Fee: \$ 6.00

Mail to:



OF IDAHO)
 : ss

In the year
 before me, a Notary Public, personally appeared

Shirley M. Johnson
 or identified to me to be the person whose name is
 subscribed to the within instrument as the attorney in fact of
Charles W. Johnson and acknowledged to
 me that he subscribed the name of Charles W. Johnson
 as principal, and his (her) own name as attorney in fact.

Patsy Kindt
 Notary Public
 Residing at Challis, Idaho
 Commission expires: 3/12/98

N 88° 58' 43" E
1309.19

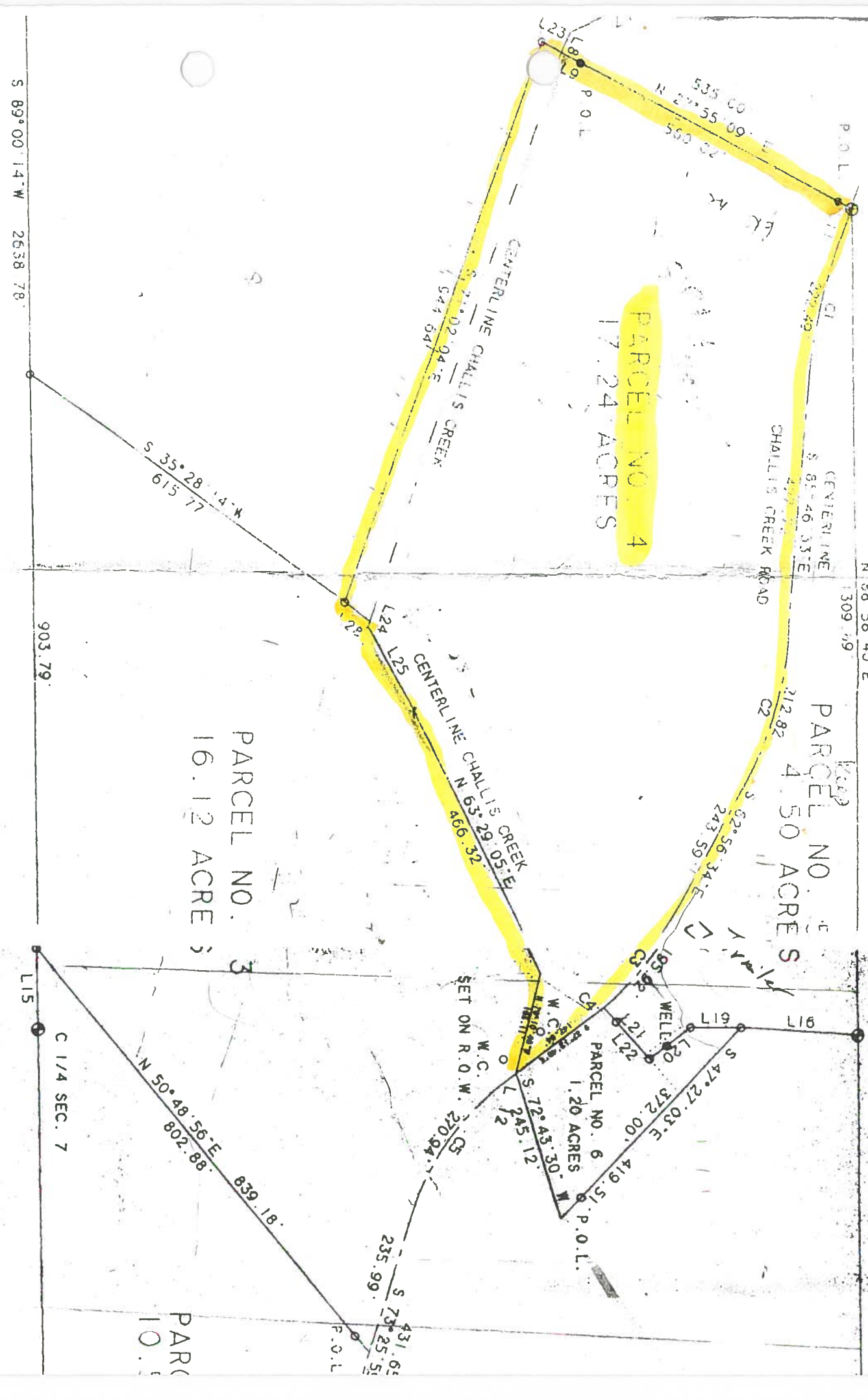
PARCEL NO. 4
4.50 ACRES

PARCEL NO. 4
17.24 ACRES

PARCEL NO. 3
16.12 ACRES

PARCEL NO. 6
1.20 ACRES

PARCEL NO. 5
10.12 ACRES



DELTA ANGLE RADIUS ARC TANGENT CHORD CHORD BEARING SURVEYOR'S CERTIFICATE

Point of Overcast



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9900
10000



WAY OUT WEST REALTY

Residential • Agricultural • Recreational • Commercial

Highway 93 & Main Street

P.O. Box 730

Challis, Idaho 83226

(208) 879-2211 or (208) 879-2270

FAX (208) 879-5258

FAX COVER SHEET

PAGES 11
DATE 9/24/97
TO Jeannie
FAX # (208) 736-3037
FROM Pam
FAX # (208) 879-5258

Jeannie -
I hope this is
everything you need
on the 2nd Thornton
and Wunsch sale.
Do you need the
originals? Let me
know if I can
send anything else.
Pam



Sande K. Hill
Broker/Owner GRI

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

2nd. transaction

1. Water Right Number(s) _____
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) CHARLES W. WUNSCH AND SHIRLEY M. WUNSCH

4. New Owner/Claimant(s) C. ROD THORNTON AND CHRISTINE L. THORNTON
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
New Mailing Address _____
City, State and ZIP Code _____
New Telephone Number (____) _____ - _____
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS 0.03 Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) C. Rod Thornton Date 8/15/97
Christine L. Thornton Date 8/15/97
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



WAY OUT WEST REALTY

Residential · Agricultural · Recreational · Commercial

Highway 93 & Main Street

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Challis, Idaho 83226

(208) 879-2211 or (208) 879-2270

FAX (208) 879-5258

FAX COVER SHEET

PAGES 2

DATE 8-13

TO Susan or Patsy

FAX # 879-5249

FROM Sandra K. Hill

FAX # (208) 879-5258

ROD gets

0.03 CFS

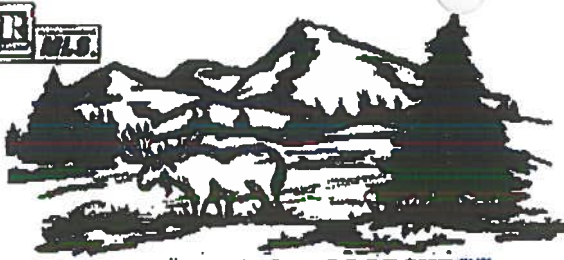
of look water
right. I called
water board they
figured it out for
me. It is the same
amount per acre as
before. Fill out the
forms and I will
sign. Chuck



Sandra K. Hill
Broker/Owner GRI

There is a
water Transfer of
3" of End water
Right. 1 1/2"/ac for
2 acres is the
Amount Transferred.
Chuck agreed to do
it as it was done
on the previous Sale.
We have no Transfer
Forms so would you
do it? Thank you.

[Handwritten signature]



TERRI L. PRITCHETT
Broker, GRI

P.O. Box 510 • 610 W. Custer, Suite A • Mackay, ID 83251

Trail
Creek
Realty

Office: 588-2707

FAX: 588-2420

Res: 588-2963

Challis Area: 879-5051

FAX COVER SHEET

DATE: 9-18-97

TIME: 9:45 am

TO: L. Tater Resourse

ATTN: Jeanie

TELECOPIER: 208-736-3037

FROM: Sally DAHL

NUMBER OF PAGES 4 (INCLUDING COVER SHEET)

SPECIAL INSTRUCTIONS: Jeanie,

Chuck Wunsch asked me
to fax you a copy of his survey,
concerning the water rights.

I had to copy it in 2
parts, the third page is just to
show you it is a recorded survey.

Need any thing else, please call
208-879-5051

If there are any problems receiving this fax please call
Please deliver immediately. THANK YOU.



Trail
Creek
Realty

Sally Dahl
Sales Associate
838-2678

Challis Area
879-5051

Office: 588-2707
FAX: 588-2420
P.O. Box 510
610 W. Custer, Suite A
Mackay, ID 83251

2nd.
transaction
(parcel #3)

WADE SURVEYING

P.O. Box 1175
Salmon, Idaho 83467

Phone (208) 756-3070

November 15, 1995

PARCEL "3"

A parcel of land located in the SE 1/4 NW 1/4, SW 1/4 NE 1/4, Section 7, T. 14 N., R. 19 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the C 1/4 corner of said Section 7, run thence S. 89° 00' 14" W. along the southerly boundary of the SE 1/4 NW 1/4 a distance of 130.00 ft. to the POINT OF BEGINNING.

Thence continuing S. 89° 00' 14" W. a distance of 903.79 ft.;

Thence N. 35° 28' 14" E. a distance of 615.77 ft.;

Thence N. 37° 46' 38" E. a distance of 51.07 ft. to a point in the center of Challis Creek;

Thence the following courses and distances along said centerline;

S. 71° 34' 33" E. 9.13 ft.; N. 61° 04' 43" E. 142.69 ft.;

N. 63° 29' 05" E. 466.32 ft.; S. 76° 10' 46" E. 165.11 ft. to a point in the center of Challis Creek Road;

Thence the following courses and distances along said centerline;

270.94 ft. along a curve to the left having a chord of S. 55° 19' 20" E. 266.45 ft., a delta of 36° 13' 20", a radius of 428.57 ft.; S. 73° 25' 59" E. 235.99 ft.;

Thence S. 50° 48' 56" W. a distance of 839.18 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 16.12 ACRES.

0213319

Custer County Reg. of
Custer County Title

Time 3:35 P.M.

5-2 1997

Ethel M. Peck, Clerk
Wanda J. Murphy
\$9⁰⁰ Deputy

A parcel of land located in the S¹/₄NW¹/₄, SW¹/₄NE¹/₄, Section 7, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the NE corner of the S¹/₄NW¹/₄, run thence South 88°58'43" West, a distance of 1309.89 feet to a point in the center of Challis Creek Road and the POINT OF BEGINNING;

Thence the following courses and distances along said centerline;

South 69°11'38" East, 54.17 feet; 222.49 feet along a curve to the left having a chord of South 77°29'06" East, 221.72 feet, a delta of 16°34'54", a radius of 768.80 feet; thence South 85°46'33" East, 427.72 feet; 212.82 feet along a curve to the right having a chord of South 74°21'33" East, 211.41 feet, a delta of 22°49'58", a radius of 534.04 feet; thence South 62°56'34" East, 243.59 feet; 223.57 feet along a curve to the right having a chord of South 50°04'37" East, 221.69 feet, a delta of 25°43'53", a radius of 497.83 feet; thence South 37°12'40" East, 147.84 feet to a point in the center of Challis Creek;

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EXCEPTING THEREFROM County road right of way.

TOGETHER WITH 0.260 C.F.S. of water from Sellers water claim number A72-00024B on file with Idaho Department of Water Resources and 0.260 C.F.S. of water from Sellers water claim number A72-04231B on file with the Idaho Department of Water Resources. All water transfer in this deed is without warranty.

C. Rod Thornton
C. ROD THORNTON

Christine L. Thornton
CHRISTINE L. THORNTON

Advertise Parakeets for Sale
At Winegrass ranch.
Beautiful over 2 hawee hawks.
New Trees views creek

7 21 #1
24.38 ACRES \$ 5,000⁰⁰/ACR

Parcel #2
7-23 10.54 acres

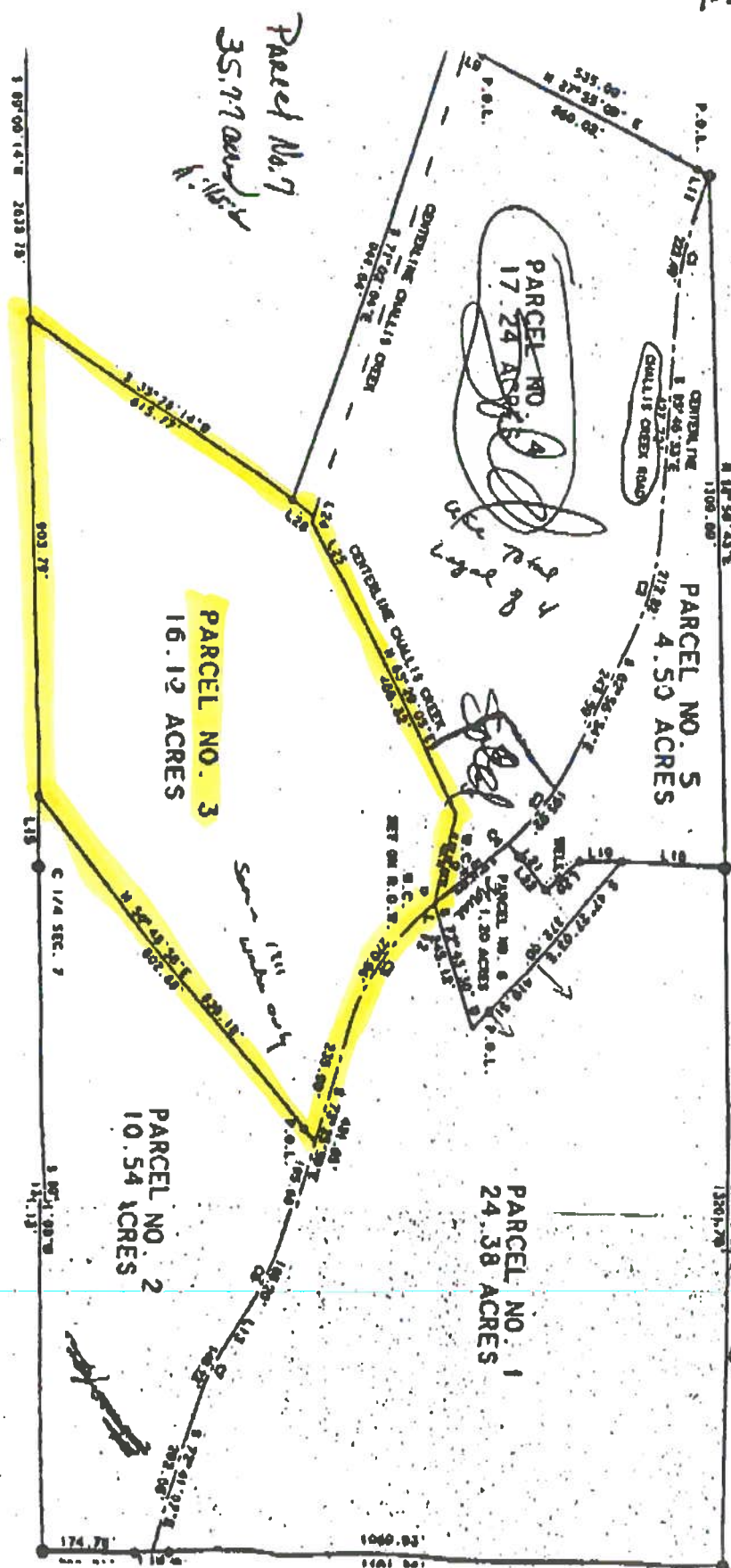
Parcel #3
16.12 acres \$ 34,500

Parcel # 4 Sold

Parcel #5
4.50 acres

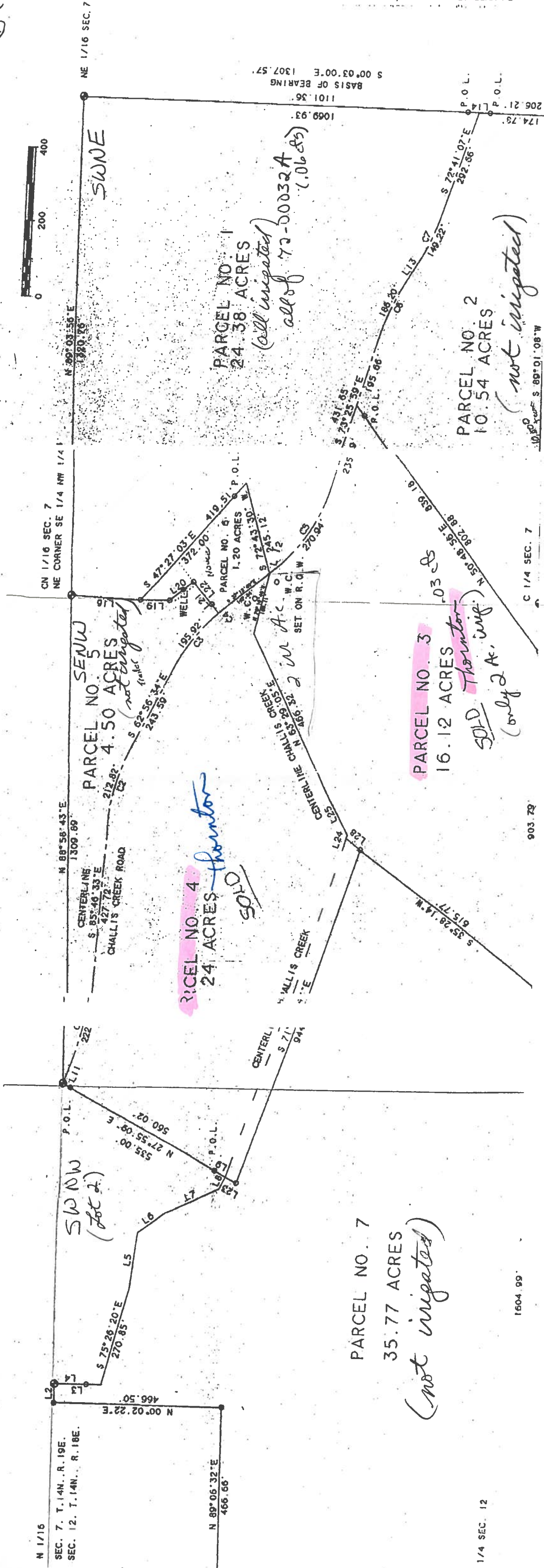
Parcel #6
1.2 acres
+ House \$85,000.00

Parcel #7 35.77 acres \$1 Trade To B/M



COUNTY RECORD

IDAHO, CUDIER COUNTY, IDAHO





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

September 30, 1996

C ROD AND CHRISTINE THORNTON
PO BOX 246
KETCHUM ID 83340

RE: ADJUDICATION CLAIM NO. A72-04231B and A72-00024B

Dear Mr. and Mrs. Thornton:

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claims are appurtenant, I have enclosed two NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP forms. Please complete them and attach an aerial photo with irrigated acres outlined (item 2C). Since it appears you purchased only a portion of the two claims, you must also complete item 6 so that we can accurately split the two adjudication claims involved.

I have also included copies of the above adjudication claims for your reference. Once you have completed the change of ownership forms, return them to me at the above address. I will then make the changes in "our" computer records and forward copies back to you.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf
Enclosures



NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 14 N Range 19 E
Section 7, 1/4 of SW 1/4 of NW 1/4 Govt. Lot 2, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

See Attached Copy of Deed

☐ 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: A72-00024B

☐ Name and Address of Former Owner/Claimant(s)(Seller): Charles Wunsch and Shirley M. Wunsch

P.O. Box 406

☐ New Owner/Claimant (Purchaser): Challis, Idaho 83226

C. Rod Thornton and Christine L. Thornton

☐ New Mailing Address: P.O. Box 246

Ketchum, Idaho 83340

☐ New Telephone Number: (208) 726 - 3422

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

New owner to get 0.260 C.F.S. of Seller's 0.820 C.F.S.

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(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)

Date

☐ Signature of Former Owner/Claimant(s):

Date

Date 9-19-96

Date 9-19-96

(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: _____ By: _____

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

For Value Received CHARLES W. WUNSCH and SHIRLEY M. WUNSCH as Co-Trustees of THE CHARLES W. AND SHIRLEY M. WUNSCH FAMILY TRUST, dated June 20, 1995, the Grantors, do hereby grant, bargain, sell and convey unto C. ROD THORNTON and CHRISTINE L. THORNTON, husband and wife, the Grantees, whose current address is P.O. Box 246, Ketchum, Idaho 83340, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land located in the S1/2NW1/4, SW1/4NE1/4, Section 7, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the NE corner of the S1/2NW1/4, run thence South 88°58'43" West, a distance of 1309.89 feet to a point in the center of Challis Creek Road and the POINT OF BEGINNING;

Thence the following courses and distances along said centerline; South 69°11'38" East, 54.17 feet, 222.49 feet along a curve to the left having a chord of South 77°29'06" East, 221.72 feet, a delta of 16°34'54", a radius of 768.80 feet; thence South 85°46'33" East, 427.72 feet; 212.82 feet along a curve to the right having a chord of South 74°21'33" East, 211.41 feet, a delta of 22°49'58", a radius of 534.04 feet; thence South 62°56'34" East, 243.59 feet; 223.57 feet along a curve to the right having a chord of South 50°04'37" East, 221.69 feet, a delta of 25°43'53", a radius of 497.83 feet; thence South 37°12'40" East, 147.84 feet to a point in the center of Challis Creek;

Thence the following courses and distances along said centerline; South 76°10'46" East, 165.11 feet; thence South 63°29'05" West, 466.32 feet; thence South 61°04'43" West, 142.69 feet; thence North 71°34'33" West, 9.13 feet; thence South 37°46'38" West, a distance of 51.07 feet; thence North 71°02'04" West, a distance of 944.64 feet; thence North 27°55'09" East, a distance of 560.02 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM County road right of way.

TOGETHER WITH 0.260 C.F.S. of water from Sellers water claim number A72-00024B on file with Idaho Department of Water Resources and 0.260 C.F.S. of water from Sellers water claim number A72-04231B on file with the Idaho Department of Water Resources. **All water transfer in this deed is without warranty.**

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 therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 19 day of September, 1996.

Charles W. Wunsch

SHIRLEY M. WUNSCH, Attorney in Fact for

Charles W. Wunsch

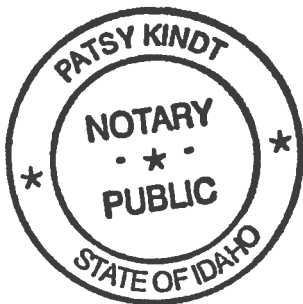
Shirley M. Wunsch
SHIRLEY M. WUNSCH

STATE OF IDAHO)

: ss

County of CUSTEROn this 19th day of
September 1996, beforeme, a Notary Public, per-
sonally appeared Shirley
M. Wunschknown or identified to me to
be the person(s) whose name(s)
are subscribed to the within
instrument, and acknowledged to
me that she executed the same.Patsy Kindt

Notary Public for Idaho

Residing at Challis, Id.Commission Expires 3/12/98

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Custer County Title
at 30 minutes past 3
o'clock P.M., this 25th day of September
1996, in my office, and duly recorded in Book
_____ of Deeds at page _____.Ethel M. Peck

Ex-Officio Recorder

BY

Mary Skan

Deputy

Fee: \$ 6.00

Mail to:

STATE OF IDAHO
COUNTY OF CUSTER

} ss.

On this 19th day of SEPT. in the year
1996, before me, a Notary Public, personally appearedShirley M. Wunsch
known or identified to me to be the person whose name is
subscribed to the within instrument as the attorney in fact of
CHARLES W. WUNSCH and acknowledged to
me that she subscribed the name of Charles W. Wunsch
thereto as principal, and his (her) own name as attorney in fact.Patsy Kindt
Notary Public
Residing at Challis, Idaho
Commission expires: 3/12/98

CUSTER COUNTY TITLE, INC.
P.O. Box 370
Challis, ID 83226
(208) 879-4424
(208) 879-5249 FAX

RECEIVED

SEP 30 1996

Department of Water Resources
Southern Region

September 26, 1996

RE: Change of Water Right Ownership

Idaho Department of Water Resources
Southern Region Office
222 Shoshone St. East
Twin Falls, ID 83301

To Whom It May Concern:

Please find enclosed two New Property Owner Notice of Change of Water Right Ownerships and a copy of the Warranty Deed.

If you have any questions, please call the new owners.

Thank you,

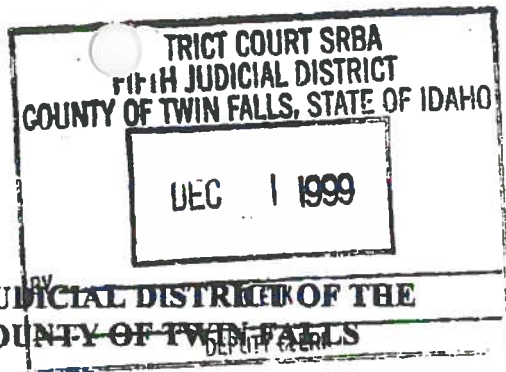


Heidi Thomas
Secretary

RECEIVED

DEC 6 1999

Department of Water Resources



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

Subcase No. 72-00024D

Standard Form 5

STIPULATED ELEMENTS
OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

C. Rod Thornton
Christine L. Thornton

C. Rod Thornton

Date

Christine L. Thornton

Date

IDWR CONCURRENCE:

Jeanie Robertson
Sr. Water Res. Agent

12/1/99
Date

Standard Form 5

Subcase No. 72-00024D

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown
Larry A. Brown

12/1/99
Date

Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

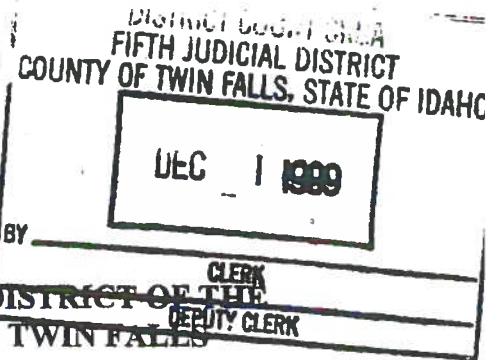
IDWR CONCURRENCE:

ASD from

ASD

12/1/99
Date

*data entry
complete per
SF5 1-13-00*



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

Subcase No. 72-00024D

Case No. 39576

STANDARD FORM 5

~~AMENDED CLAIM~~ *13*

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

C. Rod Thornton
Christine L. Thornton

C. Rod Thornton 12/1/99
C. Rod Thornton Date

Christine L. Thornton Date

OBJECTORS:

United States of America on behalf of
U.S.D.I., Bureau of Land Management

Larry A. Brown 12/1/99
Larry A. Brown Date
Attorney, U.S. Department of Justice

IDWR CONCURRENCE:

Jessie Robertson 12/1/99
J. Water Res. Agent Date

IDWR CONCURRENCE:

STD Form
AC 12/1/99
Date

STANDARD FORM 5/AMENDED CLAIM

Subcase No. 72-00024D

PAGE 1

13

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-23-1999
PAGE: A-1-----
RIGHTS FROM: SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-000240

NAME AND ADDRESS: CHRISTINE L THORNTON
C ROD THORNTON
PO BOX 246
KETCHUM ID 83340

SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.29 CFS

PRIORITY DATE: 05/01/1879

POINT OF DIVERSION: T14N R19E S07 LOT 10 (SWNWNW) Within CUSTER County
NESENW
NESENW (R)
NWESENW (R)TWO POINTS OF DIVERSION LOCATED IN T14N, R19E, S07, SWNWNW,
LOT 10.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.29 CFS

PLACE OF USE:	IRRIGATION	Within CUSTER County		
	T14N R19E S07	<u>SWNE</u> <u>0.5</u>	SNNW 1	SENW 13
	14.5 ACRES TOTAL			MMW 9/9

USE OF THIS RIGHT WITH RIGHT NO. 72-04231D IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 14.5 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

AJ5856NP

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

DATE: NOV-23-1999
PAGE: A-2

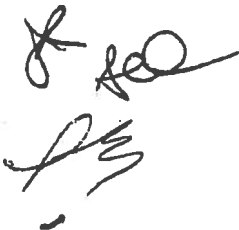
72-00024D (CONT.)

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

Handwritten signature and initials in the right margin.

CERTIFICATE OF MAILING

I certify that on 12/1/99, ~~1999~~, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. Rod & Christine L. Thornton
P.O. Box 246
Ketchum, Idaho 83340


Signature of person or attorney mailing the form.

AJ5856NP

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

DATE: NOV-23-1999
PAGE: A-1

RIGHTS FROM: SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-00024D

NAME AND ADDRESS: CHRISTINE L THORNTON
C ROD THORNTON
PO BOX 246
KETCHUM ID 83340

SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.29 CFS

PRIORITY DATE: 05/01/1879

POINT OF DIVERSION: T14N R19E S07 LOT 10 (SWNWNW) Within CUSTER County
NESENW
NESENW (R)
NWESEW (R)

TWO POINTS OF DIVERSION LOCATED IN T14N, R19E, S07, SWNWNW,
LOT 10.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.29 CFS

PLACE OF USE:	IRRIGATION	Within CUSTER County			
	T14N R19E S07	<u>SWNE</u> <u>0.5</u>	SENW 1	SENW 13	WWE 0.5
	14.5 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 72-04231D IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 14.5 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

SF5 - 72-00024D

AJ5856NP

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

DATE: NOV-23-1999

PAGE: A-2

72-00024D (CONT.)

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHRISTINE L THORNTON	05/01/1879	IRRIGATION	04-01 10-31	0.290 CFS	
C	C ROD THORNTON					
	PO BOX 246					
	KETCHUM ID 83340					
	(208) 788-2113					
			TOTAL DIVERSION:		0.290 CFS	

Water Source: CHALLIS CREEK

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion:

T14N R19E S07 Lot10(SW1/4NW)
Point(s) of Re-diversion: T14N R19E S07 NESE1/4 NWSE1/4

NESE1/4 NWSE1/4

CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	NE1/4 NW1/4 SW1/4 SE1/4	NE1/4 NW1/4 SW1/4 SE1/4	NE1/4 NW1/4 SW1/4 SE1/4	NE1/4 NW1/4 SW1/4 SE1/4	
14N 19E 7 :	.5	01	13		
					TOTAL ACRES
					14.5
					14.5

POU County: CUSTER

Other Rights: 72-04231D

Conditions of Approval:

C16

- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Remarks: POD

TWO POINTS OF DIVERSION LOCATED IN T14N, R19E, S07, SW1/4NW, LOT 10.

POU1

USE OF THIS RIGHT WITH RIGHT NO. 72-04231D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14.5 ACRES IN A SINGLE IRRIGATION SEASON.

GEN

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.

AJ0749NP
No. R72-00024D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/23/99
PAGE: 2

=====
Dates: Exam Made Date: Verified Date: Objection Filed Date: 06/02/1999
=====

Misc: Water District Number: 72C Field Inspection Flag:
Presumption Flag:

Comments: Date: 11/11/1998 User-ID: JROBERTS Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE WITH SPLIT 12/16/93 BY JG.

OWNERSHIP CHANGE MADE 8/29/95 TF.

OWNERSHIP CHANGE/SPLIT 11/13/97 jr
Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 11/23/1999 User-ID: JROBERTS Subject: CORRECTED TYPO IN PCU
PER BLM OBJECTION, CORRECTED .5 AC IN MWE TO SWE.

Audit: 11/23/99 JROBERTS

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/23/99 08:23:40
Page 1

Water Right Number - 72-00024D

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - - - - Address - - - - - - - - - +

*** C - CURRENT OWNER ***

THORNTON	CHRISTINE L	1 - PO BOX 246 2 - 3 - City- KETCHUM Phone - 208-788-2113	State- ID Zip- 83340
----------	-------------	---	----------------------

THORNTON	C ROD	1 - PO BOX 246 2 - 3 - City- KETCHUM Phone - 208-788-2113	State- ID Zip- 83340
----------	-------	---	----------------------

*** O - ORIGINAL OWNER ***

LUSHER	BETTY RUSTIN	1 - PO BOX 349 2 - 3 - City- CHALLIS Phone - 208-879-2750	State- ID Zip- 832260000
--------	--------------	---	--------------------------

WUNSCH	CHARLES	1 - PO BOX 406 2 - 3 - City- CHALLIS Phone - 208-879-5955	State- ID Zip- 83226
--------	---------	---	----------------------

LUSHER	ARTHUR	1 - PO BOX 349 2 - 3 - City- CHALLIS Phone - 208-879-2750	State- ID Zip- 832260000
--------	--------	---	--------------------------

WUNSCH	SHIRLEY	1 - PO BOX 406 2 - 3 - City- CHALLIS Phone - 208-879-5955	State- ID Zip- 83226
--------	---------	---	----------------------

+ - - Priority Date - - + 05/01/1879	+ - - - Region - - - + 17 SOUTHERN	+ - - - Stage - - - + D - DECREED	+ - - - Status - - - -
---	---------------------------------------	--------------------------------------	------------------------

+ - - - - Source - - - - - + CHALLIS CREEK	+ - - - - - Tributary - - - - - SALMON RIVER
---	---

Point of Diversion - - - - -							Diversion Name
Twn	Rng	Sec	Tract	Lot	RFlg	County	
14N	19E	7	SW NW NW	10		(37) CUSTER	HIGH LINE CANAL
			NE SE NW			(37) CUSTER	LO LINE CANAL
			NE SE NW		R	(37) CUSTER	
			NW SE NW		R	(37) CUSTER	

Water right number - 72-00024D

Prefix Translation: WATER RIGHT

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	0.290	
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Div. Capacity - +	
0.290				+ - Total Consumptive Use - +	
				0.0	

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	19E	7	NW NE		0.5	01	IRRIGATION	(37) CUSTER
14N	19E	7	SW NW		1.0	01	IRRIGATION	(37) CUSTER
14N	19E	7	SE NW		13.0	01	IRRIGATION	(37) CUSTER
Total Acres:					14.5			

+ - - Diversion Means - HIGH LINE CANAL, GRAVITY

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-04231D

+ - - - - - Remarks - - - - -

POD TWO POINTS OF DIVERSION LOCATED IN T14N, R19E, S07, SWNNW,
LOT 10.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-04231D IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 14.5 ACRES IN A SINGLE
IRRIGATION SEASON.

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

+ - - - - - Old Water Right Numbers - - - - -

7200024

+ - - - - - Conditions of Approval - - - - -

C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER

- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

11/23/99 08:24:05
Page 3

Prefix Translation: WATER RIGHT

+ - - - - Decree Plaintiff - - - +
STEPHENS, ET. AL.

+ - - - - Decree Defendant - - - +
SHAW, ET. AL.

+ - Decree Date - +
10/09/1911

+ - - Audit Fields - 11/11/98 JROBERTS 11/21/98 AJU10-DS 01/17/99 CPDSHAFF 02/04/99 ADT-DSHA 06/08/99 UPD-SEGB

+ -Comments- +

Date: 11/11/1998 User Id: JROBERTS Subject: COPIED FROM REMARKS

OWNERSHIP CHANGE WITH SPLIT 12/16/93 BY JG.

OWNERSHIP CHANGE MADE 8/29/95 TF.

OWNERSHIP CHANGE/SPLIT 11/13/97 jr

Date: 11/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE

CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART

OF RECORD THRU AJU10.

```
+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
```

Court Report Filing	- 01/29/1999	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 72C
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND	Notice of Error Flag	-

Water Right Number - R72-00024D

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
THORNTON

CHRISTINE L

THORNTON

C ROD

*** O - ORIGINAL OWNER ***
LUSHER

BETTY RUSTIN

MUNSCH

CHARLES

LUSHER

ARTHUR

MUNSCH

SHIRLEY

+ - - Priority Date - - +
05/01/1879

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - +
CHALLIS CREEK

+ - - Tributary - - - - +
SALMON RIVER

Turn	Ring	Sec	Tract	Lot	Rflg	County	Point of Diversion
14N	19E	7	SW NW NW NE SE NW NW SE NW	10	R	(37) CUSTER (37) CUSTER (37) CUSTER	HIGH LINE CANAL LO LINE CANAL

Water right number - R72-00024D Prefix Translation: RESEARCH

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31		0.290	
+ - Total Div. Rate - +				+ - Total Div. Volume - +	+ - Total Consumptive Use - +	
0.290					0.0	

Twn	Rng	Sec	Tract	lot	Acres	Place of Use	Code	Description	County
14N	19E	7	SW NE		0.5		01	IRRIGATION	(37) CUSTER
14N	19E	7	SW NW		1.0		01	IRRIGATION	(37) CUSTER
14N	19E	7	SE NW		13.0		01	IRRIGATION	(37) CUSTER
Total Acres:					14.5				

+ - Diversion Means - HIGH LINE CANAL, GRAVITY

+ - Non-Irrigation Use -

+ - Other Rights for Same Use - 72-04231D

POD	Remarks
LOT 10.	
POU1	USE OF THIS RIGHT WITH RIGHT NO. 72-04231D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14.5 ACRES IN A SINGLE IRRIGATION SEASON.
GEN	THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.

+ - - - - Old Water Right Numbers - - - - -
7200024

C16	Conditions of Approval
-	THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 72:
-	WATER RIGHT NO. SOURCE
-	NONE NONE
-	THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:
-	WATER RIGHT NO. SOURCE
-	NONE NONE
-	ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Prefix Translation: RESEARCH

+ - Decree Date - +
10/09/1911

OWNERSHIP CHANGE WITH SPLIT 12/16/93 BY JG.
OWNERSHIP CHANGE MADE 8/29/95 TF

OWNERSHIP CHANGE MADE 8/29/95 TF.

OWNERSHIP CHANGE/SPLIT 11/13/97 jf

Date: 11/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE

CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART

Date: 11/23/1999 User Id: JROBERTS Subject: CORRECTED TYPO IN POU

PER BLM OBJECTION, CORRECTED .5 AC IN NWNE TO SWNE.

+ - - Audit Fields - - +
11/23/99 JROBERTS

+ - - - - - Adjudication Rights Dates and Flags Area

Court Report Filing	- 01/29/1999	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-	
Claim Received Date	- 10/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P	
		Associated Number	- Y777777	Water District	- 72C	

Field Inspection Made	- 00/00/0000	Civil Case Number	-
Field Inspection Flag	-	Old Case Number	-
Verified Date	- 00/00/0000	Old Judicial District	-
Last Amended Date	- 00/00/0000	Temporary Right	- P
Receipt Number	- X777777	Water District	- 7
POU Ownership Flag	- Y	Federal/State Indicator	- S
Name Connector	- AND	Presumption Flag	-
		Notice of Error Flag	-

JR

RECEIVED
JUN 29 1999
Department of Water Resources
Southern Region

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

A. Subcase 72-00024D

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: C Rod & Christine L Thornton

Address: PO Box 246 Ketchum, ID 83340

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999


John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: C Rod & Christine L Thornton
Address: PO Box 246 Ketchum, ID 83340

Name:
Address:

Name:
Address:

Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

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

DATE: JAN-26-1999
PAGE: A-124

RIGHTS FROM: SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-00024D
NAME & ADDRESS: CHRISTINE L THORNTON
C ROD THORNTON
PO BOX 246
KETCHUM ID 83340
- POU ON BLM; UNAUTHORIZED USE
POSSIBLE TYPO - SHOULD BE SWNE
SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.29 CFS
PRIORITY DATE: 05/01/1879
POINT OF DIVERSION: T14N R19E S07 LOT 10 (SWNNW) *BLM* Within CUSTER County
NESENW ✓
NESENW ✓ (REDIVERSION)
NWSENW ✓ (REDIVERSION)
TWO POINTS OF DIVERSION LOCATED IN T14N, R19E, S07, SWNNW,
LOT 10.
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.29 CFS
PLACE OF USE: IRRIGATION Within CUSTER County
T14N R19E S07 NWNE 0.5 SWNW 1 ✓ SENW 13 ✓
14.5 ACRES TOTAL *BLM*
USE OF THIS RIGHT WITH RIGHT NO. 72-04231D IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 14.5 ACRES IN A SINGLE
IRRIGATION SEASON.

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

AJ5856NP

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

DATE: JAN-26-1999
PAGE: A-125

RIGHTS FROM: SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-00024D (CONT)

OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

DATE: 11/11/98
PAGE: 1

Stage: DECREED

CUSTER County
CUSTER County

SUM	---
14.5	
14.5	

Other Rights: 72-04231D

TWO POINTS OF DIVERSION LOCATED IN T14N, R19E, S07, SW1/4NW1/4,
LOT 10.

USE OF THIS RIGHT WITH RIGHT NO. 72-04231D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14.5 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

Made Date:	Verified Date:	Objection Filed Date:
------------	----------------	-----------------------

District Number: 72C Field Inspection Flag:
Presumption Flag:

CLAIM NUMBER 72-000241
72-042310

DATE 10/22/98
AGENT JR

TRANSFER NUMBER
CLAIMED ACRE TOTAL 14.5
GIS ACRE TOTAL 14.1

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	14N	19E	7							3.5	11									14
GIS	14N	19E	7		.5					1.1	12.7									14
RECOM	14N	19E	7		.5					1	13									14
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP

SHAPE NOS.
334 = 13 Ac.
335 = 1.7 Ac.

B72-DBPOD.SHP

NOS. DESCRIPTION
3 14N, 19E, 7 SWNW NW (10) Hi-Line div.
201 14N, 19E, 7 SWNW NW (10)
202 14N, 19E, 7 NWSE NW (R)
76 14N, 19E, 7 NESE NW Lo-Line div.
203 14N, 19E, 7 NESE NW (R)

DBF TABLES UPDATED

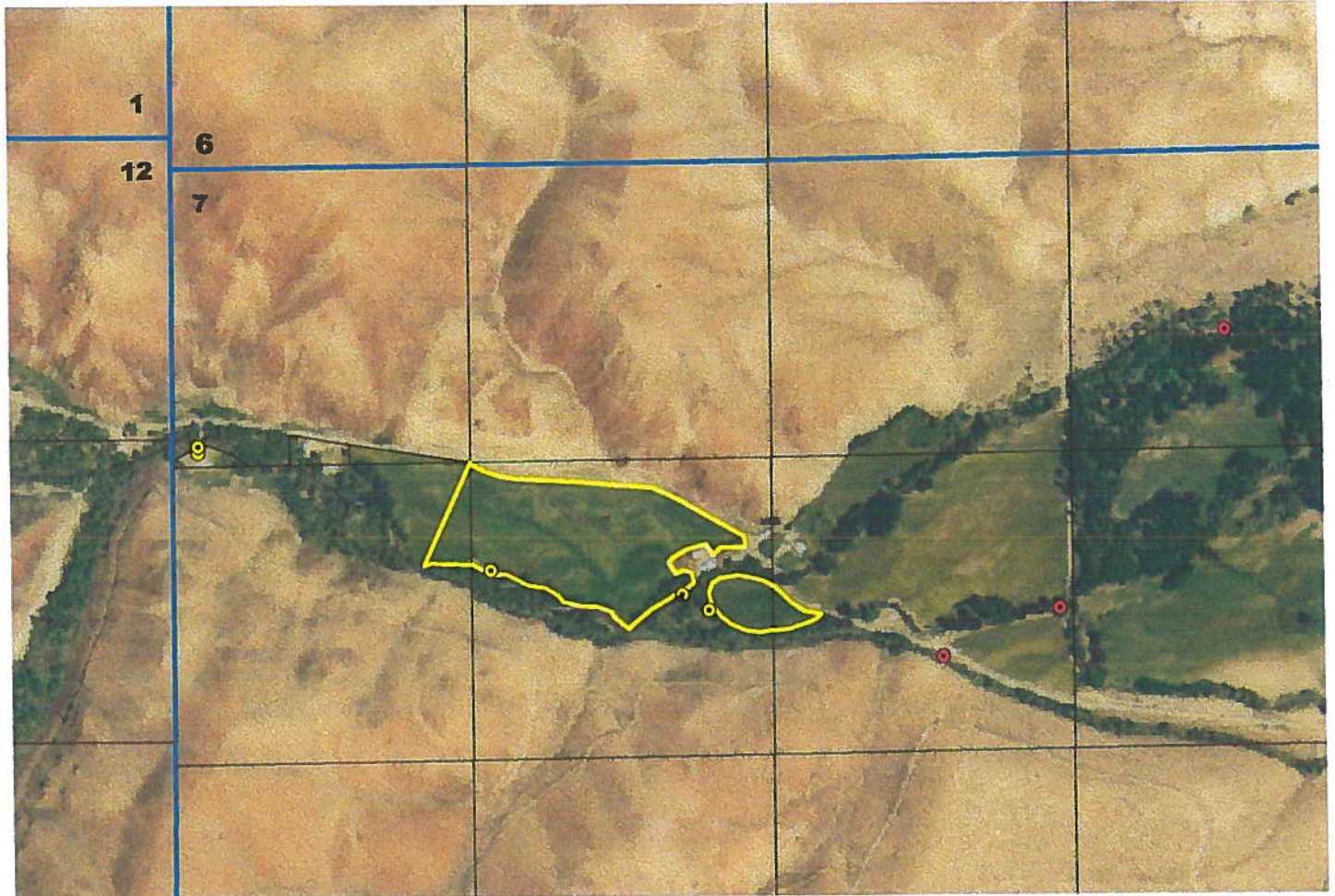
B72-DBPOU.DBF ✓

B72-DBPOD.DBF ✓

JPEG LAYOUT ✓

IDAHO DEPARTMENT OF WATER RESOURCES

72-00024D & 72-04231D



0 660 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 22, 1998
TWP 14N, 19E, SEC . 7



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

REVIEW OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-000240 72-042310

DATE: 11/11, 1998

REVIEWED BY [Signature]

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BBD						
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
GO1	.10	.12			12.47	10.51
HAYSE						
KEG	.08	.07			8.73	10.06
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL ROTATION (chart)	ACTUAL ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
WV1	11.24	?	11.5	.07	.805 CFS
WC1	11.24	?	3	.07	.21 CFS
					CFS
					CFS

TOTAL ACRES 14.5

DECREED RATE =

CLAIMED DIVERSION RATE =

MEASURED DIVERSION RATE =

72-000240 = .29
72-042310 = .58
rec'd as claimed

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE November 13, 1997 2:42pm CUSTOMER THORNTON/WUNSCH 72-00024B, 72-04231B

SUBJECT: OWNERSHIP CHANGE/SPLIT
phone call (.) walk-in (.)

Thorntons purchased Parcel #4 and .26 cfs from each of these rights in October of 1996 from Charles and Shirley Wunsch. They later purchased Parcel #3 and .03 cfs from each right in August of 1997. I added the totals of both transactions into the new splits, giving Wunsch the C portions and Thornton the D portions.

There are 9 acres in the NWNE of Section 7 mentioned in 72-04231B (and D) which are actually owned by the BLM, according to Mr. Wunsch. He said he is in the process of trading some land from Parcels #2 and #7 for these claimed irrigated acres but does not actually own those 9 acres at this point...

72-00032A

This right was also appurtenant to these parcels, but Mr. Wunsch said that because it was for such a small amount of water anyway, he wasn't going to bother splitting it and was going to convey it with Parcel #1, along with his remaining C portions of 72-00024 and 72-04231...

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

CUSTOMER

January 31, 1997 11:16am ROD THORNTON

A72-000240, A72-04231B

SUBJECT: OWNERSHIP CHANGE???

phone call (X) walk-in (.)

Said he'd sent in an ownership change and map last October and hadn't heard anything. He purchased 17 acres in Challis from Charles Wunsch. I checked in Trish's cubicle and found the paperwork and everything seemed to be in order. Told him we were a little behind but they looked fine and we would get to them as soon as we could...