

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 37-107
Date Received: 7/8/1988
Receipt No: S000802
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

T5 RANCH LLC Phone: (208)788-1236

PO BOX 751
BELLEVUE ID USA 83313

2. Date of Priority: 06/15/1888

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	19E	7	NW SE	LINCOLN	

5. Description of diverting works:

BROWN #62 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2	
STOCKWATER	1/01	12/31	0.05	

7. Total Quantity Appropriated is:
2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	18E	13	SW NE	IRRIGATION	16
			SE NE	IRRIGATION	16

						Section Acres	32
05S	19E	7	SW	SW	4	IRRIGATION	5.5
			SE	SW		IRRIGATION	14
			SW	SE		IRRIGATION	0.1
						Section Acres	19.6
05S	19E	18	NW	NE		IRRIGATION	1.3
			SW	NE		IRRIGATION	0.1
			NE	NW		IRRIGATION	7.8
			NW	NW	1	IRRIGATION	6.2
			SW	NW	2	IRRIGATION	45
			SE	NW		IRRIGATION	15
			NW	SW	3	IRRIGATION	1.1
						Section Acres	76.5
						Total Acres	128.1

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
AC. IRRIG. NOT SPECIFIED. IRRIGATES 116 ACRES ALONG WITH A37-00059H.
***** 1-13-99: OWNERSHIP CHANGE PER NOTICE RECD 1-12-99.
AMENDED CLAIM PER CLAIMANTS TO CORRECT RANGE FROM 19E TO 18E FOR SECTION 13 -VH
AMENDED CLAIM POU TO ADD ACRES; 4-24-03 SCC.

15. Basis of Claim: Decreed

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 37-107
Date Received: 7/8/1988
Receipt No: S000802
Received By: *See*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WENDE THORNTON

Phone: (208)487-3333

944 E HWY 26
RICHFIELD ID USA 83349

LARRY THORNTON

Phone: (208)487-3333

944 E HWY 26
RICHFIELD ID USA 83349

2. Date of Priority: 06/15/1888

3. Source: LITTLE WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	19E	7	NW SE	LINCOLN	

5. Description of diverting works:

BROWN #62 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2	
STOCKWATER	1/01	12/31	0.05	

7. Total Quantity Appropriated is:
2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	18E	13	SW	NE	IRRIGATION	16
			SE	NE	IRRIGATION	16
			Section Acres		32	
05S	19E	7	SW	SW	IRRIGATION	5.5
			SE	SW	IRRIGATION	14
			SW	SE	IRRIGATION	0.1
			Section Acres		19.6	
05S	19E	18	NW	NE	IRRIGATION	1.3
			SW	NE	IRRIGATION	0.1
			NE	NW	IRRIGATION	7.8
			NW	NW	IRRIGATION	6.2
			SW	NW	IRRIGATION	45
			SE	NW	IRRIGATION	15
			NW	SW	IRRIGATION	1.1
			Section Acres		76.5	
Total Acres		128.1				

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
AC. IRRIG. NOT SPECIFIED. IRRIGATES 116 ACRES ALONG WITH A37-00059H.
***** 1-13-99: OWNERSHIP CHANGE PER NOTICE RECD 1-12-99.
AMENDED CLAIM PER CLAIMANTS TO CORRECT RANGE FROM 19E TO 18E FOR SECTION 13 -VH
AMENDED CLAIM POU TO ADD ACRES; 4-24-03 SCC.

15. Basis of Claim: Decreed

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): Cory Clanton Date: 8-27-03

Date:

State of Idaho)
County of Gooding) SS.

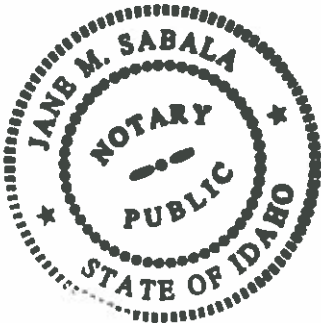
Subscribed and sworn (or affirmed) before me this
of August 2003

Jane M. Sabala

Notary Public

Residing at Wendell

My commission Expires 3-7-09





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

APRIL 25, 2003

LARRY & WENDE THORNTON
944 E HWY 26
RICHFIELD ID 83349

RE: AMENDED CLAIMS 37-59H & 37-107

Dear Mr. & Mrs. Thornton,

After reviewing your claims as we discussed during the exam on 4/23/03 I found the acres were increased slightly with the addition of the fields you added to the map. You are welcome to amend your claim to claim these additional acres and I have enclosed such forms for your use. Please review the claims and sign them with a Notary and return them. No fees are due since the Big Wood Canal Co. claimed the extra acres also. I have included a map showing the fields as they were added in the GIS project.

Again, review the claim, sign with Notary Public and return the claim to IDWR at the address above to my attention.

If you have further questions on this water right, please feel free to call me at our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

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: A37-00107 ✓

Date Received: 7/ 8/1988

Receipt No: S000802

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LARRY THORNTON 208-788-3348
Address: 40 FREEDOM LOOP
BELLEVUE ID 83313

AND/OR

Name: WENDE THORNTON 208-788-3348
Address: 40 FREEDOM LOOP
BELLEVUE ID 83313

2. Date of Priority: JUN 15, 1888

3. Source: LITTLE WOOD RIVER ✓ Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	19E	7	NW	SE			LINCOLN

5. Description of diverting works:

BROWN #62 HEADGATE ✓

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000	✓	
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:

2.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/200 DAIRY HEIFERS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	18E	13	SW	NE		IRR	24.0
			SE	NE		IRR	25.0
						Section Acres	49.0
	19E	18	NE	NW		IRR	2.0
			SW	NW	2	IRR	40.0
			SE	NW		IRR	25.0
						Section Acres	67.0
						Total Acres	116.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
A37-00059H

14. Remarks:

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
AC. IRRIG. NOT SPECIFIED. IRRIGATES 116 ACRES ALONG WITH
A37-00059H.

1-13-99: OWNERSHIP CHANGE PER NOTICE REC'D 1-12-99. AMENDED CLAIM
PER CLAIMANTS TO CORRECT RANGE FROM 19E TO 18E FOR SECTION 13 -VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, 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: _____

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): Carmy Thornton Date: 2-11-99
Wende Thornton Date: 2-11-99

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of February 19 99 Mary Baldwin
Notary Public

Seal



Residing at Twin Falls, Id.
My Commission Expires 10/16/2004

RECEIVED

JAN 07 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region

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 No(s): _____
Adjudication Claim No(s): A37-00059H, -00107, -10482 ✓
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 attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Ray Kissler and Jack Koonce
843E 270S, Dietrich, ID. 83324
4. New Owner/Claimant(s) Larry and Wende Thornton
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address 40 Freedom Loop
City, State and ZIP Code Bellevue, ID. 83313
New Telephone Number (208) 788-3348
5. Date you acquired the property Feb 14, 1997
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 you irrigate 116 Number and type of stock 200+/-
Diversion rate in CFS 2.88 Number of homes 1 Other uses _____
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 or Claimant(s) Larry Thornton
Wende Thornton
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

12 | 7
13 | 18

T 145
901 Capella Corp. / Thornton

NE 1/4, NW 1/4
SEC. 18, T. 5 S., R. 19 E. BM

2
15.0

HEL

SE 1/4, NW 1/4
SEC. 18, T. 5 S., R. 19 E. BM

11
19.0
12
47.4
LOT 1/2
SEC. 18, T. 5 S., R. 19 E. BM
NHBL

2.9

SE 1/4

SEC. 13, T. 5 S., R. 18 E. BM

10
10.7

NHEL

NHBL

DG
160AC
Property of
Stephen
& Payline Damale

Formerly
Jim
Ivey

Railroad Headgate
Brown 62

Diversions
of DG

Ditch a Point

BLM 532.5 AC

12

7

13

18

U.S.A.

U.S.A.

DG

Note: this land is rather
marginal L.H. - should be
10

16

DG

Highway

518 MAC

WARRANTY DEED

#L-24508

RECEIVED

JAN 07 1999

Department of Water Resources
Southern Region

For Value Received

RAY C. KISSLER, an unmarried man,

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

CAPELLA CORP., an Idaho corporation, accommodator for LARRY THORNTON
AND WENDE THORNTON,
Address: P.O. BOX 486, TWIN FALLS, ID 83303

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

RCEL-1 SECTION 13: 51/2NE1/4 IN
TOWNSHIP 5 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, LINCOLN
COUNTY, IDAHO AND
RCEL-2 TOWNSHIP 5 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY,
SECTION 18: LOT 2; NE1/4NW1/4; SE1/4NW1/4TOGETHER WITH 50 SHARES OF BIG WOOD WATER SHARES, 100" 1888 water decreed and 105.10"
1889 Cottonwood Water

SUBJECT TO:

The unpaid balance of that certain mortgage dated November 26, 1985, and recorded December 5, 1985,
as Instrument Number 148816, Lincoln County records.

All reservations in patents or deeds in the chain of title.

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: February 14, 1997

Ray C. Kissler
RAY C. KISSLERSTATE OF IDAHO)
COUNTY OF JEROME) ss.)On this 14th day of February, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared RAY
C. KISSLER, known or identified to me to be the personS whose nameS ARE subscribed to the within instrument, and
acknowledged to me that THEY executed the same.Rick Arnsen
Notary Public
Residing at:
My Commission expires:

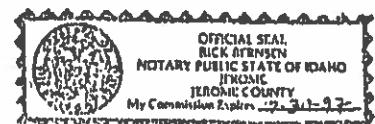
161877

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
Ray C. Kissler

FEB 14 1997

at 30 minutes past 10:14 AM
recorded by Rick Arnsen Dep.
Fee: 2.00 Return to: Phone

By hand.



A37-00107

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 Georgia Satterlee

DATE

January 6, 1999 12:17pm

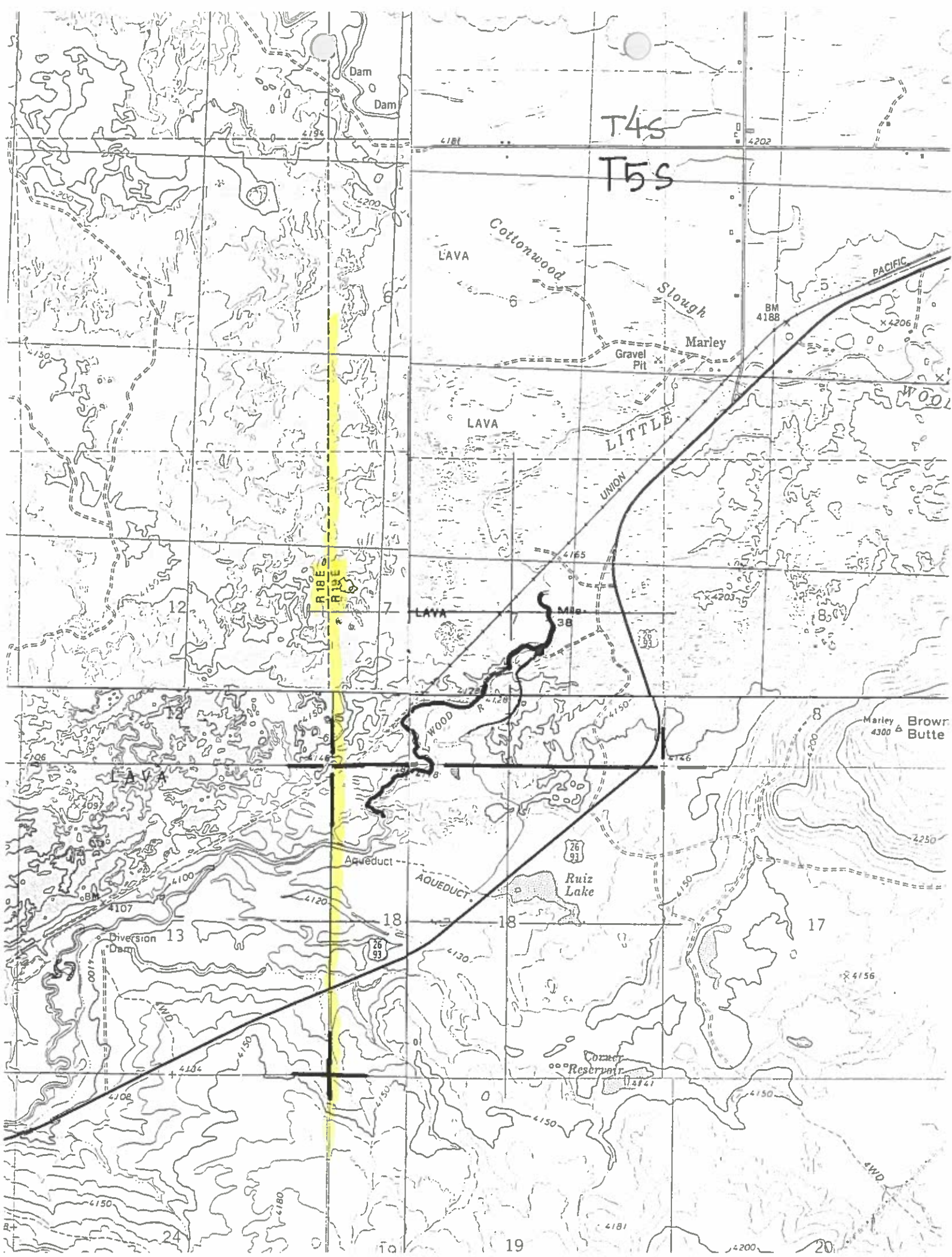
CUSTOMER

Thorton, Larry and Wende

SUBJECT: A37-10482, -00107, -00059H

phone call (.) walk-in (x)

1. Started a Change/Ownership for the above claims, they need to get the recorded instrument showing conveyance from Kissler/Koonce to Thornton. Hopefully the'll send all info in ASAP.
2. They wanted to file a application for permit related to a DLE and/or Carey Act with BLM; I processed an application for permit to generate a number 37-08887, they will submit this number to BLM.
3. I wrote a letter to Thorton's describing what they can submit to prove historical use (development before 1971 or 1987, late adjudication claim can be filed).
4. **PLEASE NOTE:** On the AJ claims (A37-00107, -00059H) there is an incorrect range for Section 13...needs to be R18E not R19E.





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

SOUTHERN REGION

January 13, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Larry and Wende Thornton
40 Freedom Loop
Bellevue, Idaho 83313

RE: Snake River Basin Adjudication (SRBA)
Claim Number(s): A37-10482, A37-00107, A37-00059H
Change of Ownership Notification

Dear Mr. and Mrs. Thornton:

Enclosed please find copies of the updated and amended versions of the above mentioned claims. Claim number A37-10482 is for your domestic well, and does not need to be signed and returned, as none of the elements of the right were amended. You should, in fact, be receiving the partial decree for this water right, soon.

As we discussed, I have amended the place of use, on both claims, by correcting the range from 19E to 18E for section 13. I also noticed that the point of diversion legal listed on claim A37-00059H indicated Section 7, Range 18E, and took the liberty of correcting that to Range 19E, which matches A37-00107.

Please review these amended claim forms, sign and return them to me. When you have collected the other documentation we discussed at our meeting yesterday, we can proceed with amending the place of use again, in regard to additional acreage, and distribution of acreage. Don't hesitate to call if you have any questions.

Sincerely,

Vikie Hancock
Water Resource Agent

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
JAN 12 1999
Department of Water Resources
Southern Region

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 No(s).: _____
Adjudication Claim No(s).: A37-10482, -00107, -00059H

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 attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Ray Kissler and/or Jack Koonce
843E 270S, Dietrich, ID. 83324

4. New Owner/Claimant(s) Larry and/or Wende Thornton
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address 40 Freedom Loop
City, State and ZIP Code Bellevue, ID. 83313
New Telephone Number (208) 788-3348

5. Date you acquired the property Feb 13, 1997

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 you irrigate 116+/- Number and type of stock 200+/-
Diversion rate in CFS 2.0+/- Number of homes 1 Other uses _____
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 or Claimant(s) Larry Thornton
Wende Thornton
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

WARRANTY DEED

#L-24508

For Value Received

RAY C. KISSLER, an unmarried man,

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

CAPELLA CORP., an Idaho corporation, accommodator for LARRY THORNTON
AND WENDE THORNTON,
Address: P.O. BOX 486, TWIN FALLS, ID 83303

Hereinafter called the Grantee, the following described premises situated in LINCOLN County, Idaho, to-wit:
RCEL-1 SECTION 13: S1/2NE1/4 IN
TOWNSHIP 5 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, LINCOLN
COUNTY, IDAHO AND
RCEL-2 TOWNSHIP 5 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY,
SECTION 18: LOT 2; NE1/4NW1/4; SE1/4NW1/4

TOGETHER WITH 50 SHARES OF BIG WOOD WATER SHARES, 100" 1888 water decreed and 105.10"
1889 Cottonwood Water

SUBJECT TO:

The unpaid balance of that certain mortgage dated November 26, 1985, and recorded December 5, 1985,
as Instrument Number 148816, Lincoln County records.

All reservations in patents or deeds in the chain of title.

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: February 14, 1997

Ray C. Kissler
RAY C. KISSLER

161877

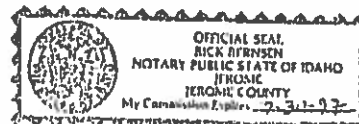
STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <i>David Little & E. Jensen</i>
FEB 14 1997
at 30 minutes past 10:11 AM Recorded by <i>Mike Jackson</i> Dep. Fee: <i>3.00</i> Return to: <i>above</i>

STATE OF IDAHO)

COUNTY OF JEROME) ss.)

On this 13th day of February, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared RAY
C. KISSLER, known or identified to me to be the personS whose nameS ARE subscribed to the within instrument, and
acknowledged to me that THEY executed the same.

Notary Public
Residing at:
My Commission expires:



The Thornton's wish to prove that, on and prior to 1987, more acres than were claimed by Kessler were actually being irrigated. They believe that 1) the acres that were claimed in 1988 were dispersed throughout the deeded property incorrectly, and 2) that Kessler declined to include acres of BLM land that were being irrigated in 1988. We discussed documents that would prove their assertion, and they said they would round those up and get back to us.

I told the Thorntons that I would update the ownership of both claims, correct the legal descriptions, and correct the source claimed for -00059H, and send them the amended claims for signature. Then, at the time they documented additional acres irrigated at the time of commencement, I could further amend the claims regarding the place of use.

Claimants have an application for permit to irrigated additional acres, located on BLM land, on file with allocations. This was a requirement from BLM in regard to a Carey Act application for homestead the Thorntons' have filed.

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 Georgia Satterlee

DATE

January 7, 1999 3:48pm

CUSTOMER

Thornton, Larry and Wende

SUBJECT: A37-00059H,-00107 Application for Permit 37-08887
phone call (.) walk-in (x)

They came in @ 1500 hrs. after being told by BLM that IDWR needs to process it all the way through, i.e. advertisement, approval, etc.

1. First, we discussed the letter I sent yesterday that they have not received yet.
2. They said they sent the deeds showing conveyance, etc.
3. We discussed amending the claims appurtenant to the property, i.e. all the evidence supplied will help support the amending of the existing claims.
4. We discussed historical use and supplying information that shows convincing evidence of consistent irrigation use.
See #3
5. They will be back 1400 hrs. on January 12, 1999, VHancock has agreed to tag team with me.

T. 1 S., R. 16 E., containing 160 acres. S 1/2 of NE 1/4, SE 1/4 of NW 1/4 and Lots 1 and 2, of Sec. 4, T. 1 S., R. 16 E., containing 151.78 acres.

Broadhurst, James B. SE 1/4 of NE 1/4 of Sec. 22, T. 1 S., R. 19 E.

Broadie, J. R. SW 1/4 of SW 1/4 of Sec. 15, NW 1/4 of NW 1/4 of Sec. 22, and N 1/2 of NE 1/4 of Sec. 21, T. 1 S., R. 21 E., containing 240 acres.

Brooks, James E. NW 1/4 of Sec. 9, T. 2 S., R. 21 E., and N 1/2 of SW 1/4 of Sec. 9, T. 2 S., R. 21 E., containing 240 acres.

Brown, Elmer E 1/2 of NW 1/4 and NW 1/4 of NE 1/4 of Sec. 35, T. 1 N., R. 17 E.

Brown, James N. E 1/2 of SE 1/4 of Sec. 9, and W 1/2 of SW 1/4 of Sec. 10, T. 2 N., R. 21 E. Also, NW 1/4 of NW 1/4 of Sec. 10, and E 1/2 of NE 1/4 and SW 1/4 of NE 1/4 of Sec. 9, T. 3 N., R. 18 E.

Brown, Marcus L. SE 1/4 of NW 1/4, N 1/2 of SW 1/4 and NW 1/4 of SE 1/4 of Sec. 32, and W 1/2 of NW 1/4 of Sec. 32, T. 2 S., R. 16 E., B. M.

Brown, Mary and Sarah, and Catherine Sweet N 1/2 of SE 1/4 and SE 1/4 of NE 1/4 of Sec. 12, T. 1 S., R. 18 E, and Lot 1, Sec. 7, T. 1 S., R. 19 E., containing 205 acres.

Brown, Mary, Sarah and Michael, and Catherine Sweet (See Finding No. 15.)

Brown, Michael and Eliza NE 1/4 of SW 1/4, SW 1/4 of NE 1/4 and W 1/2 of SW 1/4 of Sec. 12, and S 1/2 of SE 1/4 of Sec. 11, T. 1 S., R. 18 E., containing 243 acres.

Brown, Minnie B. N 1/2 of NE 1/4 of Sec. 12, and SW 1/4 of SE 1/4 of Sec. 1, T. 1 S., R. 18 E., -- 120 acres.

Brown, R. L. Estate Lot 2 and E 1/2 of NW 1/4 of Sec. 18, T. 5 S.,

CONT'D

R. 19 E., containing 132.8 acres.

Brown, Rodney R.

Lot 1, Sec. 2, T. 1 S., R. 17 E., SW 1/4 of SE 1/4 and E 1/2 of SW 1/4 of Sec. 35, T. 1 N., R. 17 E., containing 149.10 acres.

Bryant, John P.

NE 1/4 of SE 1/4 of Sec. 20, and SE 1/4 of NE 1/4 of Sec. 20, T. 5 S., R. 15 E., -- 80 acres.

Buller, R. F. and
Rosa B., his wife

112
113
114
115
116
117
118
119

SE 1/4 of SE 1/4 of Sec. 19, SW 1/4 of SW 1/4 of Sec. 20, W 1/2 of NW 1/4 of Sec. 29, SE 1/4 of NW 1/4 of Sec. 29, NE 1/4 of SW 1/4 of Sec. 29, NE 1/4 of SE 1/4 of Sec. 28, SW 1/4 of NW 1/4 and NW 1/4 of SW 1/4 of Sec. 27, T. 1 S., R.

Core Canal A

~~19 E.~~, containing 360 acres.

Also about 185
SE 1/4 NE 1/4, E 1/2 SE 1/4 Sec. 18
acres situated in Sections 17, and 18, T. 1 S.,

~~19 E.~~ Land in SE 1/4 and Lots 5 and 6, Sec. 36, T. 2 N., R. 18 E., containing about 11-2

Bellvue Canal B

Sec. 36, T. 2 N., R. 18 E., containing about 138 acres, known as the Whitton Ranch. Also, Lots 4 and 5 and SE 1/4 of NW 1/4 of Sec. 6, T. 1 N., R. 19 E., containing 118.17 acres.

S 1/2 of Sec. 30 and N 1/2 of Sec. 31, T. 1 N., R. 19 E. S 1/2 of NE 1/4, NE 1/4 of SE 1/4

and SE 1/4 of SE 1/4 of Sec. 8, T. 1 S., R. 19 E. Also, S 1/2 of NE 1/4 of Sec. 8, T. 1 S.,

~~19 E.~~ W 1/2 SE 1/4 Sec. 8 T. 1 S. R. 19 E. See order 11-29-1916

Burkill, Frank A.

Lutch, James W.

SE 1/4 of Sec. 18, T. 5 S., R. 15 E., 160 acres.
S 1/2 of SW 1/4 and W 1/2 of SE 1/4 of Sec. 29,
T. 4 N., R. 19 E.

SW 1/4 of SW 1/4

✓ Boren, Leonard	37 0081	214	July 27, 1907	Big Wood River.
✓ Bostrom, E. W.	37 0085	400	May 15, 1897.-	" " " Trans #269-270
✓ Bowman, J. W.	37 0086	160	Apr. 1, 1893.-	Little Wood River.
✓ Braga, Antonio C.	37 0087	80	June 11, 1906.-	Big Wood River.
✓ Braga, Mary A.	37 0088	20	Feb. 4, 1908.-	" " "
✓ Brett, Charles F.	37 0089	40	Nov. 1, 1885.-	Silver Creek.
"	"	80	Apr. 1, 1888.-	"Trans" 2492
37 0090	"	240	June 30, 1895.-	" "
37 0091	"	280	July 15, 1880.-	Willow Creek.
37 0092	"	260	June 15, 1887.-	" "
37 0093	"	240	May 1, 1890.-	" "
37 0094	"	50	Apr. 1, 1890.-	Chaney Creek.
37 0095	Trans. P.D. 44,900	130	May 29, 1893.-	Silver Creek. #900
37 0096	"	100	May 1, 1883.-	Little Wood River.
37 0097	"	35	Apr. 1, 1886.-	" " "
37 0098	superceded by Brown v. S. Beardon	60	June 1, 1886.-	Rock Creek.
Brown, Elmer				Big Cottonwood Canal Company shares.
Brown, George M.				Little Wood River. Muldoon Co.
37 0099	"	110	Apr. 1, 1884.-	East Fork of Big Wood River.
37 0100	"	120	July 1, 1889.-	Big Wood River.
37 0101	"	240	Apr. 26, 1903.-	" " " Trans #259
37 0102	"	400	June 1, 1887.-	" " "
37 0103	"	160	Aug. 1, 1884.-	" " "
37 0104	"	75	May 15, 1882.-	" " "
37 0105	"	380	May 31, 1887.-	" " " Trans #326
37 0106	"	240	May 15, 1892.-	" " " Trans #115-127
37 0107	"	100	June 15, 1888.-	Little Wood River. (Also shares in Big Cottonwood Canal Co.)

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: A37-00107
Date Received: 7/08/1988
Receipt No: S000802
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY C. KISSLER 208-544-2264
Address: 843E 270S
DIETRICH, ID 83324

AND/OR

Name: JACK KOONCE
Address: SHOSHONE, ID 83353

2. Date of Priority: JUN 15, 1888

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	19E	7	NW	SE			LINCOLN

5. Description of diverting works:
BROWN #62 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 DAIRY HEIFERS

A37-00107

Page 1

Date: 07/08/88

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	19E	13	SW	NE		IRR	24.0
			SE	NE		IRR	25.0
						Section Acres	49.0
		18	NE	NW		IRR	2.0
			SW	NW	2	IRR	40.0
			SE	NW		IRR	25.0
						Section Acres	67.0
						Total Acres	116.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
A37-00059H

14. Remarks:
P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
AC. IRRIG. NOT SPECIFIED. IRRIGATES 116 ACRES ALONG WITH
A37-00059H.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

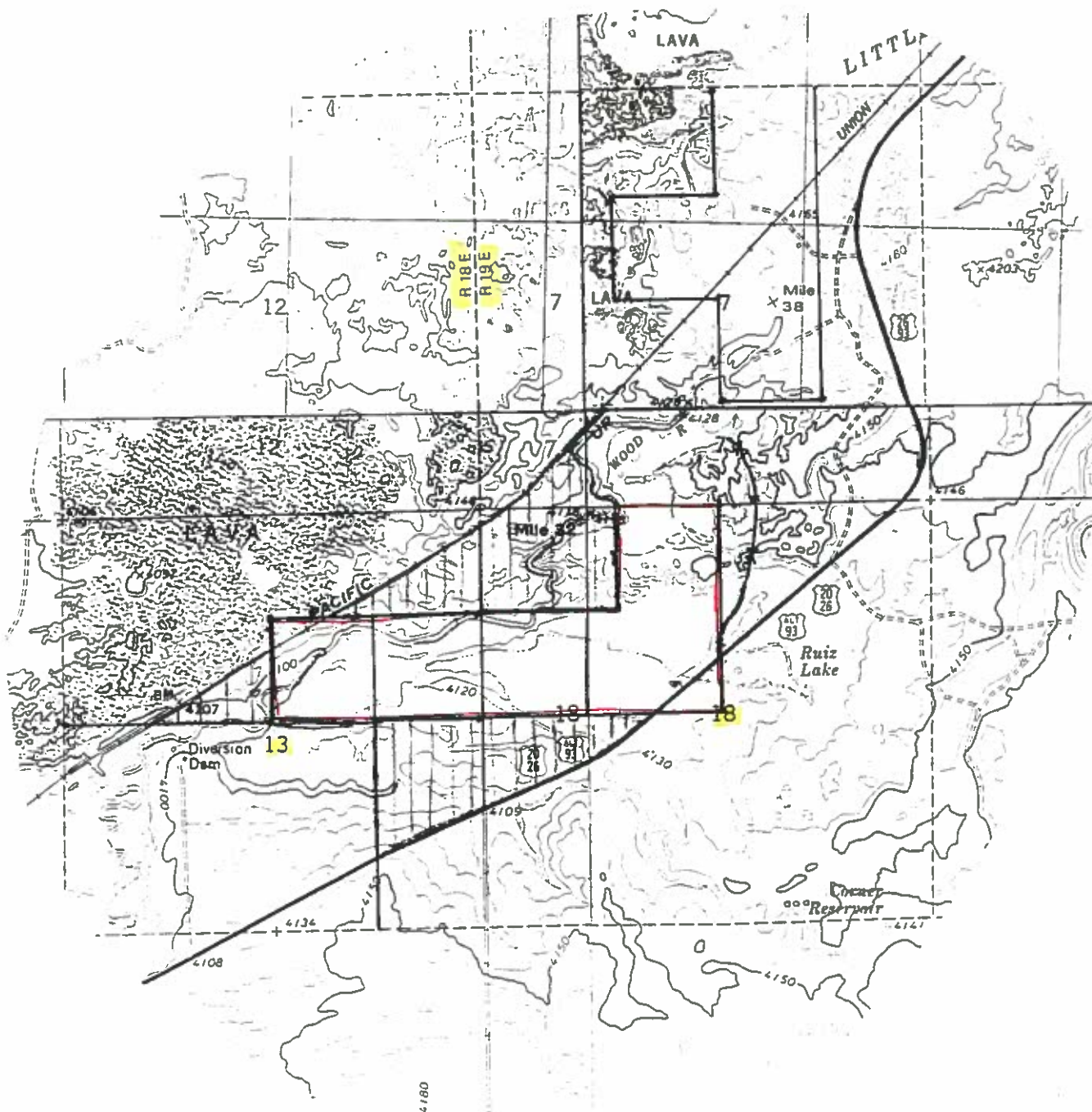
Signature of Claimant(s): Ray C. Risher Date: July 8 - 1988
Date:

State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of July 19 88 Lon White
Notary Public

Seal

Residing at T.F.
My Commission Expires 5/95



ATTACHMENT 1
AREA MANAGERS PROPOSED DECISION

LEGEND	
	PRIVATE LAND
	PUBLIC LAND
	AREA OF USE
	RIVER
	CANAL

MICROFILMED
FEB 22 1993

08/11/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21838

NAME AND ADDRESS: T5 RANCH LLC
PO BOX 751
BELLEVUE ID 83313

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.560 CFS

PRIORITY DATE: 06/15/1888

POINT OF DIVERSION:

T05S R19E S7 NENWSE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS
IRRIGATION	03/15 11/15	1.560 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R18E S13	SWNE	16.00	T05S R18E S13	SENE	16.00
T05S R19E S18	NENW	7.80	T05S R19E S18 Lot 2	SWNW	45.00
T05S R19E S18	SENE	15.00			

STOCKWATER Within LINCOLN County

T05S R18E S13	SWNE	T05S R18E S13	SENE
T05S R19E S18	NENW	T05S R19E S18 Lot 2	SWNW
T05S R19E S18	SENE		

99.8 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-21836 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 99.8 ACRES IN A SINGLE
IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

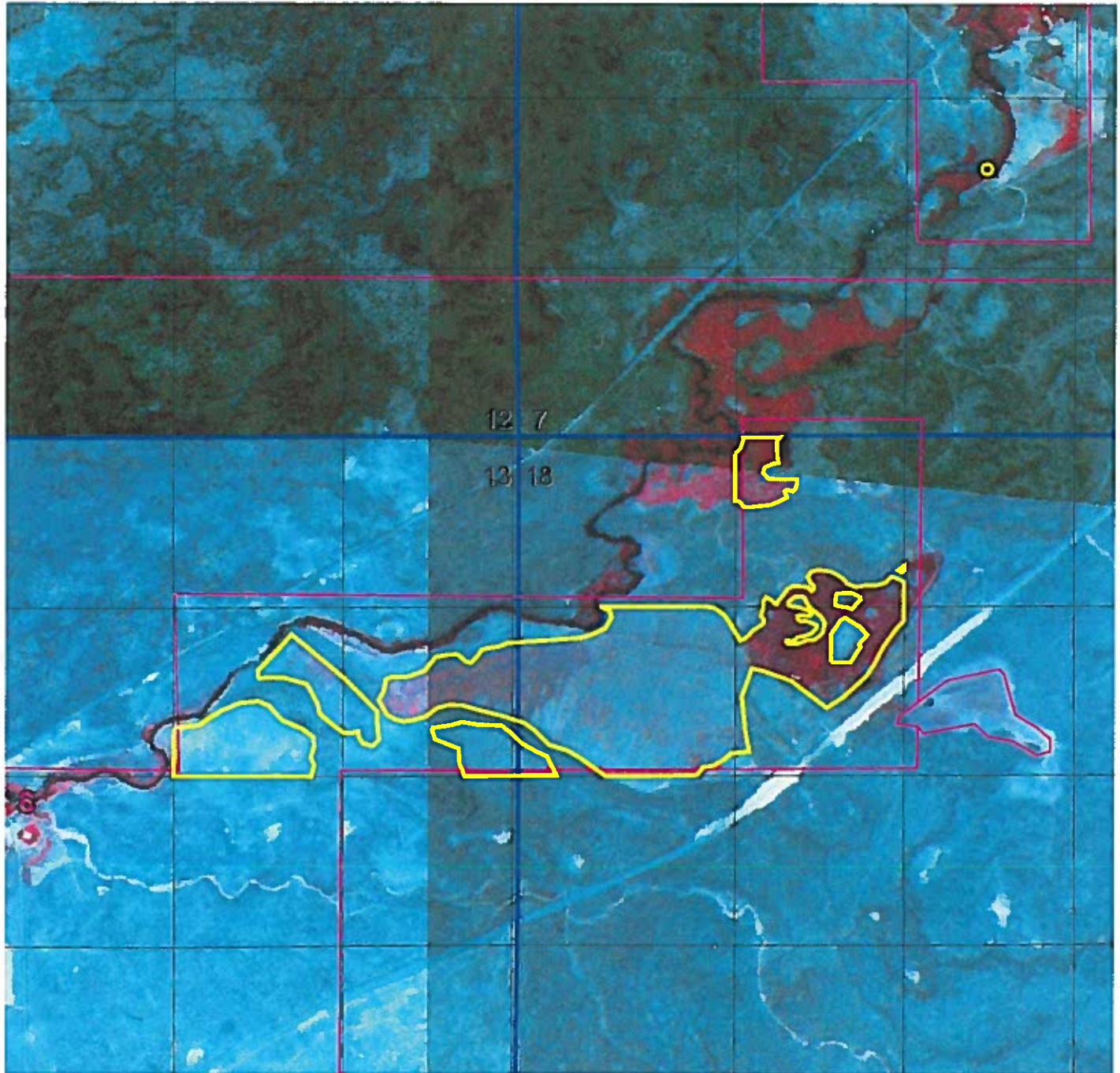
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL
CO.

This right is a split from former right 37-107 .

IDAHO DEPT OF WATER RESOURCES

37-21836 & 37-21838



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 5S
RNG: 18E & 19E
SEC: 7,13,18



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: AUGUST 11, 2006

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

RECEIVED

JUL 12 2006

DEPARTMENT OF
WATER RESOURCES

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-594					
37-107					
37-8887					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$75.00
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Larry + Wendie Thornton
944 E Hwy 26 Richfield, ID 83349
4. New Owner/Claimant(s) T.S. Ranch, LLC
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 757
- City, State and ZIP Code Belleuve, ID 83313
- New Telephone Number 208 788-1234
5. Date you acquired the property 12-14-04

↑ Steve C.
in Boise
Has maps

7/14/06 SEC DONE

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) TS Ranch LLC Matt Thornton Pres.
(include title if applicable) Shat Thont VP.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u>AMB</u>	Date <u>7-12-06</u>	Fee <u>75.00</u>	
Received by <u>AMB</u>	Date <u>7-12-06</u>	Receipt No. <u>2081654</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That we, LARRY J. THORNTON and WENDE L. THORNTON, husband and wife, Grantors, hereby convey, release, remise and forever quitclaim all our right, title and interest unto T 5 RANCH, L.L.C., as Grantee, whose address is 944 E. Highway 26, Richfield, Idaho, the real property and improvements situated in Lincoln County, State of Idaho, described as follows:

TOWNSHIP 5 SOUTH, RANGE 18, EAST OF THE BOISE
MERIDIAN, LINCOLN COUNTY, IDAHO

Section 13: S $\frac{1}{2}$ NE $\frac{1}{4}$;

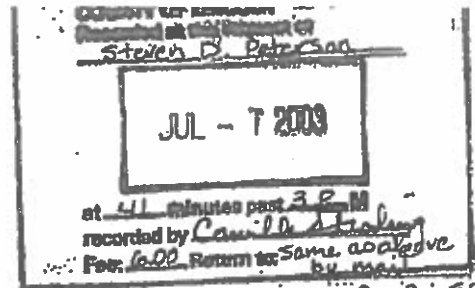
TOWNSHIP 5 SOUTH, RANGE 19, EAST OF THE BOISE
MERIDIAN, LINCOLN COUNTY, IDAHO

Section 18: Lot 2; NE $\frac{1}{4}$ NW $\frac{1}{4}$;SE $\frac{1}{4}$ NW $\frac{1}{4}$

DATED this 5th of May, 2003.

Larry J. Thornton
LARRY J. THORNTON

Larry J. Thornton
LARRY J. THORNTON as Power of
Attorney for WENDE L. THORNTON



P.O. Box 5298
Twin Falls, ID
83303

STATE OF IDAHO

County of Twin Falls

) ss.
)

On this 5th day of May, 2003, before me, a Notary Public in and for said county and state, personally appeared LARRY J. THORNTON, individually and as Power of Attorney for WENDE L. THORNTON, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that he executed the same.

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



Elizabeth A. Vedrig
NOTARY PUBLIC FOR IDAHO
Residing at: Kimberly ID
My Commission Expires: 10-30-2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

1

04/25/2003

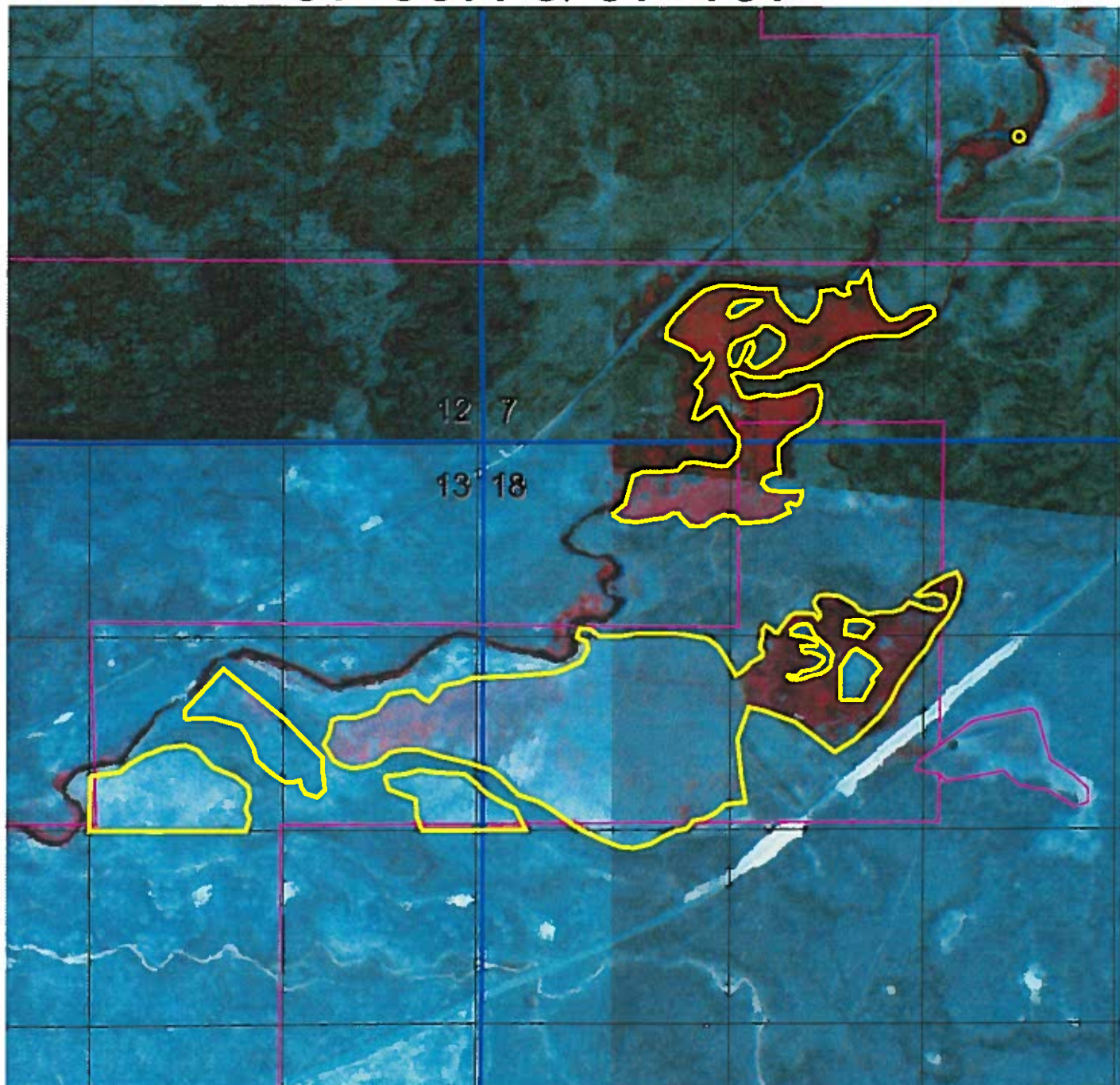
IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL
CO.

IDAHO DEPT OF WATER RESOURCES

37-59H & 37-107



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 5S
RNG: 18E & 19E



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: APRIL 25, 2003

Water Right Report 37-107

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ESTATE OF R L BROWN , ZZ

Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/	to /	2.000 CFS	
	<u>Total Diversion:</u>		2.000 CFS	

Place of Use
IRRIGATION

[illegible]Remarks:

1. General P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
AC. IRRIG. NOT SPECIFIED. FARM = 132.8 AC.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-107

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37M
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False