



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

RECEIVED
JAN 12 1999
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): A37-10482, -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-24503

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 12 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>Ray C. Kissler & Wendie Thornton</i>
FEB 14 1997
at 30 minutes past 10:14 AM recorded by <i>Mike Gachman</i> Dep. Fee: <i>2.00</i> Return to: <i>above</i>

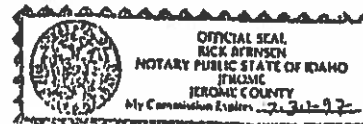
STATE OF IDAHO)

) ss.

COUNTY OF JEROME)

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.

[Signature]
Notary Public
Residing at:
My Commission expires:



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
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843E 270S, Dietrich, ID. 83324

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 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 _____

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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 2

SEC. 18, T. 5 S., R. 19 E. BM

NHEL

2.9

S 1/2 NE 1/4

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

10
10.7

NHEL

DG

1609 AC

Property of
Stephen R.
Phyllis Damale

Formerly
Jim
Ivey

16

Railroad Headgate
Brown 62

Division
of DG

Ditch a Point

BLM 5325 AC

12

7

13

18

U.S.A.

U.S.A.

DG

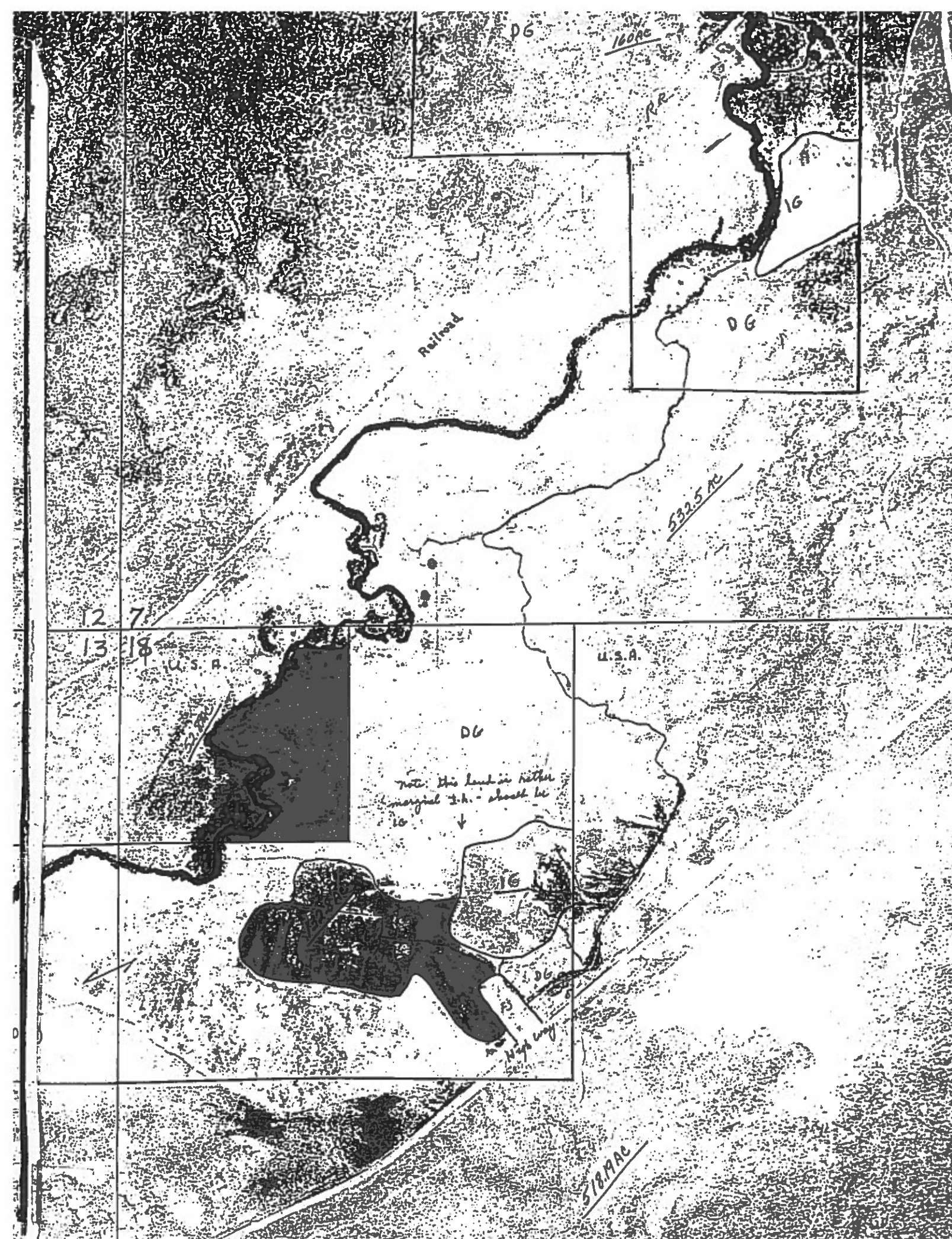
Note: this land is rather
marginal L.H. - should be
↓

16

DG

Highway

5189 AC



WARRANTY DEED

#L-24508

RECEIVED

JAN 07 1999

Department of Water Resources
Southern Region

For Value Received

RAY C. KISSLER, an unmarried man,

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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

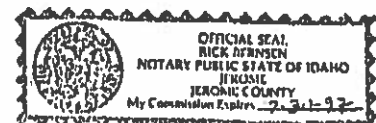
Ray C. Kissler
RAY C. KISSLER

161877

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <i>Handwritten signature</i>
FEB 14 1997
at <u>30</u> minutes past <u>10:15</u> A.M. Recorded by <u>Mike Jackson</u> Dep. Fee: <u>2.00</u> Return to: <u>above</u>

STATE 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.Notary Public
Residing at:
My Commission expires:

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

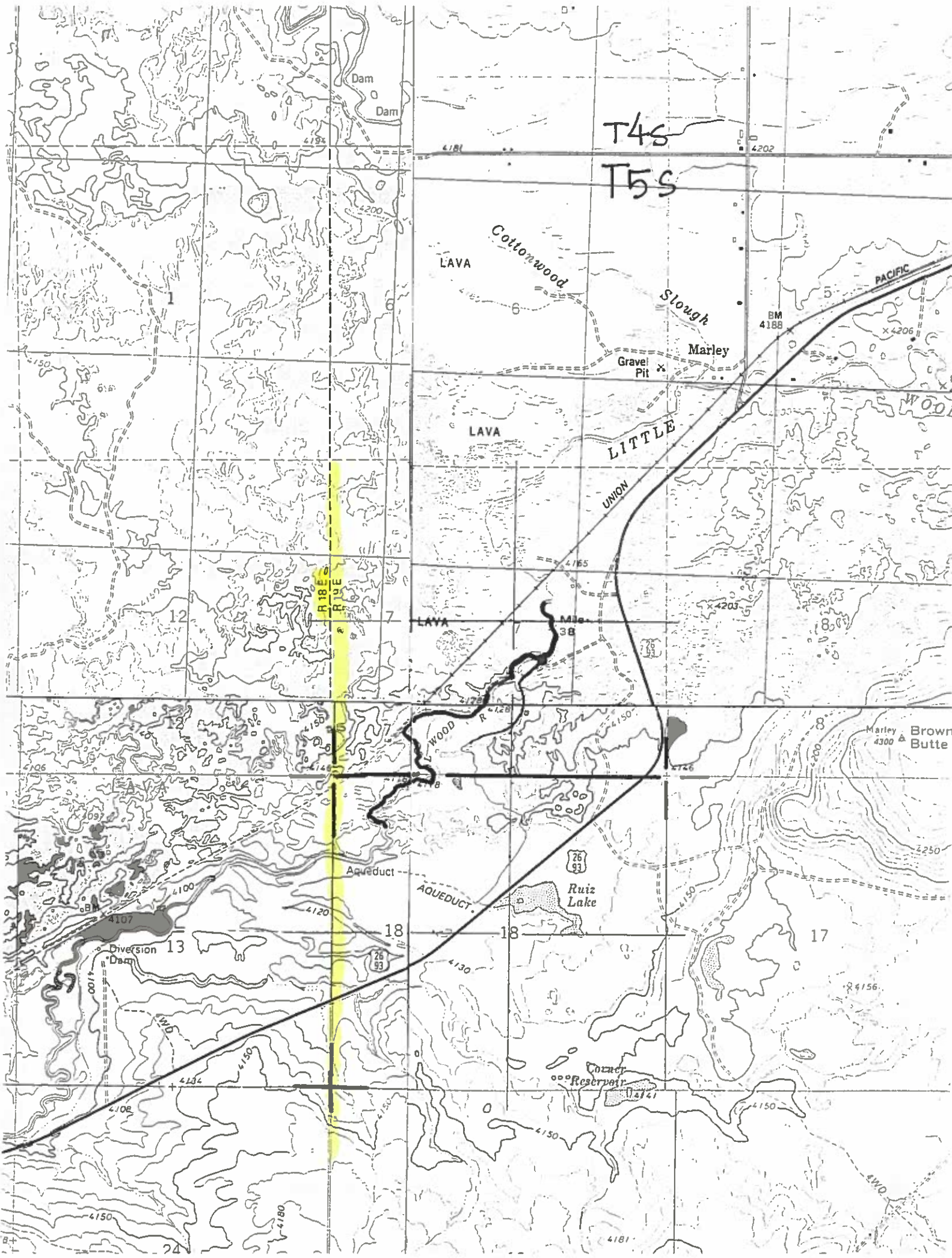
phone call (.) walk-in (x)

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.



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: A37-10482
Date Received: 7/08/1988
Receipt No: S000802
Received By:

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: JAN 01, 1941

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	19E	18	SW	SE	NW		LINCOLN

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	10/01	02/01	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/200 DAIRY HEIFERS

A37-10482

Page 1

Date: 07/08/88

MICROFILMED
FEB 25 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	19E	18	SE NW		STOCK DOMEST	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / 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): Ray C. Kunkle Date: July 8, 1988
Date:

State of Idaho)
County of TF) ss.

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

Seal

Residing at TF
My Commission Expires 5/95

WATER RIGHT NUMBER - A37-10482

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
KISSLER

RAY C.

1 - 843E 270S

2 -

3 -

CITY- DIETRICH

STATE- ID ZIP- 83324

PHONE - 208-544-2264

1 -

2 -

3 -

CITY- SHOSHONE

STATE- ID ZIP- 83353

PHONE - 208-000-0000

+ - - PRIORITY DATE - - +
01/01/1941+ - - - REGION - - - +
ERROR IN REGION+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - - TRIBUTARY - - - - - +

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
-----	-----	-----	-------	-----	------	--------	--------------------	---------------------------------------

05S	19E	18	SW SE NW			(63) LINCOLN		
-----	-----	----	----------	--	--	--------------	--	--

CODE	DESCRIPTION	PERIOD FROM	WATER USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
------	-------------	-------------	---------------------	----------------	------------------

43 - DOMESTIC

01/01

12/31

0.040

04 - STOCKWATER

10/01

02/01

0.050

+ - TOTAL DIV. RATE - +	+ - TOTAL DIV. VOLUME - +	+ - TOTAL DIV. CAPACITY - +	+ - TOTAL CONSUMPTIVE USE - +	+ - KW USAGE - +
0.050			0.0	

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
-----	-----	-----	-------	-----	-------	-------------------	-------------	--------

05S

19E

18

SE NW

04

STOCKWATER

(63) LINCOLN

05S

19E

18

SE NW

43

DOMESTIC

(63) LINCOLN

+ - - DIVERSION MEANS - WELL & PUMP

+ - - NON-IRRIGATION USE - D/1 HOUSE, S/200 DAIRY HEIFERS

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +
NO REMARKS FOUND.+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.MICROFILMED
OCT 25 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A37-10482

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +	+ - - - - DECREE DEFENDANT - - - +	+ - DECREE DATE - 00/00/0000

+ - - AUDIT FIELDS - 07/08/88 WHITE 09/26/89 REFUNDML

+ - - - - - COMMENTS - - - - -
NO COMMENTS FOUND

```
+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -
```

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 07/06/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- 5000802	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

RP05519E182400

DATA ENTRY
ENTERED 12/2
CHECKED CJ

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

VERIFIED
FEB 13 1992

CERTIFIED
MAR 24 1992
WATER EXAMINER