

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

04/12/2001

WATER RIGHT NO. 37-13362

Owner Type Name and Address
Current Owner PAMELA L PANTONE
Current Owner RUSSELL A PANTONE
 325 W 620 N
 SHOSHONE, ID 83352
 (208)886-2852

Directors Report Owner JOHN C THROCKMORTON
 608 ERIN DR
 JEROME, ID 83338
 (208)324-5001

Priority Date: 12/31/1940
Basis: Beneficial Use
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.02 CFS		
DOMESTIC	1/01	12/31	0.04 CFS		
Total Diversion			0.06 CFS		

Location of Point(s) of Diversion:

GROUND WATER NENWNW Lt 4 Sec. 05 Township 05S Range 17E LINCOLN County

Place(s) of use:

Place of Use Legal Description: STOCKWATER LINCOLN County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05S	17E	5	4	NWNW										

Place of Use Legal Description: DOMESTIC LINCOLN County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05S	17E	5	4	NWNW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

Water Right 37-13362

1. Explanatory

PARCEL NO. 05S17E052401A STOCKWATER, 10 RANGE CATTLE, 1 HORSE

Dates:

Licensed Date:
Claim Received Date: 02/02/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): S011108
State or Federal: S
Owner Name Connector: AND/OR
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False



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

April 12, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PAMELA PANTONE
RUSSELL PANTONE
325 W 620 N
SHOSHONE ID 83352

RE: Decreed Water Right 37-13362

Dear Mr. and Mrs. Pantone:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the water right(s) noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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

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

RECEIVED
MAR 30 2001
Department of Water Resources
Southern Region

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
37-13362					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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) John C. Throckmorton
608 Erin Drive Jerome, Idaho 83338
4. New Owner/Claimant(s) Russell A. and/or Pamela L. Pantone
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 325 West 620 North
- City, State and ZIP Code Shoshone, Idaho 83352
- New Telephone Number (208) 886-2852
5. Date you acquired the property Sept. 2, 1998

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) Pamela L. Pantone
(include title if applicable) _____

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>[Signature]</u>	Date <u>3/20/01</u>	Fee <u>25.00</u>	
Receipted by <u>[Signature]</u>	Date <u>3/30/01</u>	Receipt No. <u>5023706</u>	
Processed by <u>[Signature]</u>	AJ Date <u>4/12/01</u>	WR _____	Date _____

RECEIVED
MAR 30 2001
Department of Water Resources
Southern Region

TRUSTEE'S DEED

FOR VALUE RECEIVED, U.S. BANK, National Association, f.k.a. West One Bank, Idaho, N.A. Boise, Idaho Trustee of the John C. and Betty M. Throckmorton Trust dated the 25th day of September, 1990, GRANTOR, does hereby bargain, sell and convey without warranty unto **Russell A. Pantone and Pamela L. Pantone, husband and wife**, whose current address is 3953 N. 3300 East, Twin Falls, Idaho 83301, GRANTEE, the following described premises situated in Lincoln County, State of Idaho, to-wit:

See attached Schedule "A"

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee and to Grantee's heirs and assigns forever.

Dated this 2nd day of September, 1998.

U.S. BANK N.A. as Trustee for
Throckmorton Trust
dated September 25, 1990

By: *Dennis C. Wagner*
A.V.P. & Trust Property Officer

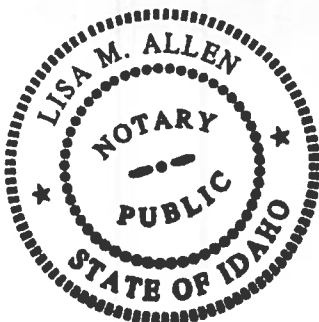
STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 2nd day of September, 1998, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Dennis C. Wagner known or identified to me to be the A.V.P. & Trust Property Officer of the corporation/fiduciary that executed the instrument or the person who executed the instrument on behalf of said corporation/fiduciary and acknowledged to me that such corporation/fiduciary executed the same.

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

Lisa M. Allen
Notary Public for Idaho
Residing at Boise
My commission expires: 6/11/2004

(SEAL)



165535

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <u>Land Title & Escrow</u>
SEP 4 1998
at <u>38</u> minutes past <u>3:00</u> P. recorded by <u>Nara Sturgeon</u> Fee: <u>6.00</u> Return to: <u>Land Title & Escrow</u>

SCHEDULE A

Parcel No. 1:

TOWNSHIP 5 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 5: Lots 3 and 4; S½NW¼; N½SW¼;

EXCEPTING THEREFROM a parcel of land located in Lots 3 and 4, described as follows:

Commencing at the North quarter corner of Section 5, a distance of 1847.40 feet on a bearing of South 89°49'00" West along the North boundary of said Section 5 to THE REAL POINT OF BEGINNING;

Thence from this REAL POINT OF BEGINNING a distance of 300.00 feet on a bearing of South 0°11'00" East;

Thence a distance of 726.00 feet on a bearing of South 89°49'00" West;

Thence a distance of 300.00 feet on a bearing of North 0°11'00" West to the North boundary of Section 5;

Thence along the North boundary of Section 5 a distance of 726.00 feet on a bearing of North 89°49'00" East to THE REAL POINT OF BEGINNING.

Parcel No. 2:

TOWNSHIP 5 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 6: Lot 1; That part of the SE¼NE¼ lying North of the American Falls Canal.

Parcel No. 3:

TOWNSHIP 5 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 5: A parcel of land located in Lots 3 and 4, described as follows:

Commencing at the North quarter corner of Section 5, a distance of 1847.40 feet on a bearing of South 89°49'00" West along the North boundary of said Section 5 to THE REAL POINT OF BEGINNING;

Thence from this REAL POINT OF BEGINNING a distance of 300.00 feet on a bearing of South 0°11'00" East;

Thence a distance of 726.00 feet on a bearing of South 89°49'00" West;

Thence a distance of 300.00 feet on a bearing of North 0°11'00" West to the North boundary of Section 5;

Thence along the North boundary of Section 5 a distance of 726.00 feet on a bearing of North 89°49'00" East to THE REAL POINT OF BEGINNING.



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 16, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TONY & PAM PANTONE
325 W 620 N
SHOSHONE ID 83352

RE: OWNERSHIP CHANGE FOR DECREED WATER RIGHT 37-13362

Dear Water Right Holder:

The Department has been notified that you are the current owners of the property to which the above water right appurtenant. In order for our records to be changed, however, it is necessary for you to complete the enclosed Notice of Change of Water Right Ownership form. Please complete it per the instructions (pages 3 and 4) include the required information listed under item 2, a \$25.00 filing fee and return everything in the enclosed self-addressed envelope. Once this packet is received, the changes will be made to our records, and you will be sent confirmation that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Trish Fawcett
Technical Records Specialist

AJ5856NP

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

DATE: OCT-24-1997

PAGE: A-1688

RIGHT NUMBER: 37-13362

NAME & ADDRESS: JOHN C THROCKMORTON
608 ERIN DR
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 12/31/1940

POINT OF DIVERSION: T05S R17E S05 LOT 4 (NENWNW) Within LINCOLN County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County
T05S R17E S05 Lot 4 (NWNW)

DOMESTIC Within LINCOLN County
T05S R17E S05 Lot 4 (NWNW)

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 05S17E052401A
STOCKWATER, 10 RANGE CATTLE, 1 HORSE

Claim proofread by: MH

Date: 11-3

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: A37-13362
Date Received: 2/02/1990
Receipt No: 5011108
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN C. THROCKMORTON 208-324-5001
Address: 608 ERIN DRIVE
JEROME, ID 83338

2. Date of Priority: DEC 31, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	17E	5	NE	NW	NW	4	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	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 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/ 10 RANGE CATTLE, 1 HORSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	17E	5	NW	NW	4	STOCK	
			NW	NW	4	DOMEST	

A37-13362

Page 1

Date: 02/02/90

MICROFILMED
MAR 01 1993

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:

THIS CLAIM REPLACES A37-10355 WHICH WAS WITHDRAWN BY THE PREVIOUS
OWNER WITHOUT MR. THROCKMORTON'S KNOWLEDGE. NO LATE FEE IS
CHARGED AS PER PHONE CONV. WITH DAVE SHAW THIS DATE. ADM.

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: 1 deed

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): John C Throckmorton Date: 2-2-90

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of Feb. 19 90

[Signature]
Notary Public

Seal

Residing at Kimberly, ID.

My Commission Expires 01/30/98

WARRANTY DEED

For Value Received

PAMELIA JEAN YEARSLEY, an unmarried woman

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

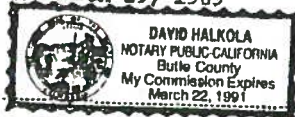
JOHN C. THROCKMORTON and BETTY M. THROCKMORTON, husband and wife
whose address is: 608 Erin Drive Jerome, Idaho 83338

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

See Exhibit "A" Attached Hereto:

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: March 29, 1989



Pamela Jean Yearsley
PAMELIA JEAN YEARSLEY

California
STATE OF ~~IDAHO~~ COUNTY OF BUTTE
On this 29th day of March, 1989,
before me, a notary public in and for said State, per-
sonally appeared
PAMELIA JEAN YEARSLEY

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

DAVID HALKOLA Notary Public
Residing at PARADISE, CALIFORNIA 95969

152931

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
Land Title & Escrow, Inc.

MAR 31 89
at 34 minutes past 11:00 AM
recorded by *Marilyn Harris*
Fee 6.00 Return to *MA 01 1993*
P.O. Box 349
Jerome, Id. 83338

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

TOWNSHIP 5 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 5: A parcel of land located in Lots 3 and 4, described
as follows:

Commencing at the North quarter corner of Section
5, a distance of 1847.40 feet on a bearing of
South 89°49'00" West along the North boundary of
said Section 5 to THE REAL POINT OF BEGINNING;
Thence from this REAL POINT OF BEGINNING a distance
of 300.00 feet on a bearing of South 0°11'00"
East;
Thence a distance of 726.00 feet on a bearing of
South 89°49'00" West;
Thence a distance of 300.00 feet on a bearing of
North 0°11'00" West to the North boundary of
Section 5;
Thence along the North boundary of Section 5 a
distance of 726.00 feet on a bearing of North
89°49'00" East to THE REAL POINT OF BEGINNING.

MICROFILMED

MAR 01 1993

Schedule A Page 2 No.

85-01-006106

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

OLD (D) NUMBER -

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

1 - 608 ERIN DRIVE
2 -
3 -
CITY- JEROME
PHONE - 208-324-5001

STATE- ID ZIP- 83338

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

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

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

MICROFILMED
NOV 29 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER EXAMINER