

02/11/2008

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

RIGHT NUMBER: 37-4384

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
PO BOX 1607
BELLEVUE WA 98009

SOURCE: PREACHER CREEK

TRIBUTARY: THORN CREEK

QUANTITY: 4.000 CFS

PRIORITY DATE: 04/01/1910

POINT OF DIVERSION:

T04S R16E S30 NWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	4.000 CFS

PLACE OF USE: IRRIGATION in GOODING County

T04S R16E S30 Lot 3 NWSW	12.00	T04S R16E S30 Lot 4 SWSW	28.00
T04S R16E S30 SESW	29.00	T04S R16E S31 NENE	14.00
T04S R16E S31 SWNE	2.00	T04S R16E S31 NENW	31.00
T04S R16E S31 Lot 1 NWNW	2.00	T04S R16E S31 SENW	14.00

132 ACRES TOTAL

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

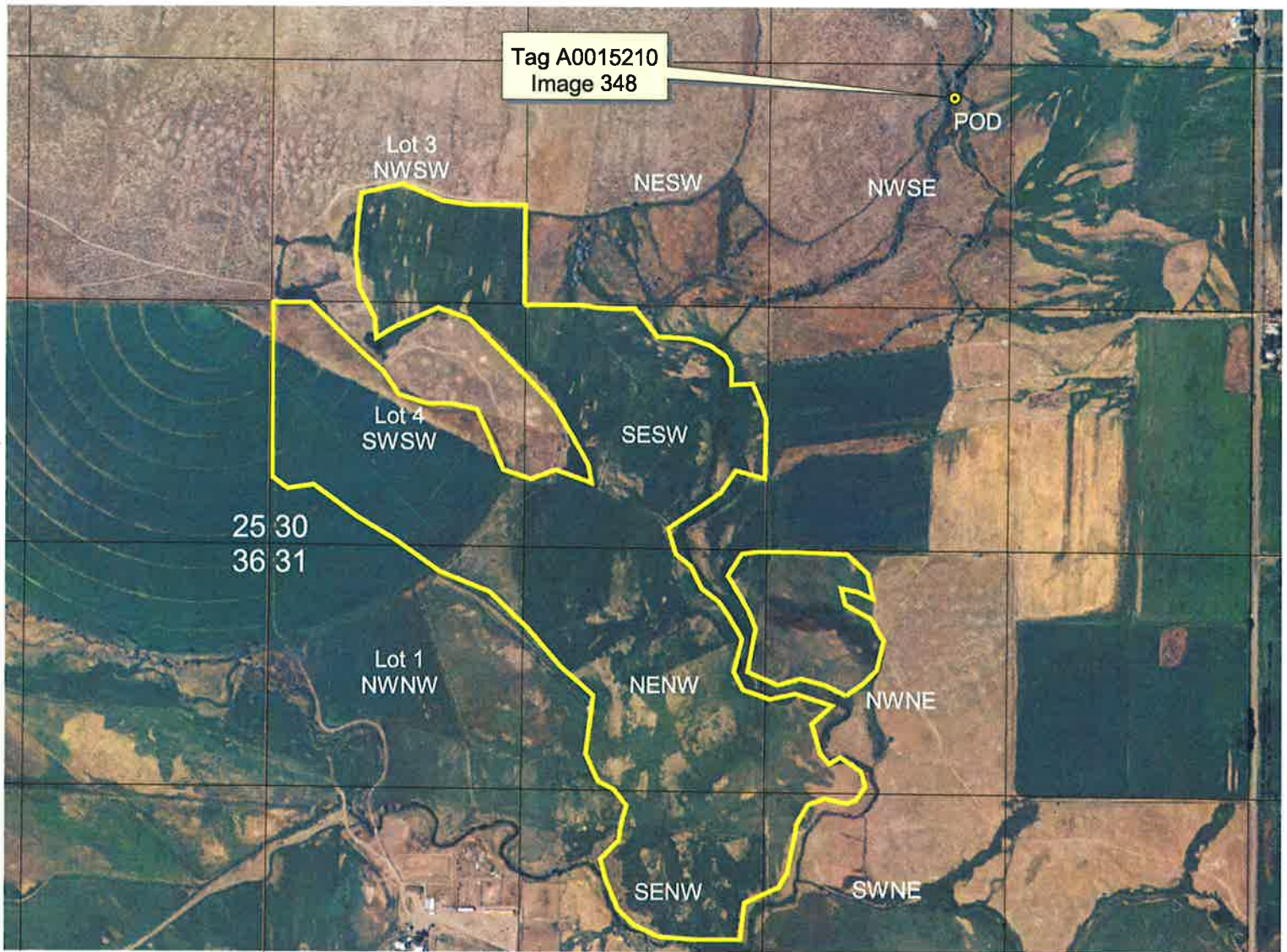
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Big Wood Canal Co.

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

37-4384



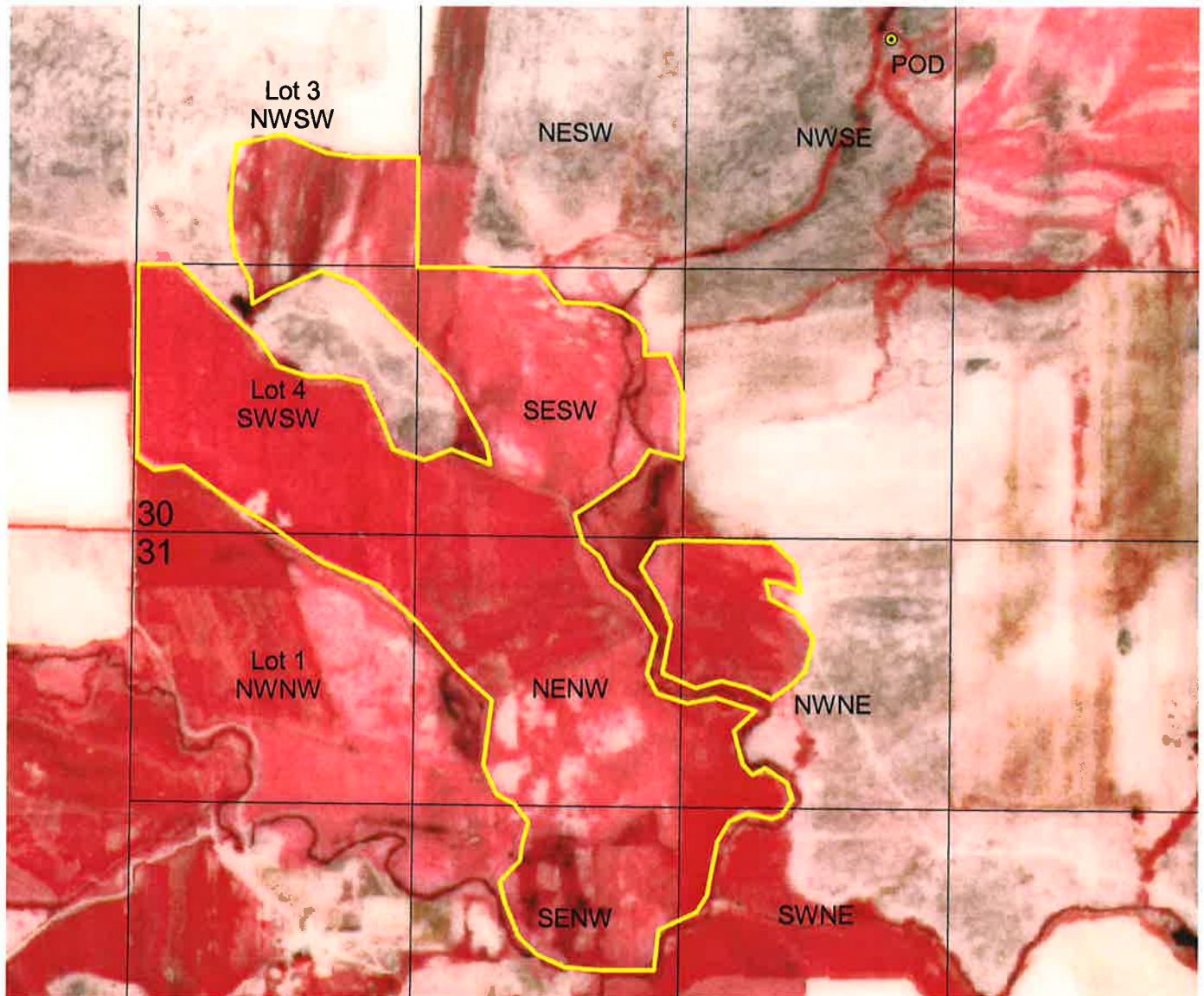
700 0 700 1400 2100 2800 Feet

T04S R16E S30 & S31

Map prepared by: Carter Fritschle
Date prepared: 11/22/04 - Revised 02/08/08
2004 NAIP photography
Idaho Department of Water Resources



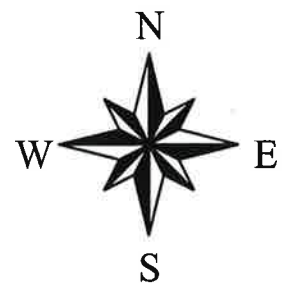
37-4384



600 0 600 1200 1800 2400 Feet

T04S R16E S30 & S31

Map prepared by: Carter Fritschle
Date prepared: 11/22/04
1987-1988 NAPP photography
Idaho Department of Water Resources



37-4384



Tag No. A0015210 – Image No. 348

Ditch is near the center of the photo under the tree.

04/17/2007

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

RIGHT NUMBER: 37-4384

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
PO BOX 1607
BELLEVUE WA 98009

SOURCE: PREACHER CREEK

TRIBUTARY: THORN CREEK

QUANTITY: 2.640 CFS

PRIORITY DATE: 04/01/1910

POINT OF DIVERSION:

T04S R16E S30 NWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.640 CFS

PLACE OF USE: IRRIGATION in GOODING County

T04S R16E S30 Lot 3 NWSW	12.00	T04S R16E S30 Lot 4 SWSW	28.00
T04S R16E S30 SESW	29.00	T04S R16E S31 NWNE	14.00
T04S R16E S31 SWNE	2.00	T04S R16E S31 NENW	31.00
T04S R16E S31 Lot 1 NWNW	2.00	T04S R16E S31 SENW	14.00

132 ACRES TOTAL

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 - Beneficial Use

Use of this right is combined with water from Big Wood Canal Co.

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **HAILEY, IDAHO,**
has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant
MARCUS L. MOODY

according to the provisions of the Act of Congress of April 24, 1820, entitled "An Act making further provision for the sale of the Public Lands" and the acts supplemental thereto, for the **SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE IN TOWNSHIP FOUR SOUTH OF RANGE FIFTEEN EAST AND THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION THIRTY AND THE NORTH-WEST QUARTER OF SECTION THIRTY-ONE IN TOWNSHIP FOUR SOUTH OF RANGE SIXTEEN EAST OF THE BOISE MERIDIAN, IDAHO, CONTAINING THREE HUNDRED TWENTY-FIVE AND EIGHTY-TWO-HUNDREDTHS ACRES,**

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **WILLIAM H. TAFT**

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **SEVENTEENTH**

(SEAL)

day of **AUGUST** in the year of our Lord one thousand
nine hundred and **ELEVEN** and of the Independence of the
United States the one hundred and **THIRTY-SIXTH**

By the President:

By

Wm. H. Taft
M. P. Le Roy
H. W. Langford

Secretary,

Recorder of the General Land Office.

221314

RECORD OF PATENTS: Patent Number

03/17/2005

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

RIGHT NUMBER: 37-4384
NAME AND ADDRESS: SOUTH COVE VENTURES LLC
C/O CHUCK HILL
PO BOX 1607
BELLEVUE WA 98009

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
No lawful appropriation shown.

Contacts Data Entry Form

Claim Number 37-4384

549
deeds

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Bruce McCaw South Cove Ventures LLC	PAULINE S DAMELE 855 W COUNTY LINE RD	GOODING	Washington	ID 83330	(208)886-2797
Current Owner	STEPHEN D DAMELE	855 W COUNTY LINE RD	GOODING	ID	83330	(208)886-2797
	Rod Gonzales					208-764-3904

Date of Field Exam: 10-22-04 Time: 10 AMAccompanied By: Rod Gonzales Phone Number: 208-764-3904Relationship to Claimant: Foreman

Directions to Property (if different from above) and/or update owner information:

From Gooding 5 mi North - 6 mi East - 1 1/2 mi North
1/2 mi West to Future ranch office

Reviewer:

Lee R. PetersonDate: 10-22-04

Point of Diversion and Source Data Entry Form

Claim Number 37-4384

Claimed Point of Diversion and Source

T04S R16E S30 NWSE Within GOODING County Source: PREACHER CREEK THORN CREEK

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T04S R16E S30 NWSE Within GOODING County

Recommended Point of Diversion and Source

Source Information

Source

Preacher Cr.

Tributary To

Thorne Cr.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
45	16E	30		NWSE	Gooding	Preacher Cr
				SE9 GPS		

Other rights from this POD? NO

Document how the POD and Source were verified:

Rod Gonzales and I drove & walked to area
3rd PODSouth Cove 1 - Cove 1 2451082 1316418 plate A0015210 Photo 1030348

Reviewer:

Date: 10-22-04

Place Of Use Data Entry Form

Claim Number 37-4384

Claimed Place Of Use

T04S R16E S30	NWSW	20.0	T04S R16E S30	SWSW	30.0
T04S R16E S30	SESW	20.0	T04S R16E S31	NWNE	12.0
T04S R16E S31	NENW	30.0	T04S R16E S31	SENE	20.0

Total Acres 132

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T04S R16E S30	NWSW	20.0	T04S R16E S30	SWSW	30.0
T04S R16E S30	SESW	20.0	T04S R16E S31	NWNE	12.0
T04S R16E S31	NENW	30.0	T04S R16E S31	SENE	20.0

Total Acres 132

appears ok by Rod

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
4	16E	30-31			Gooding			Irrigation

Total Acres _____

Document how the POU was verified:

*Rod & I walked to POD & POU*Reviewer: Date: *10-22-04*

Period of Use and Quantity Data Entry Form

Claim Number 37-4384

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	4	undetermined

Overall Diversion Rate 4

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	4	

Overall Diversion Rate 4

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
the above dates & volume is ok on good years				

Overall Diversion Rate up & down Overall Diversion Volume

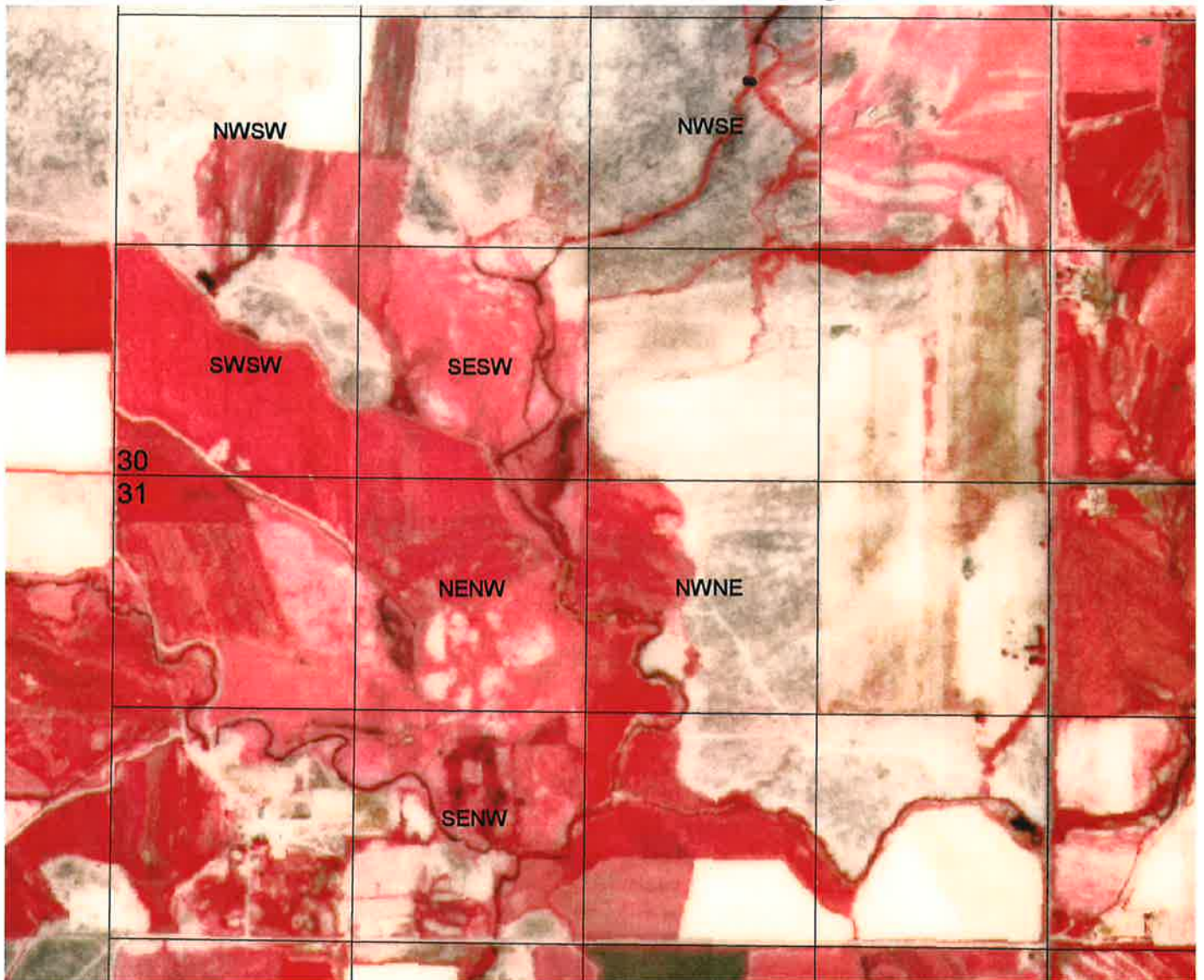
Document how the Period of Use and/or Diversion Rate were verified:

The past few years water has been
 very short to none

Reviewer: PKDate: 10-22-04

37-4384

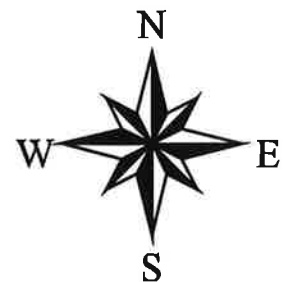
3rd
GPS
Pop
①



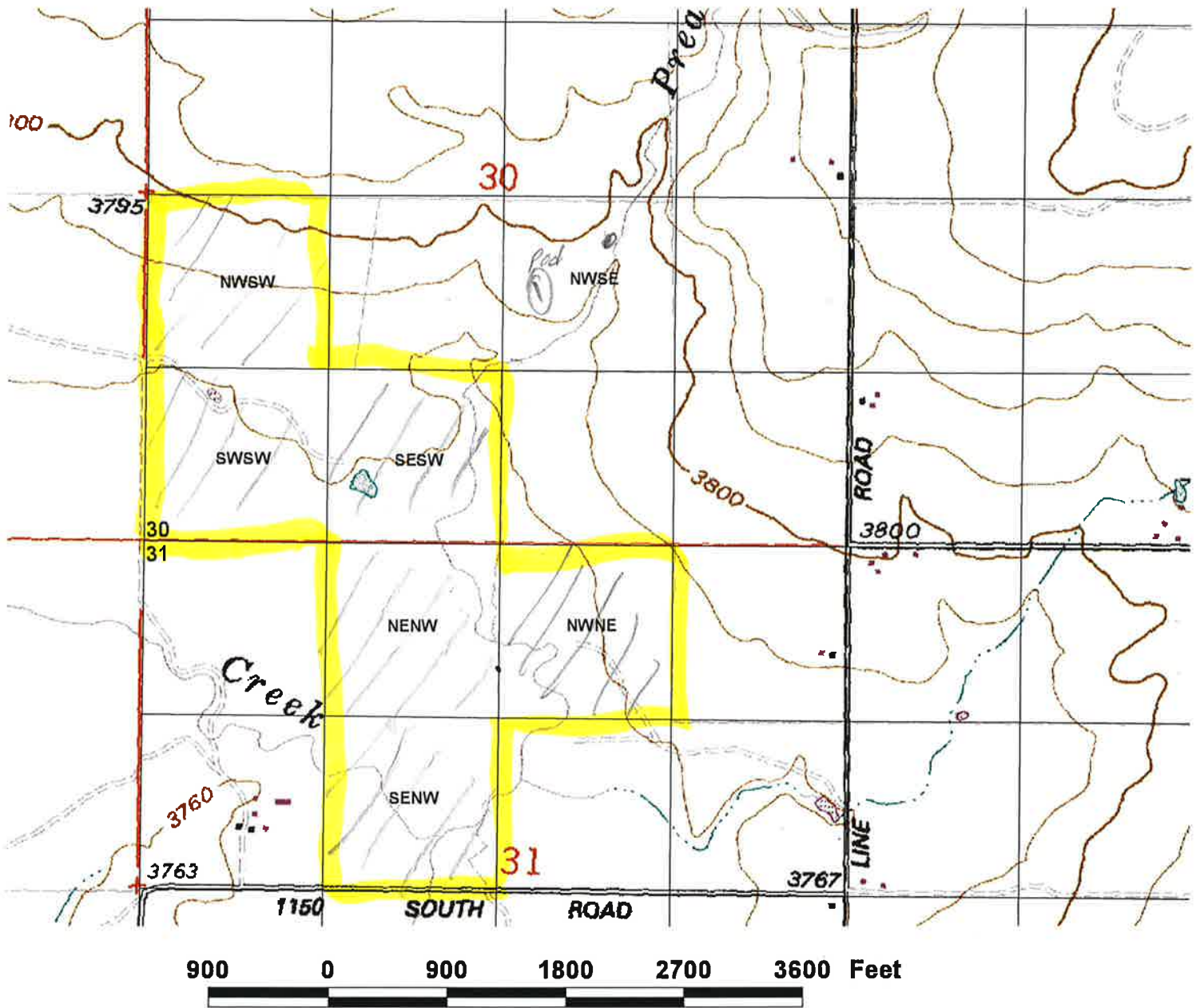
700 0 700 1400 2100 2800 Feet



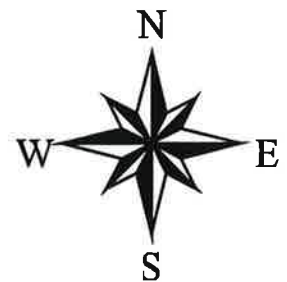
T04S R16E S30 & S31



37-4384



T04S R16E S30 & S31



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 37-4384
Date Received: 9/14/1989
Receipt No: N003328
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PAULINE S DAMELE Phone: (208)886-2797
655 W COUNTY LINE RD
GOODING ID 83330

STEPHEN D DAMELE Phone: (208)886-2797
655 W COUNTY LINE RD
GOODING ID 83330

2. Date of Priority: 04/01/1910

3. Source: PREACHER CREEK Trib. to: THORN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	16E	30	NW SE	GOODING	

5. Description of diverting works:

DIVERSION DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	4	

7. Total Quantity Appropriated is:
4 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
04S	16E	30	SE	SW		IRRIGATION	20
			SW	SW		IRRIGATION	30
			NW	SW		IRRIGATION	20
Section Acres							70
04S	16E	31	NW	NE		IRRIGATION	12
			NE	NW		IRRIGATION	30
			SE	NW		IRRIGATION	20
Section Acres							62
Total Acres							132

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Statutory Claim



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 16, 2004

STEPHEN DAMELE
PAULINE DAMELE
655 W COUNTY LINE RD
GOODING ID 83330

Re: SRBA Claim(s) 37-4383, 37-4384, 37-4386, 37-4099
Decreed Water Right 37-4385

Dear Mr. and Mrs. Damele:

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 records of the claim(s) noting the change in claimant. 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
 APR 14 2004
 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
37-4383					
37-4386					
37-4099					
37-4384					
37-4385					

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) PAUL T. WALTON 1990 REVOCABLE TRUST
STAR ROUTE BOX 325, JACKSON, WY 83001
4. New Owner/Claimant(s) STEPHEN D. DAMELE and PAULINE S. DAMELE
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 655 WEST COUNTY LINE ROAD
- City, State and ZIP Code GOODING, ID 83330
- New Telephone Number 208 - 886 - 2797
5. Date you acquired the property _____

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) _____
(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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

RECEIVED
APR 14 2004
Department of Natural Resources
Bureau of Reclamation

For Value Received

HELEN BAER WALTON, Co-Trustee of the PAUL T. WALTON 1990 REVOCABLE TRUST AGREEMENT dated November 19, 1990

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

STEPHEN DAMELE and PAULINE DAMELE, husband and wife
Address: 26061 Gill Lane Middleton, Id 83644

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

SEE EXHIBIT "A" ATTACHED HERETO:

TOGETHER WITH 24 SHARES OF THE AMERICAN RESERVOIR DISTRICT #2

TOGETHER WITH 764 SHARES OF BIG WOOD CANAL COMPANY WATER STOCK

SUBJECT TO:

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: September 1, 1998

Helen Baer Walton - Co. Trustee

HELEN BAER WALTON Co-Trustee
of the PAUL T. WALTON 1990 Revocable Trust Agreement dated
November 19, 1990

STATE OF WYOMING)

) ss.

COUNTY OF TETON



On this 3rd day of September, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared HELEN BAER WALTON Co-Trustee of the PAUL T. WALTON 1990, REVOCABLE TRUST AGREEMENT DATED November 19, 1990 known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same, as Co-Trustee, of said Trust.

K. Walker

Notary Public
Residing at: JACKSON STATE BANK
My Commission expires: 11-29-00

177057
STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow Inc.
21 min. past 4 o'clock P.m. this 4th
of September 19 98 18.00
By Penny Archibald Deputy

CONTINUATION

EXHIBIT "A"

Order Number: G-27422
PARCEL NO. 1

RECEIVED
APR 14 2004
Department of Water Resources
Southern Region

TOWNSHIP 4 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: S½SE¼;
Section 36: NE¼; E½NW¼;

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: Lot 3;

Section 31: Lot 3 and that part of the NE¼SW¼ lying West of Thorn Creek.

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

A parcel of land located in Sections 30 and 31, more particularly described as follows:

Commencing at the West quarter corner of Section 31 and being THE TRUE POINT
OF BEGINNING;

Thence North 0°03'51" West along the West boundary of Section 31 for a distance of
2638.23 feet to the Northwest corner of Section 31;

Thence North 0°11'51" West along the West boundary of Section 30 for a distance of
1317.80 feet to the Northwest corner of the SW¼SW¼ of Section 30;

Thence South 89°58'28" East along the North boundary of the S½SW¼ of Section 30
for a distance of 2564.64 feet to the center of Preacher Creek;

Thence along the center of Preacher Creek on the following courses:

South 29°31'14" West, 53.02 feet;

South 42°35'33" West, 75.06 feet;

South 36°04'40" West, 129.01 feet;

South 26°55'26" East, 84.12 feet;

South 25°15'58" West, 66.62 feet;

South 15°06'01" East, 136.13 feet;

South 2°32'04" East, 79.51 feet;

South 25°14'16" West, 130.95 feet;

South 3°48'48" West, 148.10 feet;

South 36°19'28" West, 29.68 feet;

South 8°57'11" West, 136.38 feet;

South 21°18'00" East, 118.28 feet;

South 59°22'56" West, 211.41 feet;

South 15°54'25" East, 168.03 feet;

- Continued -

CONTINUATION

EXHIBIT "A"

Order Number: G-27422

South 37°32'13" East, 265.16 feet;
South 54°20'46" East, 71.47 feet;
South 32°33'05" East, 231.75 feet;
South 0°59'11" West, 86.50 feet;
South 23°17'30" West, 123.41 feet;
South 28°34'58" East, 52.36 feet;
South 66°20'07" East, 110.19 feet;
South 85°11'50" East, 94.16 feet;
North 79°05'35" East, 150.27 feet;
South 59°52'59" East, 49.79 feet;
South 31°24'39" East, 27.66 feet;
South 56°14'04" East, 34.46 feet;
North 80°02'54" East, 81.70 feet;
South 51°22'45" East, 60.87 feet;
South 9°39'12" West, 36.14 feet;
South 57°35'41" West, 139.46 feet;
South 12°59'07" West, 106.48 feet;
South 41°21'08" East, 74.18 feet;
South 89°40'27" East, 127.67 feet;
South 38°41'36" East, 67.95 feet;
North 84°13'46" East, 40.50 feet;
South 38°43'05" East, 24.13 feet;
South 4°47'47" West, 37.19 feet;
South 32°53'08" East, 78.56 feet;
South 30°57'47" West, 93.20 feet;
South 45°51'59" West, 55.04 feet;
South 61°40'56" West, 45.57 feet;
North 81°11'18" West, 130.10 feet;
South 77°27'26" West, 56.87 feet;
South 37°10'43" West, 121.42 feet;
South 17°01'36" West, 68.89 feet;
South 8°08'56" West, 70.28 feet;
South 31°55'44" West, 39.52 feet;
South 1°27'47" East, 72.37 feet;
South 35°52'58" West, 22.70 feet;
South 1°49'02" East, 57.96 feet;
South 16°03'53" West, 38.77 feet;
North 70°46'32" West, 24.10 feet;
South 52°35'08" West, 70.09 feet;
South 88°20'20" West, 71.75 feet;
South 62°01'58" West, 55.35 feet;
South 48°32'14" West, 31.94 feet;
South 3°31'48" West, 194.91 feet;
South 73°59'48" West, 49.24 feet;

- Continued -

RECEIVED
APR 14 2004

CONTINUATION

EXHIBIT "A"

Order Number: G-27422

South 88°50'28" West, 52.37 feet;
North 66°52'25" West, 48.89 feet;
North 80°09'31" West, 66.56 feet;
South 64°46'29" West, 24.43 feet;
North 87°40'00" West, 23.41 feet;
South 51°15'19" West, 25.79 feet;
South 5°40'17" West, 45.57 feet to the junction of Preacher Creek and Thorn Creek;
Thence along the center of Thorn Creek on the following courses:
South 11°39'10" West, 65.79 feet;
South 57°51'16" West, 37.67 feet;
North 63°32'31" West, 38.11 feet;
South 80°44'42" West, 22.04 feet;
South 12°01'52" West, 53.55 feet;
South 3°19'05" West, 70.74 feet;
South 6°59'19" East, 80.14 feet;
South 14°02'21" West, 68.86 feet;
South 8°10'05" West, 97.04 feet to a point on the South boundary of the NW¼ of Section 31;
Thence leaving the center of Thorn Creek North 89°52'39" West along the South boundary of the NW¼ of Section 31 for a distance of 2188.61 feet to the West quarter corner of Section 31 and being THE TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county road right of way along the Southerly boundary of the above described parcel.

PARCEL NO. 2

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

That part of the SE¼SW¼ of Section 30 and the E½NW¼, W½NE¼, and SE¼NE¼ of Section 31, lying Easterly of the following described line:

Beginning at a point South 89°58'28" East, 2564.64 feet from the Northwest corner of the SW¼SW¼ of Section 30, said point being in the center of Preacher Creek;
Thence along the center of Preacher Creek on the following courses:
South 29°31'14" West, 53.02 feet;
South 42°35'33" West, 75.06 feet;
South 36°04'40" West, 129.01 feet;
South 26°55'26" East, 84.12 feet;
South 25°15'58" West, 66.62 feet;
South 15°06'01" East, 136.13 feet;
South 2°32'04" East, 79.51 feet;
South 25°14'16" West, 130.95 feet;

- Continued -

CONTINUATION

South 3°48'48" West, 148.10 feet;
South 36°19'28" West, 29.68 feet;
South 8°57'11" West, 136.38 feet;
South 21°18'00" East, 118.28 feet;
South 59°22'56" West, 211.41 feet;
South 15°54'25" East, 168.03 feet;
South 37°32'13" East, 265.16 feet;
South 54°20'46" East, 71.47 feet;
South 32°33'05" East, 231.75 feet;
South 0°59'11" West, 86.50 feet;
South 23°17'30" West, 123.41 feet;
South 28°34'58" East, 52.36 feet;
South 66°20'07" East, 110.19 feet;
South 85°11'50" East, 94.16 feet;
North 79°05'35" East, 150.27 feet;
South 59°52'59" East, 49.79 feet;
South 31°24'39" East, 27.66 feet;
South 56°14'04" East, 34.46 feet;
North 80°02'54" East, 81.70 feet;
South 51°22'45" East, 60.87 feet;
South 9°39'12" West, 36.14 feet;
South 57°35'41" West, 139.46 feet;
South 12°59'07" West, 106.48 feet;
South 41°21'08" East, 74.18 feet;
South 89°40'27" East, 127.67 feet;
South 38°41'36" East, 67.95 feet;
North 84°13'46" East, 40.50 feet;
South 38°43'05" East, 24.13 feet;
South 4°47'47" West, 37.19 feet;
South 32°53'08" East, 78.56 feet;
South 30°57'47" West, 93.20 feet;
South 45°51'59" West, 55.04 feet;
South 61°40'56" West, 45.57 feet;
North 81°11'18" West, 130.10 feet;
South 77°27'26" West, 56.87 feet;
South 37°10'43" West, 121.42 feet;
South 17°01'36" West, 68.89 feet;
South 8°08'56" West, 70.28 feet;
South 31°55'44" West, 39.52 feet;
South 1°27'47" East, 72.37 feet;
South 35°52'58" West, 22.70 feet;
South 1°49'02" East, 57.96 feet;
South 16°03'53" West, 38.77 feet;
North 70°46'32" West, 24.10 feet;

- Continued -

CONTINUATION

SCHEDULE A

RECEIVED

APR 14 2004

Department of the Interior
Bureau of Land Management

Order Number: G-27422

RECEIVED
APR 14 2004
Boise, Idaho

South 52°35'08" West, 70.09 feet;
South 88°20'20" West, 71.75 feet;
South 62°01'58" West, 55.35 feet;
South 48°32'14" West, 31.94 feet;
South 3°31'48" West, 194.91 feet;
South 73°59'48" West, 49.24 feet;
South 88°50'28" West, 52.37 feet;
North 66°52'25" West, 48.89 feet;
North 80°09'31" West, 66.56 feet;
South 64°46'29" West, 24.43 feet;
North 87°40'00" West, 23.41 feet;
South 51°15'19" West, 25.79 feet;
South 5°40'17" West, 45.57 feet to the junction of Preacher Creek and Thorn Creek;
Thence along the center of Thorn Creek on the following courses:
South 11°39'10" West, 65.79 feet;
South 57°51'16" West, 37.67 feet;
North 63°32'31" West, 38.11 feet;
South 80°44'42" West, 22.04 feet;
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South 3°19'05" West, 70.74 feet;
South 6°59'19" East, 80.14 feet;
South 14°02'21" West, 68.86 feet;
South 8°10'05" West, 97.04 feet to a point on the South boundary of the NW¼ of
Section 31;

SUBJECT TO a 25.0 foot wide county road right of way along the Southerly boundary
of the above described parcel.

PARCEL NO. 3

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: SE¼ and that part of the E½SW¼ lying East of the centerline of Thorn Creek.

WARRANTY DEED

Bx 0302

For Value Received

PAUL T. WALTON JR., Co-Trustee of the PAUL T. WALTON 1990 REVOCABLE TRUST AGREEMENT dated November 19, 1990

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

STEPHEN DAMELE and PAULINE DAMELE, husband and wife
Address: 26061 Gill Lane Middleton, Id 83644

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

SEE EXHIBIT "A" ATTACHED HERETO:

TOGETHER WITH 24 SHARES OF THE AMERICAN RESERVOIR DISTRICT #2

TOGETHER WITH 764 SHARES OF BIG WOOD CANAL COMPANY WATER STOCK

SUBJECT TO:

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

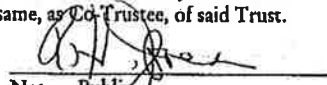
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

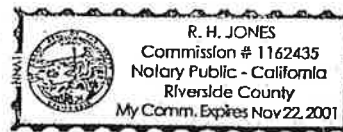
Dated: September 4, 1998


PAUL T. WALTON JR. Co-Trustee
of the PAUL T. WALTON 1990 Revocable Trust Agreement dated
November 19, 1990

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.

On this 2nd day of September, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared PAUL T. WALTON JR., co-Trustee of the PAUL T. WALTON 1990, REVOCABLE TRUST AGREEMENT DATED November 19, 1990 - known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same, as Co-Trustee, of said Trust.


Notary Public
Residing at: LAQUINTA, CA
My Commission expires: 11/22/01



177056

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow Inc.
20 min. past 4 o'clock P m. this 4th
of September 1998 18.00
By Tenny Archibald Deputy

CONTINUATION

EXHIBIT "A"

Order Number: G-27422
PARCEL NO. 1

TOWNSHIP 4 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: S½SE¼;
Section 36: NE¼; E½NW¼;

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: Lot 3;

Section 31: Lot 3 and that part of the NE¼SW¼ lying West of Thorn Creek.

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

A parcel of land located in Sections 30 and 31, more particularly described as follows:

Commencing at the West quarter corner of Section 31 and being THE TRUE POINT
OF BEGINNING;

Thence North 0°03'51" West along the West boundary of Section 31 for a distance of
2638.23 feet to the Northwest corner of Section 31;

Thence North 0°11'51" West along the West boundary of Section 30 for a distance of
1317.80 feet to the Northwest corner of the SW¼SW¼ of Section 30;

Thence South 89°58'28" East along the North boundary of the S½SW¼ of Section 30
for a distance of 2564.64 feet to the center of Preacher Creek;

Thence along the center of Preacher Creek on the following courses:

South 29°31'14" West, 53.02 feet;

South 42°35'33" West, 75.06 feet;

South 36°04'40" West, 129.01 feet;

South 26°55'26" East, 84.12 feet;

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South 15°06'01" East, 136.13 feet;

South 2°32'04" East, 79.51 feet;

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South 21°18'00" East, 118.28 feet;

South 59°22'56" West, 211.41 feet;

South 15°54'25" East, 168.03 feet;

- Continued -

CONTINUATION

EXHIBIT "A"

Order Number: G-27422

South 88°50'28" West, 52.37 feet;
North 66°52'25" West, 48.89 feet;
North 80°09'31" West, 66.56 feet;
South 64°46'29" West, 24.43 feet;
North 87°40'00" West, 23.41 feet;
South 51°15'19" West, 25.79 feet;
South 5°40'17" West, 45.57 feet to the junction of Preacher Creek and Thorn Creek;
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South 14°02'21" West, 68.86 feet;
South 8°10'05" West, 97.04 feet to a point on the South boundary of the NW¼ of Section 31;
Thence leaving the center of Thorn Creek North 89°52'39" West along the South boundary of the NW¼ of Section 31 for a distance of 2188.61 feet to the West quarter corner of Section 31 and being THE TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county road right of way along the Southerly boundary of the above described parcel.

PARCEL NO. 2

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

That part of the SE¼SW¼ of Section 30 and the E½NW¼, W½NE¼, and SE¼NE¼ of Section 31, lying Easterly of the following described line:

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- Continued -

CONTINUATION

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South 1°49'02" East, 57.96 feet;
South 16°03'53" West, 38.77 feet;
North 70°46'32" West, 24.10 feet;

- Continued -
CONTINUATION

SCHEDULE A

Order Number: G-27422

RECEIVED
APR 14 2004
COUNTY CLERK

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South 88°20'20" West, 71.75 feet;
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Thence along the center of Thorn Creek on the following courses:
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Section 31;

SUBJECT TO a 25.0 foot wide county road right of way along the Southerly boundary
of the above described parcel.

PARCEL NO. 3

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: SE¼ and that part of the E½SW¼ lying East of the centerline of Thorn Creek.

EXCEPT 197191



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 2, 1991

Michael C. Creamer
Givens, Pursley, Webb
& Huntley
P.O. Box 2720
Boise, ID 83701

RE: Snake River Basin Adjudication (SRBA)
Blaine County - Claims A67-04383, A37-04384,
A37-04385, A37-04386 & A37-04099
Paul T. Walton 1990 Revocable Trust

Dear Mr. Creamer:

Notice of the change in ownership of the above-referenced water rights has been received. The Claim to Water Rights records of the Department have been changed to reflect such notice.

Claims prepared from the Agency's computer are enclosed for your review and records. I have also enclosed your copies of the Change in Ownership form you submitted. If you find the address is incorrect, please contact us.

Yours truly,

A handwritten signature in cursive script that reads "John D. Carlson".

John D. Carlson
Adjudication Supervisor

JDC:sf:south

Enclosures:

Claims A67-04383, A37-04384,
A37-04385, A37-04386 & A37-04099
(2) Copies Change in Ownership Form

MICROFILMED
FEB 24 1993

LAW OFFICES
GIVENS, PURSLEY, WEBB & HUNTLEY

REBECCA W. ARNOLD
CHRISTOPHER J. BEESON
JOANN C. BUTLER†
MICHAEL C. CREAMER
JEFFREY C. FEREDAY
ALAN R. GARDNER
RAYMOND D. GIVENS
JAMES D. HANSEN
JUDITH K. HOLCOMBE
ROBERT C. HUNTLEY, JR.
DAVID R. LOMBARDI
KENNETH R. MCCLURE
L. EDWARD MILLER
PATRICK J. MILLER
TERRY L. MYERS
STEVEN L. OLSEN
KENNETH L. PURSLEY
MICHAEL T. SPINK
CONLEY WARD
JAY L. WEBB

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

JAMES A. MCCLURE
OF COUNSEL

TELEPHONE
(208) 342-6571

FACSIMILE
(208) 343-9492
(208) 342-8920

June 7, 1991

† ADMITTED ONLY IN ILLINOIS

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

RE: Change in Ownership of Water Rights 37-4383, 37-4384, 37-4385, 37-4386, 37-4099

Dear Sir or Madam:

Enclosed please find a "new" executed change in ownership of claim form and copies of deeds showing the transfer of the appurtenant lands. Please record these changes in your files. If you have any questions, please call immediately.

Sincerely,



Michael C. Creamer

MCC/mcc
Enclosure

cc: Paul T. Walton

RECEIVED
JUL 10 1991

Department of Water Resources

MICROFILMED
FEB 24 1993



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 FAX (208) 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 5, 1996

PAM HILL
HALL AND HALL
PO BOX 1924
BILLINGS MT 59103

RE: HIGH DESERT RANCH WATER RIGHTS & MOODY WATER RIGHTS

Dear Pam Hill,

Enclosed please find the summary reports for all the water rights and claims to water rights I could locate for the information you recently faxed to me.

Here are the listings for the High Desert Ranch (HDR) findings:

SRBA CLAIMS

A67-02091 SORENSEN
A67-04171 HDR
A67-04451 HDR
A67-10354 HDR
A67-10686 USA
A67-10687 USA
A67-13110 USA

WATER RIGHTS

67-02091 F. AGE
67-04171 HILL
67-04451 HILL
N/A
N/A
N/A
N/A

Here are the Moody claims and rights:

SRBA CLAIMS

A37-04099 WALTON
A37-04383 "
A37-04384 "
A37-04385 "
A37-04386 WALTON

WATER RIGHTS

37-04099 MOODY
37-04383 "
37-04384 "
37-04385 "
37-04386 MOODY

If you have any further questions please contact our office. You may note the rights listed under the High Desert Ranch are better addressed through our Western Regional Office in Boise, ID. The telephone number there is 208-334-2190.

We generally handle the rights in Basin 37, the Moody rights, from this office. However, either office will make every effort to accommodate your requests and needs. Thank You.

Sincerely,


STEVE CLELLAND
Water Resource Agent

ENC:
CC: WESTERN REGION OFFICE

A37-14384

COPY

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: A37-04384
Date Received: 9/14/1989
Receipt No: N003328
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL T. WALTON 801-364-4333
Address: 175 SOUTH MAIN STREET
SALT LAKE CITY, UT 84111

Name: HELEN B. WALTON 801-364-4333
Address: 175 SOUTH MAIN STREET
SALT LAKE CITY, UT 84111

2. Date of Priority: APR 01, 1910

3. Source: PREACHER CREEK Trib. to: THORN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	16E	30		NW	SE		GOODING

5. Description of diverting works:
DIVERSION DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 396.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04S	16E	30	NW		SW		IRR	20.0
			SW		SW		IRR	30.0
			SE		SW		IRR	20.0
							Section Acres	70.0
		31	NW		NE		IRR	12.0
			NE		NW		IRR	30.0
			SE		NW		IRR	20.0
							Section Acres	62.0
							Total Acres	132.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
FEB 24 1995

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
FEB 24 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 11/27/90

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ SEE ATTACHED
Section _____, 1/4 of _____, 1/4 of _____, 1/4, Govt. Lot _____, BM. LEGAL DESCRIPTION
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: 37-4383, 37-4384, 37-4385, 37-4386, 37-4099

☐ Name and Address of Former Owner/Claimant(s)(Seller): Paul T. Walton and Helen B. Walton
175 So. Main St., #1102
Salt Lake City, UT 84111

☐ New Owner/Claimant (Purchaser): Paul T. Walton 1990 Revocable Trust

☐ New Mailing Address: Star Route Box 325
Jackson, WY 83001

☐ New Telephone Number: (307) 773 - 3828

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

☐ Attach proof of ownership, describe proof attached: Warranty Deeds evidencing transfer to Paul T. Walton & Helen B. Walton; Warranty Deed evidencing transfer to Paul T. Walton Revocable Trust

(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) Paul T. Walton Date 1/2/91

Helen B. Walton Date 1/2/91

☐ Signature of Former Owner/Claimant(s): _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 08-01-91 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:



Department of Water Resources

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

WARRANTY DEED

FOR VALUE RECEIVED, PAUL T. WALTON and HELEN B. WALTON, husband and wife, ("Grantors"), do hereby grant, bargain, sell and convey unto Paul T. Walton as Trustee under the Paul T. Walton 1990 Revocable Trust Agreement dated Nov. 19, 1990, whose address is Star Route, Box 325, Jackson, WY 83001 ("Grantee"), the real property located in Gooding County, Idaho, and described on Exhibits "A" and "B" hereto and incorporated herein by this reference, hereinafter referred to as the "premises".

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee, it heirs, successors and assigns forever.

And the Grantors do hereby covenant to and with the Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except those shown on Exhibit "C" attached hereto and incorporated herein, and that they will warrant and defend the same from all other lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantors have executed this Deed effective as of the 27 day of November, 1990.

"Grantors"

Paul T. Walton
Paul T. Walton

Helen B. Walton
Helen B. Walton

145058

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of Land Title & Escrow Inc.

35 min. past 9 o'clock A M. this 3

of June, 1991.

JOHN A. MYERS, Recorder

By Arvita Siler Deputy

RECEIVED
JUL 10 1991

Department of Water Resources

FEB 24 1993

TOWNSHIP 4 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: S $\frac{1}{2}$ SE $\frac{1}{4}$;

Section 36: NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$;

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: Lot 3;

Section 31: Lot 3 and that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying West of
Thorn Creek.

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

A parcel of land located in Sections 30 and 31, more particularly described as follows:

Commencing at the West quarter corner of Section 31 and being
THE TRUE POINT OF BEGINNING;

Thence North 0°03'51" West along the West boundary of Section 31 for a distance of 2638.23 feet to the Northwest corner of Section 31;

Thence North 0°11'51" West along the West boundary of Section 30 for a distance of 1317.80 feet to the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30;

Thence South 89°58'28" East along the North boundary of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 30 for a distance of 2564.64 feet to the center of Preacher Creek;

Thence along the center of Preacher Creek on the following courses:

South 29°31'14" West, 53.02 feet;
South 42°35'33" West, 75.06 feet;
South 36°04'40" West, 129.01 feet;
South 26°55'26" East, 84.12 feet;
South 25°15'58" West, 66.62 feet;
South 15°06'01" East, 136.13 feet;
South 2°32'04" East, 79.51 feet;
South 25°14'16" West, 130.95 feet;
South 3°48'48" West, 148.10 feet;
South 36°19'28" West, 29.68 feet;
South 8°57'11" West, 136.38 feet;
South 21°18'00" East, 118.28 feet;
South 59°22'56" West, 211.41 feet;
South 15°54'25" East, 168.03 feet;
South 37°32'13" East, 265.16 feet;
South 54°20'46" East, 71.47 feet;
South 32°33'05" East, 231.75 feet;
South 0°59'11" West, 86.50 feet;
South 23°17'30" West, 123.41 feet;
South 28°34'58" East, 52.36 feet;
South 66°20'07" East, 110.19 feet;
South 85°11'50" East, 94.16 feet;
North 79°05'35" East, 150.27 feet;
South 59°52'59" East, 49.79 feet;
South 31°24'39" East, 27.66 feet;
South 56°14'04" East, 34.46 feet;
North 80°02'54" East, 81.70 feet;
South 51°22'45" East, 60.87 feet;
South 9°39'12" West, 36.14 feet;

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FEB 24 1993

South 57°35'41" West, 139.46 feet;
 South 12°59'07" West, 106.48 feet;
 South 41°21'08" East, 74.18 feet;
 South 89°40'27" East, 127.67 feet;
 South 38°41'36" East, 67.95 feet;
 North 84°13'46" East, 40.50 feet;
 South 38°43'05" East, 24.13 feet;
 South 4°47'47" West, 37.19 feet;
 South 32°53'08" East, 78.56 feet;
 South 30°57'47" West, 93.20 feet;
 South 45°51'59" West, 55.04 feet;
 South 61°40'56" West, 45.57 feet;
 North 81°11'18" West, 130.10 feet;
 South 77°27'26" West, 56.87 feet;
 South 37°10'43" West, 121.42 feet;
 South 17°01'36" West, 68.89 feet;
 South 8°08'56" West, 70.28 feet;
 South 31°55'44" West, 39.52 feet;
 South 1°27'47" East, 72.37 feet;
 South 35°52'58" West, 22.70 feet;
 South 1°49'02" East, 57.96 feet;
 South 16°03'53" West, 38.77 feet;
 North 70°46'32" West, 24.10 feet;
 South 52°35'08" West, 70.09 feet;
 South 88°20'20" West, 71.75 feet;
 South 62°01'58" West, 55.35 feet;
 South 48°32'14" West, 31.94 feet;
 South 3°31'48" West, 194.91 feet;
 South 73°59'48" West, 49.24 feet;
 South 88°50'28" West, 52.37 feet;
 North 66°52'25" West, 48.89 feet;
 North 80°09'31" West, 66.56 feet;
 South 64°46'29" West, 24.43 feet;
 North 87°40'00" West, 23.41 feet;
 South 51°15'19" West, 25.79 feet;
 South 5°40'17" West, 45.57 feet to the junction of
 Preacher Creek and Thorn Creek;

Thence along the center of Thorn Creek on the following courses:

South 11°39'10" West, 65.79 feet;
 South 57°51'16" West, 37.67 feet;
 North 63°32'31" West, 38.11 feet;
 South 80°44'42" West, 22.04 feet;
 South 12°01'52" West, 53.55 feet;
 South 3°19'05" West, 70.74 feet;
 South 6°59'19" East, 80.14 feet;
 South 14°02'21" West, 68.86 feet;
 South 8°10'05" West, 97.04 feet to a point on the South
 boundary of the NW¼ of Section 31;

Thence leaving the center of Thorn Creek North 89°52'39" West
 along the South boundary of the NW¼ of Section 31 for a
 distance of 2188.61 feet to the West quarter corner of
 Section 31 and being THE TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county road right of way along the Southerly boundary of the above described parcel.

TOGETHER WITH all water and water rights, ditches and ditch
 rights used thereon or appurtenant thereto, including but not
 limited to 608 shares of Stock in Big Wood Canal Company, 450
 acres of water rights to Thorn Creek under Claim Nos. 37-4383
 and 37-4386, and 100 acres of water rights to Preacher Creek
 under Claim No. 37-4384, and water rights for domestic and
 stockwater use under Claim No. 37-4385.

TOGETHER WITH any and all grazing rights, including BLM
 grazing privileges for 761 AUMs.

MICROFILMED
 FEB 24 1993

TOWNSHIP SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

That part of the SE~~X~~SW~~X~~ of Section 30 and the E~~X~~NW~~X~~, W~~X~~NE~~X~~,
and SE~~X~~NE~~X~~ of Section 31, lying Easterly of the following
described line:

Beginning at a point South 89°58'28" East, 2564.64 feet from
the Northwest corner of the SW~~X~~SW~~X~~ of Section 30, said
point being in the center of Preacher Creek;

Thence along the center of Preacher Creek on the following
courses:

South 29°31'14" West, 53.02 feet;
South 42°35'33" West, 75.06 feet;
South 36°04'40" West, 129.01 feet;
South 26°55'26" East, 84.12 feet;
South 25°15'58" West, 66.62 feet;
South 15°06'01" East, 136.13 feet;
South 2°32'04" East, 79.51 feet;
South 25°14'16" West, 130.95 feet;
South 3°48'48" West, 148.10 feet;
South 36°19'28" West, 29.68 feet;
South 8°57'11" West, 136.38 feet;
South 21°18'00" East, 118.28 feet;
South 59°22'56" West, 211.41 feet;
South 15°54'25" East, 168.03 feet;
South 37°32'13" East, 265.16 feet;
South 54°20'46" East, 71.47 feet;
South 32°33'05" East, 231.75 feet;
South 0°59'11" West, 86.50 feet;
South 23°17'30" West, 123.41 feet;
South 28°34'58" East, 52.36 feet;
South 66°20'07" East, 110.19 feet;
South 85°11'50" East, 94.16 feet;
North 79°05'35" East, 150.27 feet;
South 59°52'59" East, 49.79 feet;
South 31°24'39" East, 27.66 feet;
South 56°14'04" East, 34.46 feet;
North 80°02'54" East, 81.70 feet;
South 51°22'45" East, 60.87 feet;
South 9°39'12" West, 36.14 feet;
South 57°35'41" West, 139.46 feet;
South 12°59'07" West, 106.48 feet;
South 41°21'08" East, 74.18 feet;
South 89°40'27" East, 127.67 feet;
South 38°41'36" East, 67.95 feet;
North 84°13'46" East, 40.50 feet;
South 38°43'05" East, 24.13 feet;
South 4°47'47" West, 37.19 feet;
South 32°53'08" East, 78.56 feet;
South 30°57'47" West, 93.20 feet;
South 45°51'59" West, 55.04 feet;
South 61°40'56" West, 45.57 feet;
North 81°11'18" West, 130.10 feet;
South 77°27'26" West, 56.87 feet;
South 37°10'43" West, 121.42 feet;
South 17°01'36" West, 68.89 feet;
South 8°08'56" West, 70.28 feet;
South 31°55'44" West, 39.52 feet;
South 1°27'47" East, 72.37 feet;
South 35°52'58" West, 22.70 feet;
South 1°49'02" East, 57.96 feet;
South 16°03'53" West, 38.77 feet;
North 70°46'32" West, 24.10 feet;
South 52°35'08" West, 70.09 feet;
South 88°20'20" West, 71.75 feet;

MICROFILMED
FEB 24 1983

South 62°01'58" West, 55.35 feet;
South 48°32'14" West, 31.94 feet;
South 3°31'48" West, 194.91 feet;
South 73°59'48" West, 49.24 feet;
South 88°50'28" West, 52.37 feet;
North 66°52'25" West, 48.89 feet;
North 80°09'31" West, 66.56 feet;
South 64°46'29" West, 24.43 feet;
North 87°40'00" West, 23.41 feet;
South 51°15'19" West, 25.79 feet;
South 5°40'17" West, 45.57 feet to the junction of
Preacher Creek and Thorn Creek;
Thence along the center of Thorn Creek on the following
courses:

South 11°39'10" West, 65.79 feet;
South 57°51'16" West, 37.67 feet;
North 63°32'31" West, 38.11 feet;
South 80°44'42" West, 22.04 feet;
South 12°01'52" West, 53.55 feet;
South 3°19'05" West, 70.74 feet;
South 6°59'19" East, 80.14 feet;
South 14°02'21" West, 68.86 feet;
South 8°10'05" West, 97.04 feet to a point on the South
boundary of the NW¼ of Section 31;

SUBJECT TO a 25.0 foot wide county road right of way along
the Southerly boundary of the above described parcel.

TOGETHER WITH all water and water rights, ditches and ditch
rights used thereon or appurtenant thereto, including but not
limited to all water rights under Claim No. 37-4099 and 32
acres of water rights under Claim No. 37-4384.

TOGETHER WITH any and all grazing rights, including BLM graz-
ing privileges for 73 Active cattle AUMs, 8 Suspended cattle
AUMs and 999 Suspended sheep AUMs Rattlesnake Allotment. BLM
Allotment No. 0421.

MICROFILMED
FEB 24 1993

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: **A37-04384**
Date Received: 9/14/1989
Receipt No: N003328
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: PAUL T WALTON 1990 REVOCABLE TRUST
Address: STAR RT BOX 325
JACKSON, WY 83001 307-773-3828

2. Date of Priority: APR 1, 1910

3. Source: PREACHER CREEK Trib. to: THORN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	16E	30	NW	SE			GOODING

5. Description of diverting works:
DIVERSION DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 396.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	16E	30	NW	SW		IRR	20.0
			SW	SW		IRR	30.0
			SE	SW		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	70.0
		31	NW	NE	IRR	12.0
			NE	NW	IRR	30.0
			SE	NW	IRR	20.0
					Section Acres	62.0
					Total Acres	132.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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

RECEIVED

SEP 20 1989

Ident. Number: A37-04384
Date Received: 6/20/1989
Receipt No: N003328
Received By:

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FARM CREDIT BANK OF SPOKANE 208-733-2577
Address: BOX 288
TWIN FALLS, ID 83301

2. Date of Priority: APR 01, 1910

3. Source: PREACHER CREEK Trib. to: THORN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	16E	30	NW	SE			GOODING

5. Description of diverting works:
DIVERSION DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 396.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	16E	30	NW	SW		IRR	20.0
			SW	SW		IRR	30.0
			SE	SW		IRR	20.0

Section Acres 70.0

A37-04384

Page 1

Date 06/23/89

MICROFILMED
FEB 24 1993

. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	16E	31	NW	NE		IRR	12.0
			NE	NW		IRR	30.0
			SE	NW		IRR	20.0
						Section Acres	62.0
						Total Acres	132.0

. Place of use in counties: GOODING

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

. Other Water Rights Used:

. Remarks:

. Basis of Claim: STATUTORY CLAIM

16. Signatures(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments: 1

For Organizations

I do solemnly swear or affirm that I am the Senior Engineer-Appraiser of Farm Credit Bank of Spokane, that I have signed the foregoing document in the space below as Senior Engineer-Appraiser of Farm Credit Bank of Spokane and that the statements contained in the foregoing document are true and correct.

Herbert J. Sanders
(Signature of authorized Agent)

Senior Engineer-Appraiser
Farm Credit Bank of Spokane
(Title and Organization)

9/13/89
(Date)

State of Washington)
County of Spokane) ss.

Subscribed and sworn (or affirmed) before me this 13th day of September, 1989

Joan E. Haynes
Notary Public

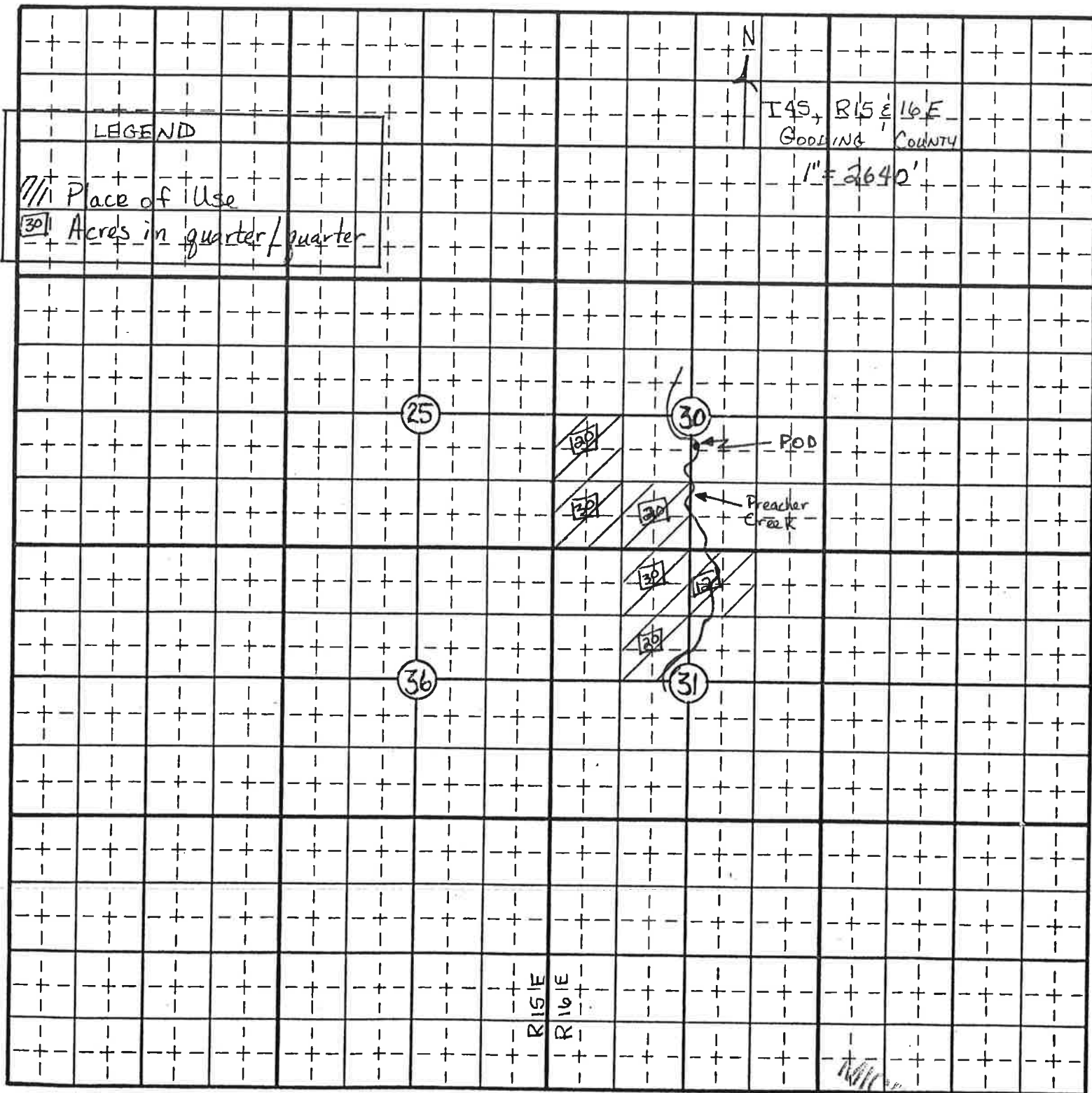
SEAL

Residing at Spokane
My Commission Expires: 6/18/93

MICROFILMED
FEB 24 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED
FEB 24 1993

Last Name Farm Credit Bank
of Spokane

Ident No. A37-04384

Copies: White-State, Yellow-Claimant

CHANGE IN OWNERSHIP

JAN 11 1986

[] Water Right Number(s): 37-4384 37- 4386

[] Name and Address of
Former Claimant: George L. and Dorothy E. Moody/ Farm Credit Bank of Spokane
Route 1, Gooding ID 83338 Box 288, Twin Falls 83301

[] New Claimant(s): Paul T. and Helen B. Walton
175 South Main Street

[] New Mailing Address: Salt Lake City UT 84111

New Telephone Number: (801) 364 - 4333

[] Does the change in ownership result in a splitting of the
water right claimed? yes x no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached:

Warranty Deed

[] Signature of New Claimant(s):

Paul T. Walton
Helen B. Walton

Date: _____

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:

No Action taken

Claims A37-04384 & A37-04386
Filed by Farm Credit - No
Claim of Lt. 37-04383,

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FEB 24 1986

WARRANTY DEED

COPY

For Value Received FARM CREDIT BANK OF SPOKANE, a corporation, successor
by merger to THE FEDERAL LAND BANK OF SPOKANE,
a corporation

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

PAUL T. WALTON and HELEN B. WALTON, husband and wife
whose address is: 175 South Main Street # 1102,
Salt Lake City, Utah 84111

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

SEE ATTACHED EXHIBIT "A"
and by this reference made a part hereof.
(containing three pages)

RECEIVED

JAN 23 1990

Department of Water Resources
Salt Lake Region Office

LAND TITLE & ESCROW, INC.
DEC. 29 1989
FEE 12.00

STATE OF IDAHO
COUNTY OF GOODING, SS
RECORDED AT REQUEST —
Land Title & Escrow, Inc.
DEC 29 PM 1 32

139234

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
and with the said Grantee that the Grantee

MICROFILMED
FEB 24 1993

JAN 30 1980

EXHIBIT "A"

RECORDED IN BOOK 1000000003
PAGE 1000000003

TOWNSHIP 4 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: S½SE½;

Section 36: NE½; E½NW½;

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: Lot 3;

Section 31: Lot 3 and that part of the NE½SW½ lying West of
Thorn Creek.

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

A parcel of land located in Sections 30 and 31, more particu-
larly described as follows:

Commencing at the West quarter corner of Section 31 and being
THE TRUE POINT OF BEGINNING;
Thence North 0°03'51" West along the West boundary of Section
31 for a distance of 2638.23 feet to the Northwest corner
of Section 31;
Thence North 0°11'51" West along the West boundary of Section
30 for a distance of 1317.80 feet to the Northwest corner
of the SW½SW½ of Section 30;
Thence South 89°58'28" East along the North boundary of the
S½SW½ of Section 30 for a distance of 2564.64 feet to the
center of Preacher Creek;
Thence along the center of Preacher Creek on the following
courses:

South 29°31'14" West, 53.02 feet;
South 42°35'33" West, 75.06 feet;
South 36°04'40" West, 129.01 feet;
South 26°55'26" East, 84.12 feet;
South 25°15'58" West, 66.62 feet;
South 15°06'01" East, 136.13 feet;
South 2°32'04" East, 79.51 feet;
South 25°14'16" West, 130.95 feet;
South 3°48'48" West, 148.10 feet;
South 36°19'28" West, 29.68 feet;
South 8°57'11" West, 29.68 feet;

MICROFILMED
FEB 24 1985

South 57°35'41" West, 139.46 feet;
 South 12°59'07" West, 106.48 feet;
 South 41°21'08" East, 74.18 feet;
 South 89°40'27" East, 127.67 feet;
 South 38°41'36" East, 67.95 feet;
 North 84°13'46" East, 40.50 feet;
 South 38°43'05" East, 24.13 feet;
 South 4°47'47" West, 37.19 feet;
 South 32°53'08" East, 78.56 feet;
 South 30°57'47" West, 93.20 feet;
 South 45°51'59" West, 55.04 feet;
 South 61°40'56" West, 45.57 feet;
 North 81°11'18" West, 130.10 feet;
 South 77°27'26" West, 56.87 feet;
 South 37°10'43" West, 121.42 feet;
 South 17°01'36" West, 68.89 feet;
 South 8°08'56" West, 70.28 feet;
 South 31°55'44" West, 39.52 feet;
 South 1°27'47" East, 72.37 feet;
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 South 1°49'02" East, 57.96 feet;
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 South 48°32'14" West, 31.94 feet;
 South 3°31'48" West, 194.91 feet;
 South 73°59'48" West, 49.24 feet;
 South 88°50'28" West, 52.37 feet;
 North 66°52'25" West, 48.89 feet;
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 South 64°46'29" West, 24.43 feet;
 North 87°40'00" West, 23.41 feet;
 South 51°15'19" West, 25.79 feet;
 South 5°40'17" West, 45.57 feet to the junction of

Preacher Creek and Thorn Creek;
 Thence along the center of Thorn Creek on the following
 courses:

South 11°39'10" West, 65.79 feet;
 South 57°51'16" West, 37.67 feet;
 North 63°32'31" West, 38.11 feet;
 South 80°44'42" West, 22.04 feet;
 South 12°01'52" West, 53.55 feet;
 South 3°19'05" West, 70.74 feet;
 South 6°59'19" East, 80.14 feet;
 South 14°02'21" West, 68.86 feet;
 South 8°10'05" West, 97.04 feet to a point on the South

138-579

JAN 20 1960

Department of the Interior
Bureau of Land Management

MICROFILMED
FEB 24 1993

payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Rights of way of Thorn Creek as disclosed by available maps.

Power Line Easement given by E. G. Gooding and Edith L. Gooding, husband and wife, to Idaho Power Company, a corporation, dated September 6, 1941, recorded November 12, 1941 in Book 4 Page 601 as Instrument Number 81916, Gooding County records, affecting Lot 2 of Section 31, Township 4 South, Range 16, East Boise Meridian, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 4 South, Range 15, East Boise Meridian.

Power Line Easement given by D. Sid Smith and Alta G. Smith, husband and wife, to Idaho Power Company, a corporation, dated March 30, 1944, recorded October 23, 1944 in Book 5 Page 453 as Instrument Number 91488, Gooding County records, affecting a portion of Lot 1 and Lot 2 of Section 31, Township 4 South, Range 16, East Boise Meridian.

Reservation contained in State of Idaho Patent given by the State of Idaho to Edward G. Gooding dated September 26, 1950, recorded November 27, 1951 in Book 2 Page 349 as Instrument Number 116843, Gooding County records.

The effect of an Agreement by and between Thorn Creek Ranch, Inc., a corporation, first party, and Curtis R. Glasscock and Kathryn Glasscock, husband and wife, second party, dated July 30, 1970, recorded January 6, 1972 as Instrument Number 38496, Gooding County records, pertaining to waste water in the E $\frac{1}{4}$ of Section 31, Township 4 South, Range 16, East Boise Meridian.

Reservation contained in Patent given by the United States of America to George L. Moody, Jr. and Dorothy E. Moody dated August 6, 1979, recorded April 25, 1984 as Instrument Number 107756, Gooding County records.

Any question that may arise due to shifting or change in the course of the Thorn Creek herein named in that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying West of Thorn Creek.

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