

2008 AUG 14 AM 08:50  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

|                |   |                           |
|----------------|---|---------------------------|
| In Re SRBA     | ) | NOTICE SETTING SUBCASE(S) |
|                | ) | FOR INITIAL HEARING       |
| Case No. 39576 | ) |                           |
| _____          | ) | SUBCASE NO: 37-02223      |

The Initial Hearing for this subcase will be held before  
Special Master BRIGETTE BILYEU

WEDNESDAY, SEPTEMBER 17, 2008 at 01:00 PM  
BLAINE COUNTY COURTHOUSE  
201 - 2ND AVE S  
HAILEY, ID

ATTENDANCE IS MANDATORY. All parties are required to  
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity  
to meet with a representative of the Idaho Department of  
Water Resources (IDWR) and/or the objector in an attempt  
to reconcile any difference between the claim and the  
Director's Report. Bring any and all information you  
believe is relevant to your claim and/or objection. If  
the claim cannot be reconciled at the Initial Hearing,  
the court will set the subcase(s) for trial within 45  
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR  
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by  
SEPTEMBER 15, 2008 or hearing will not be vacated.

Dated: AUGUST 14, 2008

/S/ JANET CONNELL  
\_\_\_\_\_  
Deputy Clerk  
Snake River Basin Adjudication

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

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CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING  
SUBCASE(S) FOR INITIAL HEARING was mailed on AUGUST 14, 2008,  
with sufficient first-class postage to the following:

STATE OF IDAHO DEPT OF LANDS

Represented by:

STATE OF IDAHO

JRW BUILDING, SECOND FLOOR

700 W STATE ST, PO BOX 44449

BOISE, ID 83711-4449

Phone: 208-334-2400

THOMAS M O GARA FAMILY TRUST

C/O BRIAN BARSOTTI

PO BOX 370

KETCHUM, ID 83340

Phone: 208-726-3030

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW-----  
Right Number: 37-02223Name and Address: THOMAS M O GARA FAMILY TRUST  
C/O BRIAN BARSOTTI  
PO BOX 370  
KETCHUM, ID 83340

Source: SPRINGS Tributary: SINKS

Quantity: .12 CFS  
6.70 AFYThe quantity of water under this right shall not exceed 13,000  
gallons per day.

Priority Date: 10-14-1911

Diversion Point: T01S R19E S36 SWNENW Within Blaine County

| Purpose and<br>Period of Use: | Purpose of Use | Period of Use  | Quantity |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | .12 CFS  |
|                               |                |                | 6.70 AFY |

|               |               |                      |
|---------------|---------------|----------------------|
| Place of Use: | Stockwater    | Within Blaine County |
|               | T01S R19E S25 | SWSW                 |
|               | S36           | NWNW                 |

## Other Provisions Necessary for Definition / Administration of this Water Right:

The remainder of this right was forfeited for non-use from 1979  
to 1988.The quantity of water decreed for this water right is not a  
determination of historical beneficial use.

## Explanatory Material: Basis of Claim - License

Right includes accomplished change in place of use pursuant to  
Section 42-1425, Idaho Code.  
Stockwater use is for 500 range cattle.  
Right includes accomplished change in purpose of use pursuant to  
Section 42-1425, Idaho Code.  
Right includes accomplished change in point of diversion  
pursuant to Section 42-1425, Idaho Code.