

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 37-20638
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THOMAS M O GARA FAMILY TRUST Phone: (208)726-3030
C/O BRIAN BARSOTTI
PO BOX 370
KETCHUM ID 83340

2. Date of Priority: 02/12/1947

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	19E	4	NW NW SW	BLAINE	
01S	19E	4	SW SW NW 4	BLAINE	

5. Description of diverting works:

existng well

existing well

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
WILDLIFE STORAGE		01/01	12/31	
7.3				
DIVERSION TO STORAGE		04/01	11/01	0.06

7. Total Quantity Appropriated is:
0.06 C.F.S. and/or 7.3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	8	SE	NE	WILDLIFE STORAGE	
			NE	NE	WILDLIFE STORAGE	
01S	19E	9	NE	SW	WILDLIFE STORAGE	
			SE	SE	WILDLIFE STORAGE	
			SW	SE	WILDLIFE STORAGE	
			NW	SE	WILDLIFE STORAGE	
			NE	SE	WILDLIFE STORAGE	
			SE	NE	WILDLIFE STORAGE	
01S	19E	10	SW	SW	WILDLIFE STORAGE	
			NW	SW	WILDLIFE STORAGE	
			NE	SW	WILDLIFE STORAGE	
01S	19E	15	NW	NW	WILDLIFE STORAGE	
			NE	NW	WILDLIFE STORAGE	

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Rights 37-20638 and 37-20640 when combined shall not exceed a total annual maximum diversion volume of 7.3 af at the field headgate.

Rights 37-20638, 37-20640, 37-20642, and 37-20644 when combined shall not exceed a total annual maximum diversion volume of 7.3 af at the field headgate.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Water authorized for wildlife storage under Transfer 69756 in the amount of 81.0 af shall be used to mitigate for evaporation losses associated with wildlife storage ponds authorized under rights 37-20653 and 37-20654.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: License

Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington
Scott A. Magnuson
Sarah W. Higer



Paul L. Arrington
pla@idahowaters.com

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Post Office Box 485
Twin Falls, Idaho 83303-0485
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February 5, 2010

Chris Bromley
Deputy Attorney General
P.O. Box 83720-0098
Boise, ID 83720-0098

Doug Jones
Southern Regional Office
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RE: *Water Rights 37-20637 & 37-20638 (Tom O'Gara)*

Dear Chris & Doug:

I am writing in response to your recent email indicating that the Department is no longer willing to settle the objections filed by Tom O'Gara on Water Right Nos. 37-20637 & 37-20638. As I understand it, your decision to withdraw the settlement offer came after reviewing a March 30, 1951 letter from Mark Kulp. As discussed below, both the law and facts support the settlement previously agreed to by the Department.

The Law Requires a Recommendation Consistent with the 2006 Transfer Order

"The law of the case in the SRBA is that a party may not subsequently challenge elements or conditions decided in a license." *Order on Motion to Dismiss Objections & Request for Attorney Fees*, Subcase Nos. 37-494, *et al*, p.5 (The Valley Club) (Oct. 10, 2008) (the "*Valley Club Order*"). As such, absence any changed circumstances after the license was issued, it is binding on the Department and parties to the SRBA. This is consistent with the statutory mandate that a "license shall be binding upon the state as to the right of such licensee to use the amount of water mentioned therein." Idaho Code §§ 42-220; *cf.* 42-1420(1) ("The decree entered in a general adjudication *shall be conclusive as to the nature and extent* of all water rights in the adjudicated water system") (emphasis added).

Importantly, this same "law of the case" prohibits collateral attacks to transfer proceedings. "Collateral attacks of transfers should be disfavored in the SRBA just as collateral

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

attacks of licenses.” *Valley Club Order* at 5. As such, the Department is barred from challenging the elements to a water right that was decided or confirmed through licensing or transfer proceedings. *Id.*

In this case, we have a license and two transfers. The license was issued on November 25, 1975, Attachment A, and is binding on the Department, Idaho Code § 42-220. The Department cannot now, nearly 35 years later attempt to attack that same license.

In 1987, the Department approved Transfer No. 3363, adding an additional point of diversion. Attachment B (Letter dated Dec. 7, 1987 referencing Transfer No. 3363). On December 28, 2006, the Department issued Transfer No. 69756, which, among other things, split the original license (37-2476) and created water right nos. 37-20637 and 37-20638. Attachment C. The claims for 37-20637 and 37-20638 are identical to the elements in the 2006 transfer order. Based on the *Valley Club Order*, the water rights should be recommended consistent with these claims. In fact, that is the exact reason that the Department presented the prior settlement offer.

The only justification I have heard for revoking the settlement offer is a reference to the March 30, 1951 letter from Mark Kulp. Attachment D. Yet, that letter provides no basis for overlooking the law and rejecting Mr. O’Gara’s claims. First, it was written 24 years before the Department issued the license. Furthermore, the letter was available to the Department since that time – including at the time water right 37-2476 was licensed. The Department cannot now, 35 years after issuing the license, attempt to revoke its own license based on the new belief that the license was in error. The Department had all the evidence at that time and there is no reason to believe that it wasn’t considered.

In short, the law is clear. The Department has provided no evidence of any changed circumstances since the 2006 transfer. The claims are identical to the 2006 transfer. As such, the law demands that Mr. O’Gara’s rights be recommended and decreed as claimed.

The Facts Support Mr. O’Gara’s Claims

From what I understand, you interpret the March 30, 1951 letter to mean that Mr. Allred, the original owner of this water right, had double filed on the same water (receiving both a decree and license). You stated that a partial decreed of these water rights would result in a windfall ruling for Mr. O’Gara – giving him twice the water. We do not agree with your interpretation. In fact, based on the attached Excess Flow Analysis, prepared by Chuck Brockway, it is clear that both water rights were needed to irrigate what is commonly referred to as the Shoestring Ranch. Attachment E.

Other Legal Claims

I understand that the Department is not a party to the SRBA. However, the Department is still bound by the licenses it issues and transfers it approves. As discussed above, there is no basis in the law to disallow Mr. O’Gara’s water rights. The original rights were developed, licensed and transferred. Mr. O’Gara and his predecessors have relied on this water for decades.

Chris Bromley & Doug Jones

February 5, 2010

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Should the Department continue to challenge the license and transfer order, by seeking to disallow the claims in the SRBA, Mr. O'Gara may need to seek recourse in a different forum.

Mr. O'Gara is not seeking a windfall victory in the SRBA. Rather, Mr. O'Gara is simply seeking his water – water that was beneficially used, licensed and transferred (twice). The law and facts support the Department's previous settlement offer. Please review this letter and information and give me a call to discuss further settlement options.

Yours truly,


Paul L. Arrington

PLA/jf

cc: Tom O'Gara (via email)
Chuck Brockway (via email)
Brian Barsotti (via email)

Encs.

Exhibit A

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 20049/37-2476 Priority Feb. 12, 1947 Amount 1.64 cfs

THIS IS TO CERTIFY, that CLARENCE E. ALLRED

of Gannett, Idaho, has complied with the terms and conditions of Permit No. 20049/37-2476 issued pursuant to Application for Permit dated February 12, 1947, and has submitted proof to the Department of Water Resources on February 15, 1950, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 1.64 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>1.64</u> cfs and	<u>247 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 1.64 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 247 acre feet per year, said waters to be diverted within Lot 4 of Sec. 4,

Twp. 1 S, Rge. 19 E, B.M. in the County of Blaine

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 S	19 E	3					15.												15.52
							52												
							(lot												
							4)												
1 S	19 E	4	15.	16.			16.	17.											66.52
			96	41			85	30											
			(lot	(lot			(lot	(lot											
			1)	2)			3)	4)											

Total number of acres irrigated 82.04

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25 day of November, 19 75.

Director

Exhibit B



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KEITH HIGGINSON
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 7, 1987

RE: Transfer of Water Right Nos. 37-0803/2476

Kerr Pacific Corp.
c/o Gilbertson, Brownstein,
Rask, Sweeney, Kerr & Grim
1200 S.W.
Main Bldg.
Portland, OR 92705

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above
referenced water rights (Transfer No. 3363).

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECORDED

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Exhibit C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69756

This is to certify that: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340
 (208)726-3030

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-803	AJC/Decreed	06/15/1946	2.54 cfs	N/A	84.0	918.0	GROUND WATER
37-355	AJC/Decreed	05/17/1883	5.60 cfs	N/A	320.0	918.0	BIG WOOD RIVER
37-2476	AJC/License	02/12/1947	1.64 cfs	247 af	84.0	918.0	GROUND WATER
37-7569	AJC/License	03/08/1977	9.20 cfs	N/A	836.0	918.0	GROUND WATER
37-113C	AJC/Decreed	07/10/1884	1.00 cfs	N/A	34.5	918.0	BIG WOOD RIVER
37-577BZ	AJC/Decreed	03/24/1883	0.69 cfs	N/A	34.5	918.0	BIG WOOD RIVER
37-682	AJC/Decreed	04/17/1883	0.50 cfs	N/A	280.0	918.0	BIG WOOD RIVER
37-683	AJC/Decreed	06/20/1884	4.50 cfs	N/A	280.0	918.0	BIG WOOD RIVER
37-684	AJC/Decreed	06/02/1890	1.00 cfs	N/A	82.0	918.0	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-803	YES	NO	YES	NO	YES	YES
37-355	YES	YES	YES	NO	YES	YES
37-2476	YES	NO	YES	NO	YES	YES
37-7569	YES	NO	YES	NO	YES	YES
37-113C	YES	NO	YES	NO	YES	YES
37-577BZ	YES	NO	YES	NO	YES	YES
37-682	YES	YES	YES	NO	YES	YES
37-683	YES	YES	YES	NO	YES	YES
37-684	YES	YES	YES	NO	YES	YES

SUPPORT DATA

IN FILE # 37-113C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69756

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-803	37-20640	0.09 cfs	7.3 af	N/A	N/A	37-20639	2.45 cfs	N/A	79.1	885.6
37-355	37-20646	0.20 cfs	28.3 af	N/A	N/A	37-20645	5.40 cfs	N/A	308.7	885.6
37-2476	37-20638	0.06 cfs	7.3 af	N/A	N/A	37-20637	1.58 cfs	238.3 af	79.1	885.6
37-7569	37-20636	0.32 cfs	73.8 af	N/A	N/A	37-20635	8.88 cfs	2419.5 af	806.5	885.6
37-113C	37-20642	0.04 cfs	3.0 af	N/A	N/A	37-20641	0.96 cfs	N/A	33.3	885.6
37-577BZ	37-20644	0.02 cfs	3.0 af	N/A	N/A	37-20643	0.67 cfs	N/A	33.3	885.6
37-682	37-20648	0.02 cfs	24.8 af	N/A	N/A	37-20647	0.48 cfs	N/A	270.1	885.6
37-683	37-20650	0.16 cfs	24.8 af	N/A	N/A	37-20649	4.34 cfs	N/A	270.1	885.6
37-684	37-20652	0.04 cfs	24.8 af	N/A	N/A	37-20651	0.96 cfs	N/A	270.1	885.6
COMBINED										
TOTALS		0.95 cfs	81.0 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28th day of December, 20 06


 Chief, Water Allocation Bureau

Exhibit D

March 30, 1951

Honorable D. H. Sutphen
District Judge
Gooding, Idaho

In re: Clover Land & Livestock Company
vs. Allred et al -- Blaine County.

Dear Judge Sutphen:

We have reviewed the proposed stipulation in the above cited case and find that Permit No. 20049 was issued to Clarence Allred with a filing date of February 12, 1947, for 4 cubic feet per second of subterranean water for the supplemental irrigation of 88 acres of land.

Section 42-202, Idaho Code, limits authorization of 1 cubic foot per second to each 50 acres of land to be irrigated, unless it can be shown to the satisfaction of the Department of Reclamation that a greater amount is necessary. Affidavits were furnished to the effect that more than one inch to the acre was necessary and also to show that existing water rights were inadequate and of little value late in the season on account of some rights being cut and deliveries under other rights depleted by excessive canal losses.

The Department left the duty of water open until a determination could be made and issued the permit for 4 cubic feet per second. Apparently the Court in the First Decree was not satisfied that an amount greatly in excess of one inch per acre was necessary as 64 1/2 inches from Hood River was decreed with an 1886 priority. However, the Allred lands are porous and under local irrigation practices could not raise a full crop with one inch per acre.

Proofs were offered under Permit No. 20049 and show a little more than 88 acres irrigated with flows varying from 150 to 205 inches starting with the irrigation season of 1946. Our inspector measured the flow at 115.6 miners inches on July 27, 1950, but is satisfied that with a higher water level, more could have been delivered by the same pumping equipment but it is doubtful if the 3.3 cubic feet per second stipulated amount has ever been put to beneficial use.

Application for permit stated that a well had already been drilled but was to be enlarged and deepened. This has been done.

MAY 2 1951

Honorable D. H. Outphen
March 30, 1951
Page 2.

Permit No. 20180 was issued to Walter Brown for 4 cubic feet per second for the irrigation of 105.56 acres, with a priority of July 9, 1947. The permit was issued with the stipulation that the duty of water was to be determined. Affidavits were furnished as to the need for more than one inch per acre and the inadequacy of existing rights.

Proofs of beneficial use state that the well was first used in 1947.

Measurement made August 31, 1950, showed 11 1/2 inches delivery by pumping installation, but may have been larger at some time during the season.

Permit No. 21076 was issued to Alvo and A. Keith Rhodes for 8 cubic feet per second for 396 acres, with priority of February 25, 1949. Application stated that an established well was rehabilitated in 1948. No proofs of beneficial use have been made but proof of completion of works was offered and a measurement was made on August 30, 1950 of 4.14 cubic feet per second, but more may have been pumped with a higher water level some time in the season.

The water supply for the Allied, Brown, Rhodes and Clover Land and Livestock Company wells is supposed to be the supply that feeds Silver Creek and if the water is used in the immediate area the depletion will be the amount evaporated and transpired, or what is called the consumptive use by irrigation. Consumptive use on lands in question may be from 1 to 2 acre feet per year per acre of land irrigated. All the rest of the water applied will be returned to the ground water supply and presumably will reach Silver Creek.

Spreading the water over more land than is now irrigated will increase the total consumptive use and deplete the ground water supply to a greater extent.

The proposed stipulation and the evidence outlined in your letter of February 27, are consistent with our records except for the amount of water actually put to beneficial use.

The Allied well and pumping plant produced 2.71 cubic feet per second on July 27, 1950 and allowing 10%, may have produced 2.94 cubic feet per second at some time. We have not determined what the Department of Reclamation would have allowed in inches per acre, but 2.94 cubic feet per second, or 127 inches for 84.5 acres would be at the rate of 1 1/2 inches per acre.

The Brown well and pumping plant produced 2.37 cubic feet per second on August 31, 1950, and allowing 10%, may have produced 2.61 cubic feet per second at some time. 2.61 cubic feet per second or 131 inches for 105 acres would be at the rate of a little less than 1 1/2 inches per acre.

100-28700

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Exhibit E

EXCESS FLOW ANALYSIS ON WATER RIGHT PLACE OF USE WITH HYPOTHETICAL REVERSION TO GRAVITY IRRIGATION

Thomas M O'Gara Family Trust – SRBA Review Water Right Nos. 37-20637 and
37-20638
South of Bellevue, Idaho

Brockway Engineering, PLLC
June 9, 2009

The O'Gara property is located south of Bellevue, Idaho and covers a substantial area. Water right nos. 37-20637 and 37-20638 were created from a transfer (69756) from water right no. 37-2476, originally appurtenant to Lots 1, 2, 3, and 4, Section 4, and Lot 4, Section 3, Township 1 South, Range 19 East, Boise Meridian (Shoestring Ranch – Figure 1). Water right nos. 37-20637 and 37-20638 are stacked with water right nos. 37-20639 and 37-20640 on the same parcel of land. During the SRBA review, IDWR disallowed water right nos. 37-20637 and 37-20638 citing that the stacked water rights were sufficient to cover all uses with these rights. An excess flow analysis has been performed by Brockway Engineering considering the historical irrigation practices to quantify the peak discharge requirements. This analysis justifies a groundwater diversion rate of 0.050 cfs per acre (2.5 inches per acre) with 0.019 cfs per acre (0.95 inches per acre) loss through ditch conveyance and 0.031 cfs per acre (1.55 inches per acre) for gravity irrigation.

Today, groundwater irrigation right nos. 37-20637 and 37-20639 are used to irrigate 79.1 acres via sprinkler systems. This method of irrigation requires a lower peak diversion rate than gravity irrigation methods which have been historically employed on the land. Reviews of historical aerial photos have confirmed that gravity irrigation has occurred as shown in 1964 aerial photo in Figure 1. Water right nos. 37-20637 and 37-20638 were disallowed in the SRBA court; IDWR determined that water right nos. 37-20639 and 37-20640 provided sufficient water for nature of use. IDWR policy throughout the SRBA review has been to not 'go behind' existing decrees and licenses. It is puzzling to us why these rights were disallowed given the strong historical records, including the water right license, pertaining to these rights. Original diversion rates of the irrigation rights allowed for irrigation configurations that included water delivery by ditch and gravity irrigation approach. The IDWR policy has been to avoid restricting a water user to sprinkler irrigation by reducing the diversion rate on the water right. The excess flow analysis was evaluated to determine necessary irrigation flow required to convey water via ditch and irrigate by gravity irrigation.

The basis for water right nos. 37-20637 and 37-20638 is a license (WR 37-2476) granted by the State of Idaho on 11/25/1975 to irrigate 82 acres (Shoestring Ranch) with 1.64 cfs given a priority date of 2/12/1947. The basis for water right

nos. 37-20639 and 37-20640 is a court decree (WR 37-803) that occurred on 2/23/1951. Water right decree allows for the irrigation of the land in Lots 1, 2, 3, and 4, section 4, and Lot 4, Section 3, all in Township 1 South, Range 19 East, Boise Meridian (the same 82 acres on the Shoestring Ranch as water right license 37-2476) with a flow rate of 2.54 cfs and a priority date of 6/15/1946.

The map in Figure 1 shows an aerial photo from 1964 with gravity irrigation field layout. If the owner were to revert to ditch conveyance and gravity irrigation methods today, then the field layout would be similar. The excess flow analysis assumed a similar field configuration, given the general slope of the land to the southeast. Delivery of the irrigation water to the field would occur by delivery ditch.

The soil present on the site consists of a mixture of four different soils groups: Isknot Gravelly Clay Loam (Soil Group 51), Little Wood Gravelly Loam (Soil Group 64), Little Wood Very Gravelly Loam (Soil Group 66), and Little Wood – Balaam Complex (Soil Group 69). Soils data were obtained from the NRCS web soil survey for Blaine County. The attached spreadsheet shows the average water holding capacity for each soil as estimated by the NRCS. Crop ET data for pasture was taken from Allen and Robison (2007) for the Picabo AgriMet Station.

NRCS soil maps indicate that the soil groups exist in bands across the Shoestring property. It was determined that to accurately model the irrigation of the field, four different fields would be evaluated, given the irrigated area covered by each soil type. Table 1 outlines the input field data used to determine the on-field diversion requirement.

Table 1: Input data for field designation by soil type.

	Field 51	Field 64	Field 66	Field 69
Soil Group	51	64	66	69
Average run length	520 ft	618 ft	547 ft	605 ft
Average field slope ^a	0.006 ft/ft	0.006 ft/ft	0.006 ft/ft	0.006 ft/ft
Field Area	9.5 ac	8.6 ac	46.6 ac	14.4 acres
"Furrow" Spacing	2.5 ft	2.5 ft	2.5 ft	2.5 ft
Crop	Pasture	Pasture	Pasture	Pasture

^a Average field slope was obtained from USGS 7.5 minute quad sheet

An excess flow computer model developed by C.W. Robison of the University of Idaho was then employed to compute the on-field requirements. This program applies the methodology of "Report Regarding Evaluation of Irrigation Diversion Rates" by Hubble Engineering (1991). The program was used to calculate the minimum flow necessary to ensure that (1) the water reached the end of the run, and (2) sufficient water was applied to the end of the run. Several iterations were made to estimate the peak requirement with reasonable model inputs.

Results of the analysis for each field are shown in Table 2. All fields were given a set time of 12 hours. The furrow flow required to fully irrigate the end of the run ranged from 4.0 gpm to 3.0 gpm. The shortest furrow length (Field 51) required the least amount of furrow flow. The peak diversion rates for the combined fields totaled 2.45 cfs or 1.55 inches/acre.

Table 2: Field results for peak flow requirements

	Field 51	Field 64	Field 66	Field 69
Set Time	12 hrs	12 hrs	12 hrs	12 hrs
Furrow Flow	3.0 gpm	4.0 gpm	3.5 gpm	4.0 gpm
Peak Diversion	0.31 cfs	0.24 cfs	1.44 cfs	0.46 cfs
Inches/acre	1.66 in/ac	1.39 in/ac	1.55 in/ac	1.60 in/ac

Water right no. 37-803 was originally decreed to the Shoestring Ranch on 2/23/1951 for 2.54 cfs. Water right transfer no. 69756 split water right no. 37-803 into water right nos. 37-20639 and 37-20640. Water right no. 37-20639 is for irrigation of 79.1 acres with 2.45 cfs. This right covers the peak discharge requirement for on-field application. However, if the water is conveyed by open ditch across the Shoestring Ranch, water right no. 37-20639 will not be sufficient given the conveyance loss through the ditch system. The quantity of seepage loss from an open ditch was calculated using the Worstell method outlined by Hubble Engineering (1991). The Worstell method uses the seepage rate of the soil and the ditch width (to approximate the wetted perimeter) to estimate the seepage loss.

The logical ditch location to irrigate the Shoestring ranch is along Baseline road, which will feed the furrows flowing southeast. A separate seepage loss was calculated for each soil type. Data used for calculating the seepage loss and the results are shown in Table 3.

Table 3: Seepage loss of open ditch conveyance system

	Soil 51	Soil 64	Soil 66	Soil 69
Seepage Rate (ft/day)	12	40	40	40
Length (mi)	0.14	0.12	0.70	0.27
Channel Width (ft)	5	5	5	5
Seepage Loss (cfs)	0.05	0.16	0.94	0.35

The total seepage loss from conveying the water through an open ditch system is approximately 1.50 cfs or 0.95 inches per acre. The combined total flow requirement to irrigate the Shoestring Ranch is 3.95 cfs or 2.50 inches per acre, of which the field requirement is 2.45 cfs and the ditch seepage loss is 1.50 cfs.

Water right no. 37-20637 is allotted 1.58 cfs for irrigation and water right no. 37-20639 is allotted 2.45 cfs for irrigation for a total of 4.03 cfs. Given the strong historical documents of water right decree and water right license and the excess flow analysis results, these two water rights should both be recommended in the SRBA.



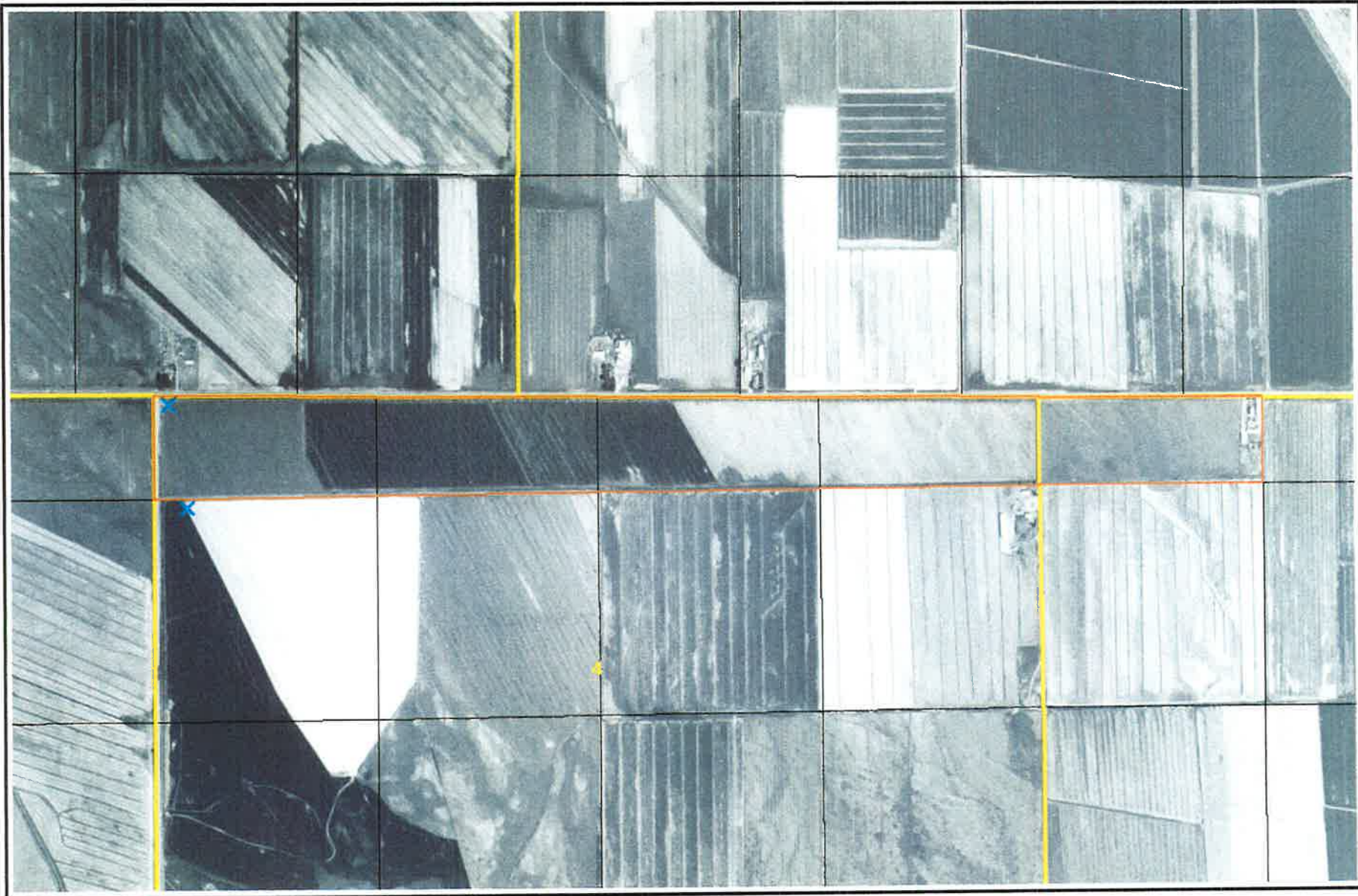


FIGURE 1: O'GARA SHOESTRING RANCH
THOMAS M O'GARA FAMILY TRUST
LOTS 1, 2, 3, 4 SEC 4, LOT 4 SEC 5 T1S R19E
 1964 AERIAL PHOTO

LEGEND

- SHOESTRING RANCH
- X WR POD
- SECTION LINES
- QQ LINES

N

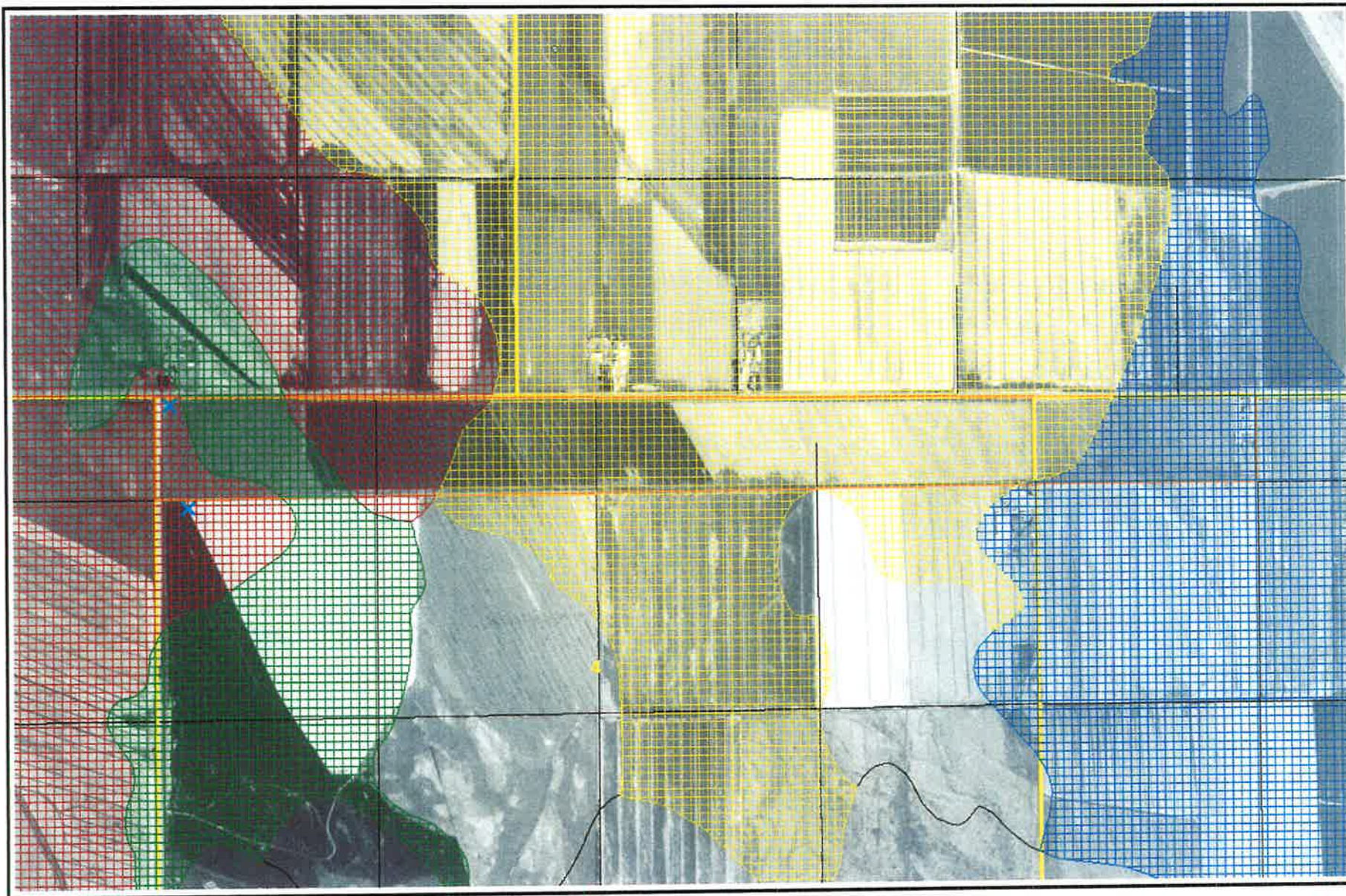


FIGURE 2: NRCS SOILS MAP
THOMAS M O'GARA FAMILY TRUST
LOTS 1, 2, 3, 4 SEC 4, LOT 4 SEC 5 T1S R19E
1964 AERIAL PHOTO

LEGEND

- SOIL GROUP 51
- SOIL GROUP 64
- SOIL GROUP 66
- SOIL GROUP 69

N

SOIL WATER HOLDING CAPACITY ESTIMATION

Data from Web Soil Survey of Blaine County Area, Idaho (NRCS, 2009)

Tom O'Gara - Excess Flow Analysis

Data for O'Gara property (Shoestring Ranch) in Sec. 3 and 4, T. 1 S., R. 19 E.

51 - Isknot gravelly clay loam, 0-2% slopes

Depth (inches)		WHC (in/in)
From	To	
0	2	0.185
2	11	0.180
11	26	0.095
26	35	0.090
35	61	0.040

Depth	Field 1 (in/in)
0 - 1'	0.084
1 - 2'	0.095
2 - 3'	0.087
3 - 4'	0.040
4 - 5'	0.040

Depth	Field 1
0 - 1'	1.005
0 - 2'	2.145
0 - 3'	3.185
0 - 4'	3.665
0 - 5'	4.145

64 - Little Wood gravelly loam, 0-2% slopes

Depth (inches)		WHC (in/in)
From	To	
0	13	0.125
13	26	0.110
26	32	0.050
32	61	0.030

Depth	Field 1 (in/in)
0 - 1'	0.125
1 - 2'	0.111
2 - 3'	0.053
3 - 4'	0.030
4 - 5'	0.030

Depth	Field 1
0 - 1'	1.500
0 - 2'	2.835
0 - 3'	3.475
0 - 4'	3.835
0 - 5'	4.195

66 - Little Wood very gravelly loam, 0-2% slopes

Depth (inches)		WHC (in/in)
From	To	
0	10	0.100
10	25	0.110
25	35	0.050
35	61	0.030

Depth	Field 1 (in/in)
0 - 1'	0.102
1 - 2'	0.110
2 - 3'	0.053
3 - 4'	0.030
4 - 5'	0.030

Depth	Field 1
0 - 1'	1.220
0 - 2'	2.540
0 - 3'	3.180
0 - 4'	3.540
0 - 5'	3.900

69 - Little Wood-Balaam complex, 0-2% slopes

Depth (inches)		WHC (in/in)
From	To	
0	10	0.100
10	25	0.110
25	35	0.050
35	61	0.030

Depth	Field 1 (in/in)
0 - 1'	0.102
1 - 2'	0.110
2 - 3'	0.053
3 - 4'	0.030
4 - 5'	0.030

Depth	Field 1
0 - 1'	1.220
0 - 2'	2.540
0 - 3'	3.180
0 - 4'	3.540
0 - 5'	3.900

OGARA69.OUT

Irrigation Water Requirements Analysis

Version 1.00

2009-06-08 @ 12:07:30

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Crop Water Requirements Datafile: newpicabo.cir

Probability Level for Analysis: 80.0
Number of Canal/Lateral Segments: 1
Number of Irrigation Methods: 1
Number of Soil Types: 1
Number of Crops: 1
Number of Analysis Periods: 8

CANAL/LATERAL INFORMATION

#	Name	Upstream Segment	Length miles	Width feet	F-Area sq-ft	Seepage	Method
1	Ditch Seg 1	0	.00	.0	.0	Specified S=	.00 cfs/mi

IRRIGATION SYSTEM INFORMATION

Name	Assumed Efficiency	Set Time	Run Flow	Length	Slope-Furrows width-Others
FURROW 69	48.0	12.	4.0	605.	.006

SOILS INFORMATION

Name	Intake Family	Water 1ft	Holding 2ft	Capacity 3ft	4ft	5ft
SOIL 69	2.5	1.22	2.54	3.18	3.54	3.90

CROP SYSTEM INFORMATION

Name	Allowable Deficit	Furrow Spacing	Roughness
Pasture	50.0	2.500	.100

Irrigation Water Requirements Analysis

Version 1.00

2009-06-08 @ 12:07:30

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Crop	CROP DISTRIBUTION FOR SOIL 69		by Irrigation System
	Total	01	
Pasture	14.4	14.4	

Irrigation System Key

01 - FURROW 69

Project/Farm Irrigation Water Requirement Analysis

Version 1.00

Crop Irrigation Requirements (mm/day)

Datafile: newpicabo.cir

OGARA69.OUT

O'Gara Property - Shoestring Ranch - Excess Flow
 Brockway Engineering and C.W. Robison
 GEP Brockway Engineering

Peak Consumptive Use based on Peak:Mean(ASWD)
 80.0 Percent Probability Level of CU

	SOIL CATAGORY:		SOIL 69						
Crop	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	
Pasture	.035	.078	.224	.282	.316	.284	.189	.096	

Irrigation Water Requirements Analysis
 Version 1.00
 2009-06-08 @ 12:07:30

O'Gara Property - Shoestring Ranch - Excess Flow
 Brockway Engineering and C.W. Robison
 GEP Brockway Engineering

Irrigation System Analysis FOR SOIL SOIL 69

Irrigation System Efficiency Analysis: FURROW 69
 Furrow Irrigation-> 12.Hours @ 4.0gpm on 605.ft @ .006ft/ft
 CROP

	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	---	41.6	41.6	41.6	41.6	41.6	41.6	41.6

Note the following symbol meanings
 @@@ = water did not reach end of furrow
 * = End-of-Furrow application insufficient

On-Farm Diversion Requirements -- miner inches/ac
 with a 80.0 percent probability level

Based on analysis period irrigation requirement

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.000	.227	.919	1.249	1.412	1.256	.780	.340

Based on analysis period peak consumptive use

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.000	.396	1.131	1.427	1.596	1.435	.952	.484

Irrigation Water Requirements Analysis
 Version 1.25
 2009-06-08 @ 12:07:30

O'Gara Property - Shoestring Ranch - Excess Flow
 Brockway Engineering and C.W. Robison
 GEP Brockway Engineering

Overall Project On-Farm Diversion Requirement
 with a 80.0% Water Requirement Probability Level

OGARA69.OUT

Based on analysis period irrigation requirement

CROP	Total ac-ft	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				miners	inches	per ac.			
Pasture	95.	.000	.227	.919	1.249	1.412	1.256	.780	.340
*Entire Project	95.	.000	.227	.919	1.249	1.412	1.256	.780	.340

Based on analysis period peak consumptive use

CROP	Total arces	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				miners	inches	per ac.			
Pasture	14.	.000	.396	1.131	1.427	1.596	1.435	.952	.484
*Entire Project	14.	.000	.396	1.131	1.427	1.596	1.435	.952	.484

Irrigation Water Requirements Analysis

Version 1.25

2009-06-08 @ 12:07:30

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Fraction of Soil Type Area served by Canal/Lateral Segment

Canal/Soil Class 01
Ditch Seg 1 1.000

Table Soil Type Key

01 - SOIL 69

Irrigation Water Requirements Analysis

Version 1.25

2009-06-08 @ 12:07:30

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Canal/Lateral Discharge Summary
(cubic feet per second)

Canal/Lateral	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Ditch Seg 1	**** Seepage Rate: .00 cfs/mi or .00 cfs ****							

Based on analysis period irrigation requirement

DS Delivery	.0	.0	.0	.0	.0	.0	.0	.0
On-Farm Div.	.0	.1	.3	.4	.4	.4	.2	.1
Seepage Loss	.0	.0	.0	.0	.0	.0	.0	.0
US Div. Req.	.0	.1	.3	.4	.4	.4	.2	.1

OGARA69.OUT

Based on analysis period peak consumptive use

DS Delivery	.0	.0	.0	.0	.0	.0	.0	.0
On-Farm Div.	.0	.1	.3	.4	.5	.4	.3	.1
Seepage Loss	.0	.0	.0	.0	.0	.0	.0	.0
US Div. Req.	.0	.1	.3	.4	.5	.4	.3	.1

Irrigation Water Requirements Analysis

Version 1.25

2009-06-08 @ 12:07:30

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

PROJECT IRRIGATION DIVERSION REQUIREMENTS
SUMMARY

Total Irrigated Area: 14.40 acres

Based on analysis period irrigation requirement

Max Project Diversion: .41 cfs(1.413 mi/ac)

Based on analysis period peak consumptive use

Peak Project Diversion: .46 cfs(1.597 mi/ac)

OGARA66.OUT

Irrigation Water Requirements Analysis
Version 1.00
2009-06-08 @ 11:56:11

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Crop Water Requirements Datafile: newpicabo.cir

Probability Level for Analysis: 80.0
Number of Canal/Lateral Segments: 1
Number of Irrigation Methods: 1
Number of Soil Types: 1
Number of Crops: 1
Number of Analysis Periods: 8

CANAL/LATERAL INFORMATION

#	Name	Upstream Length Segment	Width miles	F-Area feet	Seepage sq-ft	Method
1	Ditch Seg 1	0	.00	.0	.0	Specified S= .00 cfs/mi

IRRIGATION SYSTEM INFORMATION

Name	Assumed Efficiency	Set Time	Run Flow	Slope-Furrows Length	Width-Others
FURROW 66	48.0	12.	3.5	547.	.006

SOILS INFORMATION

Name	Intake Family	Water Holding Capacity 1ft	2ft	3ft	4ft	5ft
SOIL 66	2.5	1.22	2.54	3.18	3.54	3.90

CROP SYSTEM INFORMATION

Name	Allowable Deficit	Furrow Spacing	Roughness
Pasture	50.0	2.500	.100

Irrigation Water Requirements Analysis
Version 1.00
2009-06-08 @ 11:56:11

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Crop	CROP DISTRIBUTION FOR SOIL 66		by Irrigation System
	Total	01	
Pasture	46.6	46.6	

Irrigation System Key
01 - FURROW 66

Project/Farm Irrigation Water Requirement Analysis
Version 1.00

Crop Irrigation Requirements (mm/day)

Datafile: newpicabo.cir

Title: Picabo - AgriMet - Consumptive Use from Allen and Robison (2007)

	Total	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				Pasture					
Root Depth	.0	.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Mean CU	873.0	.62	1.29	4.28	5.68	6.56	6.01	3.94	1.53
Mean IR	765.0	.27	.63	3.02	5.00	6.26	5.76	3.55	1.08
Std Dev CU	76.0	.16	.56	.89	.79	.64	.44	.35	.74
Std Dev IR	100.0	.31	.61	1.90	1.52	1.00	.66	.44	.75

BASED ON NORMAL DISTRIBUTION

				Pasture					
---CU---	36.9	.030	.069	.198	.250	.279	.251	.167	.085
---IR---	33.4	.021	.045	.182	.247	.280	.249	.154	.067
Root Depth		.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0

App.Depth(in)	.61	1.06	1.51	2.12	2.73	3.63	4.54	5.60	6.36
	6.96	7.57	.00						
Peak:Average	1.154	1.138	1.123	1.108	1.092	1.077	1.061	1.046	1.038
	1.031	1.023	.000						

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Crop	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.00	1.27	1.27	1.27	1.27	1.27	1.27	1.27

Page 2

OGARA66.OUT

O'Gara Property - Shoestring Ranch - Excess Flow
 Brockway Engineering and C.W. Robison
 GEP Brockway Engineering

Peak Consumptive Use based on Peak:Mean(ASWD)
 80.0 Percent Probability Level of CU

	SOIL CATAGORY: SOIL 66							
Crop	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.035	.078	.224	.282	.316	.284	.189	.096

Irrigation Water Requirements Analysis
 Version 1.00
 2009-06-08 @ 11:56:11

O'Gara Property - Shoestring Ranch - Excess Flow
 Brockway Engineering and C.W. Robison
 GEP Brockway Engineering

Irrigation System Analysis FOR SOIL SOIL 66

Irrigation System Efficiency Analysis: FURROW 66

Furrow Irrigation-> 12.Hours @ 3.5gpm on 547.ft @ .006ft/ft

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	---	43.0	43.0	43.0	43.0	43.0	43.0	43.0

Note the following symbol meanings
 @@@ = water did not reach end of furrow
 * = End-of-Furrow application insufficient

On-Farm Diversion Requirements -- miner inches/ac
 With a 80.0 percent probability level

Based on analysis period irrigation requirement

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.000	.220	.889	1.208	1.367	1.215	.754	.329

Based on analysis period peak consumptive use

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.000	.383	1.094	1.381	1.545	1.388	.921	.468

Irrigation Water Requirements Analysis
 Version 1.25
 2009-06-08 @ 11:56:11

O'Gara Property - Shoestring Ranch - Excess Flow
 Brockway Engineering and C.W. Robison
 GEP Brockway Engineering

Overall Project On-Farm Diversion Requirement
 With a 80.0% Water Requirement Probability Level

OGARA66.OUT

Based on analysis period irrigation requirement

CROP	Total ac-ft	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	297.	.000	.220	.889	1.208	1.367	1.215	.754	.329
*Entire Project	297.	.000	.220	.889	1.208	1.367	1.215	.754	.329

Based on analysis period peak consumptive use

CROP	Total arces	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	47.	.000	.383	1.094	1.381	1.545	1.388	.921	.468
*Entire Project	47.	.000	.383	1.094	1.381	1.545	1.388	.921	.468

Irrigation Water Requirements Analysis

Version 1.25

2009-06-08 @ 11:56:11

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Fraction of Soil Type Area served by Canal/Lateral Segment

Canal/Soil Class 01
Ditch Seg 1 1.000

Table Soil Type Key

01 - SOIL 66

Irrigation Water Requirements Analysis

Version 1.25

2009-06-08 @ 11:56:11

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Canal/Lateral Discharge Summary
(cubic feet per second)

Canal/Lateral	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Ditch Seg 1	****	Seepage Rate:	.00 cfs/mi or	.00 cfs	****			

Based on analysis period irrigation requirement

DS Delivery	.0	.0	.0	.0	.0	.0	.0	.0
On-Farm Div.	.0	.2	.8	1.1	1.3	1.1	.7	.3
Seepage Loss	.0	.0	.0	.0	.0	.0	.0	.0
US Div. Req.	.0	.2	.8	1.1	1.3	1.1	.7	.3

OGARA66.OUT

Based on analysis period peak consumptive use

DS Delivery	.0	.0	.0	.0	.0	.0	.0	.0
On-Farm Div.	.0	.4	1.0	1.3	1.4	1.3	.9	.4
Seepage Loss	.0	.0	.0	.0	.0	.0	.0	.0
US Div. Req.	.0	.4	1.0	1.3	1.4	1.3	.9	.4

Irrigation Water Requirements Analysis

Version 1.25

2009-06-08 @ 11:56:11

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

PROJECT IRRIGATION DIVERSION REQUIREMENTS
SUMMARY

Total Irrigated Area: 46.60 acres

Based on analysis period irrigation requirement

Max Project Diversion: 1.27 cfs(1.367 mi/ac)

Based on analysis period peak consumptive use

Peak Project Diversion: 1.44 cfs(1.545 mi/ac)

OGARA64.OUT

Irrigation Water Requirements Analysis
Version 1.00
2009-06-08 @ 11:46:04

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Crop Water Requirements Datafile: newpicabo.cir

Probability Level for Analysis: 80.0
Number of Canal/Lateral Segments: 1
Number of Irrigation Methods: 1
Number of Soil Types: 1
Number of Crops: 1
Number of Analysis Periods: 8

CANAL/LATERAL INFORMATION

#	Name	Upstream Length Segment	Width miles	F-Area feet	Seepage sq-ft	Method
1	Ditch Seg 1	0	.00	.0	.0	Specified S= .00 cfs/mi

IRRIGATION SYSTEM INFORMATION

Name	Assumed Efficiency	Set Time	Run Flow	Slope-Furrows Length	Width-Others
FURROW 64	48.0	12.	4.0	618.	.006

SOILS INFORMATION

Name	Intake Family	Water 1ft	Holding 2ft	Capacity 3ft	4ft	5ft
SOIL 64	2.5	1.50	2.84	3.48	3.84	4.20

CROP SYSTEM INFORMATION

Name	Allowable Deficit	Furrow Spacing	Roughness
Pasture	50.0	2.500	.100

Irrigation Water Requirements Analysis
Version 1.00
2009-06-08 @ 11:46:04

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Crop	CROP DISTRIBUTION	FOR SOIL 64	by Irrigation System
Pasture	Total	01 8.6	

Irrigation System Key
01 - FURROW 64

Project/Farm Irrigation Water Requirement Analysis
Version 1.00

Crop Irrigation Requirements (mm/day)

Datafile: newpicabo.cir

OGARA64.OUT

Title: Picabo - AgriMet - Consumptive Use from Allen and Robison (2007)

INPUT DATA

	Total	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				Pasture					
Root Depth	.0	.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Mean CU	873.0	.62	1.29	4.28	5.68	6.56	6.01	3.94	1.53
Mean IR	765.0	.27	.63	3.02	5.00	6.26	5.76	3.55	1.08
Std Dev CU	76.0	.16	.56	.89	.79	.64	.44	.35	.74
Std Dev IR	100.0	.31	.61	1.90	1.52	1.00	.66	.44	.75

Project/Farm Irrigation Water Requirement Analysis
Version 1.00

Crop Requirements (in/day)
Crop Rooting Depths (ft)

BASED ON NORMAL DISTRIBUTION

Adjusted Crop Water Requirements for 80.0% probability level

	Total	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				Pasture					
---CU---	36.9	.030	.069	.198	.250	.279	.251	.167	.085
---IR---	33.4	.021	.045	.182	.247	.280	.249	.154	.067
Root Depth		.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0

CU Peak to Ave Ratio vs Application Depth Curve (12 pts)

App.Depth(in)	.61	1.06	1.51	2.12	2.73	3.63	4.54	5.60	6.36
	6.96	7.57	.00						
Peak:Average	1.154	1.138	1.123	1.108	1.092	1.077	1.061	1.046	1.038
	1.031	1.023	.000						

Irrigation Water Requirements Analysis
Version 1.00
2009-06-08 @ 11:46:04

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Allowable Soil Water Deficit -- inches
80.0 Percent Probability Level of IR

SOIL CATAGORY: SOIL 64

Crop	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.00	1.42	1.42	1.42	1.42	1.42	1.42	1.42

Irrigation Water Requirements Analysis
Version 1.00
2009-06-08 @ 11:46:04

OGARA64.OUT

O'Gara Property - Shoestring Ranch - Excess Flow
 Brockway Engineering and C.W. Robison
 GEP Brockway Engineering

Peak Consumptive Use based on Peak:Mean(ASWD)
 80.0 Percent Probability Level of CU

	SOIL CATAGORY: SOIL 64							
Crop	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.035	.078	.223	.281	.315	.283	.188	.095

Irrigation Water Requirements Analysis
 Version 1.00
 2009-06-08 @ 11:46:04

O'Gara Property - Shoestring Ranch - Excess Flow
 Brockway Engineering and C.W. Robison
 GEP Brockway Engineering

Irrigation System Analysis FOR SOIL SOIL 64

Irrigation System Efficiency Analysis: FURROW 64

Furrow Irrigation-> 12.Hours @ 4.0gpm on 618.ft @ .006ft/ft

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	---	47.5	47.5	47.5	47.5	47.5	47.5	47.5

Note the following symbol meanings
 @@@ = water did not reach end of furrow
 * = End-of-Furrow application insufficient

On-Farm Diversion Requirements -- miner inches/ac
 with a 80.0 percent probability level

Based on analysis period irrigation requirement

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.000	.199	.804	1.093	1.236	1.100	.683	.298

Based on analysis period peak consumptive use

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.000	.345	.986	1.244	1.391	1.251	.830	.422

Irrigation Water Requirements Analysis
 Version 1.25
 2009-06-08 @ 11:46:04

O'Gara Property - Shoestring Ranch - Excess Flow
 Brockway Engineering and C.W. Robison
 GEP Brockway Engineering

Overall Project On-Farm Diversion Requirement
 with a 80.0% Water Requirement Probability Level

OGARA64.OUT

Based on analysis period irrigation requirement

CROP	Total ac-ft	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				miners	inches	per ac.			
Pasture	50.	.000	.199	.804	1.093	1.236	1.100	.683	.298
*Entire Project	50.	.000	.199	.804	1.093	1.236	1.100	.683	.298

Based on analysis period peak consumptive use

CROP	Total arces	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				miners	inches	per ac.			
Pasture	9.	.000	.345	.986	1.244	1.391	1.251	.830	.422
*Entire Project	9.	.000	.345	.986	1.244	1.391	1.251	.830	.422

Irrigation Water Requirements Analysis

Version 1.25

2009-06-08 @ 11:46:04

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Fraction of Soil Type Area served by Canal/Lateral Segment

Canal\Soil Class 01
Ditch Seg 1 1.000

Table Soil Type Key

01 - SOIL 64

Irrigation Water Requirements Analysis

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O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Canal/Lateral Discharge Summary
(cubic feet per second)

Canal/Lateral	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Ditch Seg 1	**** Seepage Rate: .00 cfs/mi or .00 cfs ****							

Based on analysis period irrigation requirement

DS Delivery	.0	.0	.0	.0	.0	.0	.0	.0
On-Farm Div.	.0	.0	.1	.2	.2	.2	.1	.1
Seepage Loss	.0	.0	.0	.0	.0	.0	.0	.0
US Div. Req.	.0	.0	.1	.2	.2	.2	.1	.1

OGARA64.OUT

Based on analysis period peak consumptive use

DS Delivery	.0	.0	.0	.0	.0	.0	.0	.0
On-Farm Div.	.0	.1	.2	.2	.2	.2	.1	.1
Seepage Loss	.0	.0	.0	.0	.0	.0	.0	.0
US Div. Req.	.0	.1	.2	.2	.2	.2	.1	.1

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O'Gara Property - Shoestring Ranch - Excess Flow
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GEP Brockway Engineering

PROJECT IRRIGATION DIVERSION REQUIREMENTS
SUMMARY

Total Irrigated Area: 8.59 acres

Based on analysis period irrigation requirement

Max Project Diversion: .21 cfs(1.237 mi/ac)

Based on analysis period peak consumptive use

Peak Project Diversion: .24 cfs(1.392 mi/ac)

OGARA51.OUT

Irrigation Water Requirements Analysis

Version 1.00

2009-06-09 @ 11:36:47

O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Crop Water Requirements Datafile: newpicabo.cir

Probability Level for Analysis: 80.0
Number of Canal/Lateral Segments: 1
Number of Irrigation Methods: 1
Number of Soil Types: 1
Number of Crops: 1
Number of Analysis Periods: 8

CANAL/LATERAL INFORMATION

#	Name	Segment	Upstream Length miles	Width feet	F-Area sq-ft	Seepage	Method
1	Ditch Seg 1	0	.00	.0	.0	Specified S=	.00 cfs/mi

IRRIGATION SYSTEM INFORMATION

Name	Assumed Efficiency	Set Time	Run Flow	Slope-Furrows Length	Width-Others
FURROW 51	48.0	12.	3.0	520.	.006

SOILS INFORMATION

Name	Intake Family	Water 1ft	Holding 2ft	Capacity 3ft	4ft	5ft
SOIL 51	2.5	1.01	2.15	3.19	3.67	4.15

CROP SYSTEM INFORMATION

Name	Allowable Deficit	Furrow Spacing	Roughness
Pasture	50.0	2.500	.100

Irrigation Water Requirements Analysis

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O'Gara Property - Shoestring Ranch - Excess Flow
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GEP Brockway Engineering

Crop	CROP DISTRIBUTION	FOR SOIL 51	by Irrigation System
Pasture	Total	01	
	9.5	9.5	

Irrigation System Key

01 - FURROW 51

Project/Farm Irrigation Water Requirement Analysis

Version 1.00

Crop Irrigation Requirements (mm/day)

Datafile: newpicabo.cir

OGARA51.OUT

Title: Picabo - AgriMet - Consumptive Use from Allen and Robison (2007)

INPUT DATA

	Total	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				Pasture					
Root Depth	.0	.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Mean CU	873.0	.62	1.29	4.28	5.68	6.56	6.01	3.94	1.53
Mean IR	765.0	.27	.63	3.02	5.00	6.26	5.76	3.55	1.08
Std Dev CU	76.0	.16	.56	.89	.79	.64	.44	.35	.74
Std Dev IR	100.0	.31	.61	1.90	1.52	1.00	.66	.44	.75

Project/Farm Irrigation Water Requirement Analysis
Version 1.00

Crop Requirements (in/day)
Crop Rooting Depths (ft)

BASED ON NORMAL DISTRIBUTION

Adjusted Crop Water Requirements for 80.0% probability level

	Total	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				Pasture					
---CU---	36.9	.030	.069	.198	.250	.279	.251	.167	.085
---IR---	33.4	.021	.045	.182	.247	.280	.249	.154	.067
Root Depth		.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0

CU Peak to Ave Ratio vs Application Depth Curve (12 pts)

App.Depth(in)	.61	1.06	1.51	2.12	2.73	3.63	4.54	5.60	6.36
	6.96	7.57	.00						
Peak:Average	1.154	1.138	1.123	1.108	1.092	1.077	1.061	1.046	1.038
	1.031	1.023	.000						

Irrigation Water Requirements Analysis
Version 1.00

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O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Allowable Soil Water Deficit -- inches
80.0 Percent Probability Level of IR

	SOIL CATAGORY:	SOIL 51							
Crop	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	
Pasture	.00	1.08	1.08	1.08	1.08	1.08	1.08	1.08	

Irrigation Water Requirements Analysis
Version 1.00

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 O'Gara Property - Shoestring Ranch - Excess Flow
 Brockway Engineering and C.W. Robison
 GEP Brockway Engineering

Peak Consumptive Use based on Peak:Mean(ASWD)
 80.0 Percent Probability Level of CU

SOIL CATAGORY: SOIL 51

Crop	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.035	.079	.225	.284	.318	.286	.190	.096

Irrigation Water Requirements Analysis
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O'Gara Property - Shoestring Ranch - Excess Flow
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 GEP Brockway Engineering

Irrigation System Analysis FOR SOIL SOIL 51

Irrigation System Efficiency Analysis: FURROW 51
 Furrow Irrigation-> 12.Hours @ 3.0gpm on 520.ft @ .006ft/ft

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	---	40.3	40.3	40.3	40.3	40.3	40.3	40.3

Note the following symbol meanings
 @@@ = water did not reach end of furrow
 * = End-of-Furrow application insufficient

On-Farm Diversion Requirements -- miner inches/ac
 With a 80.0 percent probability level

Based on analysis period irrigation requirement

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.000	.234	.947	1.287	1.456	1.295	.804	.351

Based on analysis period peak consumptive use

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Pasture	.000	.411	1.173	1.479	1.655	1.488	.987	.502

Irrigation Water Requirements Analysis
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O'Gara Property - Shoestring Ranch - Excess Flow
 Brockway Engineering and C.W. Robison
 GEP Brockway Engineering

Overall Project On-Farm Diversion Requirement
 With a 80.0% Water Requirement Probability Level

OGARA51.OUT

Based on analysis period irrigation requirement

CROP	Total ac-ft	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				miners	inches	per ac.			
Pasture	65.	.000	.234	.947	1.287	1.456	1.295	.804	.351
*Entire Project	65.	.000	.234	.947	1.287	1.456	1.295	.804	.351

Based on analysis period peak consumptive use

CROP	Total arces	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				miners	inches	per ac.			
Pasture	10.	.000	.411	1.173	1.479	1.655	1.488	.987	.502
*Entire Project	10.	.000	.411	1.173	1.479	1.655	1.488	.987	.502

Irrigation Water Requirements Analysis

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O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

Fraction of Soil Type Area served by Canal/Lateral Segment

Canal\Soil Class 01
Ditch Seg 1 1.000

Table Soil Type Key

01 - SOIL 51

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Canal/Lateral Discharge Summary
(cubic feet per second)

Canal/Lateral	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Ditch Seg 1	**** Seepage Rate: .00 cfs/mi or .00 cfs ****							

Based on analysis period irrigation requirement

DS Delivery	.0	.0	.0	.0	.0	.0	.0	.0
On-Farm Div.	.0	.0	.2	.2	.3	.2	.2	.1
Seepage Loss	.0	.0	.0	.0	.0	.0	.0	.0
US Div. Req.	.0	.0	.2	.2	.3	.2	.2	.1

OGARA51.OUT

Based on analysis period peak consumptive use

DS Delivery	.0	.0	.0	.0	.0	.0	.0	.0
On-Farm Div.	.0	.1	.2	.3	.3	.3	.2	.1
Seepage Loss	.0	.0	.0	.0	.0	.0	.0	.0
US Div. Req.	.0	.1	.2	.3	.3	.3	.2	.1

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O'Gara Property - Shoestring Ranch - Excess Flow
Brockway Engineering and C.W. Robison
GEP Brockway Engineering

PROJECT IRRIGATION DIVERSION REQUIREMENTS
SUMMARY

Total Irrigated Area: 9.50 acres

Based on analysis period irrigation requirement

Max Project Diversion: .28 cfs(1.456 mi/ac)

Based on analysis period peak consumptive use

Peak Project Diversion: .31 cfs(1.656 mi/ac)

01/09/2007

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

RIGHT NUMBER: 37-20638

NAME AND ADDRESS: THOMAS M O GARA FAMILY TRUST
C/O BRIAN BARSOTTI
PO BOX 370
KETCHUM ID 83340

DISALLOWED

VERIFIED BY *KKC*

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
7.300 AFY

PRIORITY DATE: 02/12/1947

POINT OF DIVERSION:

T01S R19E S4 SWNW Lot 4 Within BLAINE County

T01S R19E S4 NWNWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DIVERSION TO STORAGE	04/01 11/01	0.060 CFS
WILDLIFE STORAGE	01/01 12/31	7.30 AFY

PLACE OF USE: WILDLIFE STORAGE in BLAINE County

T01S R19E S08	NENE	T01S R19E S08	SENE
T01S R19E S09	NESW	T01S R19E S09	NESE
T01S R19E S09	NWSE	T01S R19E S09	SWSE
T01S R19E S09	SESE	T01S R19E S10	NESW
T01S R19E S10	NWSW	T01S R19E S10	SWSW
T01S R19E S15	NENW	T01S R19E S15	NWNW

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

Recommended as Right No. 37-20640.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Recommended as Right No. _____: This is included for a claim that is proposed to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the other right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the other right, then the other right is recommended in another claimants name.