

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-10455

WATER RIGHT NUMBER: 37-10455

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAST RANCH LLC PO BOX 486 JEROME, ID 83338 (208)644-1728

Priority Date: 01/01/1930

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	10/01 to 5/01	0.140 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SE1/4	Sec. 35, Twp 06S, Rge 18E, B.M.
LINCOLN County		

Place of UseSTOCKWATER Within LINCOLN County

T06S R18E S35 SWSE

Conditions of Approval:

1. C18 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-10455

3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. RP06S18E353600A STOCKWATER, 600 RANGE CATTLE

Dates and Other Information:

Licensed Date:
Decreed Date: 1/10/2000
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 25, 2003

LAST RANCH LLC
PO BOX 486
JEROME ID 83338

RE: Decreed Water Rights 37-2517, 37-2558, 37-7231,
37-7232, 37-10455, 37-10456, 37-10457

Dear Water Right Holder:

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

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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

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

RECEIVED
MAR 24 2003
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
<u>37-02517</u>	_____	☐	<u>37-10456</u>	_____	☐
<u>37-02558</u>	_____	☐	<u>37-10457</u>	_____	☐
<u>37-07231</u>	_____	☐	_____	_____	☐
<u>37-07232</u>	_____	☐	_____	_____	☐
<u>37-10455</u>	_____	☐	_____	_____	☐

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) 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 PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): NOTCH BUTTE FARMS LLC
P.O. BOX 486, JEROME, ID 83338
4. New Owner/Claimant(s): LAST RANCH LLC
New Mailing Address: P.O. BOX 486
City, State, Zip Code: JEROME, ID 83338
New Telephone Number: (208) 644-1728
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	_____	_____

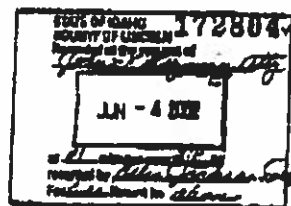
7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

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 [Signature] Date 3/25/03 Fee \$175.00
 Received by [Signature] Date 4-1-03 Receipt No. 5075644
 Processed by [Signature] AJ Date 3/22/03 WR _____ Date _____

A



*** SPACE SAVED FOR RECORDS ***

OUTCLAIM DEED

For Value Received Notch Butte Farms, L.L.C. an Idaho Limited Liability Company, does hereby convey, remise and forever quit claim unto East Ranch, L.L.C. an Idaho Limited Liability Company, whose address is: 136 Bridon Way, Jerome, Idaho 83328, the following described premises, to-wit:

SEE ATTACHED LEGAL DESCRIPTION EXHIBIT "A"

together with their appurtenances.

Dated: May 13, 2002

Notch Butte Farms, L.L.C. an Idaho Limited Liability Company

By: Robert Skillington, MemberBy: John Lemmons, MemberSTATE OF IDAHO
County of Lincoln

On this 31st day of May, 2002, before me, a Notary Public in and for said State, personally appeared Robert Skillington known or identified to me to be member of the limited liability company of Notch Butte Farms, L.L.C., and the member who subscribed said limited liability company name in the foregoing instrument and acknowledged to me that he executed the same in said limited liability company name.

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

Heppworth Lezaniz Janis
Notary Public for Idaho
Residing in Lincoln County, Idaho
Commission expires 1-13-04

STATE OF IDAHO
County of Lincoln

On this 31st day of May, 2002, before me, a Notary Public in and for said State, personally appeared John Lemmons, known or identified to me to be member of the limited liability company of Notch Butte Farms, L.L.C., and the member who subscribed said limited liability company name in the foregoing instrument and acknowledged to me that he executed the same in said limited liability company name.

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

Heppworth Lezaniz Janis
Notary Public for Idaho
Residing in Lincoln County, Idaho
Commission expires 1-13-04



Name: 17280400.TIF
Dimensions: 2544 x 4200 pixels

Section 34: $W\frac{1}{4}NE\frac{1}{4}$; $SE\frac{1}{4}NE\frac{1}{4}$; $SE\frac{1}{4}$;

Section 35: $N\frac{1}{4}SW\frac{1}{4}$; $SE\frac{1}{4}$; $S\frac{1}{4}NW\frac{1}{4}$ EXCEPT a strip of land 50 feet wide, 25 feet on each side of the following described line, to be used as a public road:

Beginning at a point 1025 feet North of the quarter corner between Sections 34 and 35, Township 6 South, Range 18, East Boise Meridian;

Thence in a Northeasterly direction 600 feet to an intersection of the North line of the $S\frac{1}{4}NW\frac{1}{4}$ of Section 35, Township 6 South, Range 18, East Boise Meridian.

Section 36: $W\frac{1}{4}$; That part of the $E\frac{1}{4}$ West of the canal, described as follows:

Commencing at the North quarter corner of Section 36;

Thence East on the Section line 202 feet, more or less, to a point in the American Falls Canal;

Thence South 32° East 336 feet;

Thence South 55° East 410 feet;

Thence South 22° East 925 feet;

Thence South $27^{\circ}30'$ West 841 feet;

Thence South 6° East 378 feet;

Thence South 6° East 967 feet;

Thence South 13° West 1051 feet;

Thence South 15° East approximately 521 feet to South boundary line;

Thence West 774 feet, more or less, to the South quarter corner of said Section;

Thence North on the North and South center line to the North quarter corner of said Section, which is THE PLACE OF BEGINNING;

TOWNSHIP 7 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, LINCOLN
COUNTY, IDAHO

Section 1: Lots 1, 3, 4; $S\frac{1}{4}N\frac{1}{4}$; $S\frac{1}{4}$;

Section 12: $NE\frac{1}{4}NE\frac{1}{4}$; $W\frac{1}{4}NE\frac{1}{4}$; $NW\frac{1}{4}SE\frac{1}{4}$;

TOWNSHIP 7 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN
COUNTY, IDAHO

Section 6: Lots 8 through 11;

TOGETHER WITH 343.1 AND 40.0 SHARES OF BIG WOOD CANAL COMPANY AND 95.6 AND
37.0 SHARES OF AMERICAN FALLS RESERVOIR DISTRICT NO.2



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83726-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

JAN 28 2002

Department of Water Resources
Boise Region

DIRK KEMPTHORNE
GOVERNOR

December 27, 2001

KARL J. DREHER
DIRECTOR

THOMAS O GARA FAMILY TRUST
C/O BRIAN BARSOTTI
PO BOX 370
KETCHUM ID 83340-0370

Re: Snake River Basin Adjudication (SRBA)
Water Right(s) #37-2517, 37-2558, 37-2581, 37-2599, 37-2604, 37-2616,
37-7231, 37-7232, 37-7758, 37-10455, 37-10456, 37-10457, 37-11732
Change of Address

Records updated 1-25-02.

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by January 18, 2002. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

John A. Rosholt
Albert P. Barker
John K. Simpson
Amy D. Chestnut
Travis L. Thompson

**BARKER
ROSHOLT
&
SIMPSON
LLP**

1221 West Idaho Street, Suite 600
Post Office Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

233 Second Avenue North, Suite D
Twin Falls, Idaho 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile
jar@idahowaters.com

John K. Simpson
jks@idahowaters.com

January 18, 2002

Sally Sherman
Technical Records Specialist
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83720

Re: Snake River Basin Adjudication
Water Rights 37-8517, 37-2558, 37-2599, et. al.

Dear Ms. Sherman:

Please send all future correspondence pertaining to the above referenced water rights in the name of Thomas O'Gara Family Trust to the following:

Thomas O'Gara Family Trust
c/o John K. Simpson
Norman M. Semanko
Barker Rosholt & Simpson LLP
P.O. Box 2139
Boise, Idaho 83701-2139

Our office is still in the process of identifying whether there are additional water rights not listed. We will notify you if there are missing water rights.

Please contact Norm or me at 336-0700 if you have any questions. Thank you.

Sincerely,

John K. Simpson /jh

John K. Simpson

1-25-02 I called him - he has
my 12-27-01 ltr to O'Gara / Barsotti.
all records modified - removed
Barsotti, replaced him w/
John Simpson.

NO 1-25-02

RECEIVED

JAN 23 2002

last name
first name

v. org.

File
data
entry

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 60¢

US POSTAL SERVICE
PS FORM 3547

Sinke River Basin Adjudication
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 60¢

US POSTAL SERVICE
PS FORM 3547

BAR5013 833402010 1801 10 11/29/01
FORM 3547
BARBOTTI
PO BOX 370
KETCHUM ID 83340-0370

O GARA FAMILY TRUST,
THOMAS
C/O BRIAN BARBOTTI ESQ
PO BOX 10013
KETCHUM ID 83340

See
37-2511
2558v
7231v
7232v
10455v
10456v
10457v
11732v
KCS

ORG NAME
37-2581-uk
2599v
2604v
2616v
7158v
clms

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-10455

WATER RIGHT NUMBER: 37-10455

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NOTCH BUTTE FARMS LLC 136 BRIDON WAY JEROME, ID 83338 (208)644-1728
Directors Report Owner	THOMAS M O GARA FAMILY TRUST C/O JOHN SIMPSON BARKER ROSHOLT & SIMPSON LLP PO BOX 2139 BOISE, ID 83701-2139 (208)336-0700
Original Owner	JAMES A WHITTAKER 550 E 535 S DIETRICH, ID 83324 (208)544-7731
Original Owner	IDAHO LAND & LIVESTOCK INC PO BOX 67 5401 KENDALL ST BOISE, ID 83707 (208)377-3000

Priority Date: 01/01/1930

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	10/01	to 5/01	0.140 CFS	
	<u>Total Diversion:</u>		0.140 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SE1/4	Sec. 35, Twp 06S, Rge 18E, B.M.
LINCOLN County		

Place of UseSTOCKWATER Within LINCOLN County

T06S R18E S35 SWSE

Conditions of Approval:

1. C18 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.
2. N11 THE QUANTITY OF WATER DECREEED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-10455

3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. RP06S18E353600A STOCKWATER, 600 RANGE CATTLE

Dates and Other Information:

Licensed Date:
Decreed Date: 1/10/2000
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 20, 2002

NOTCH BUTTE FARMS LLC
136 BRIDON WAY
JEROME ID 83338

Re: SRBA Claims 37-2517, 37-2558, 37-7231, 37-7232
Decreed Water Rights 37-10455, 37-10456, 37-10457

Dear Claimants:

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) and water rights noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over a horizontal line.

Trish Fawcett
Technical Records Specialist

Enc.

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

RECEIVED
MAR 06 2002
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) A37-02517, A37-02558, A37-07231, A37-7232

Adjudication Claim Number(s) _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) LITA WEST

P.O. BOX 867 BELLEVUE IDAHO 83313

4. New Owner/Claimant(s) NOTCH BUTTE FARMS LLC AN IDAHO LIMITED LIABILITY CO

New Mailing Address Name connector (Check one): [] AND, [] OR, [] AND/OR
136 BRIDON WAY JEROME, IDAHO 83338

City, State and ZIP Code _____

New Telephone Number (208) 644-1728

5. Date you acquired the property FEBRUARY 22, 2002

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) [Signature]

Date _____

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Case No. 46570SM

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

GL-03278
**** SPACE ABOVE FOR RECORDER ****

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of LITA WEST & ESCROW	172227
FEB 22 2002	
at <u>48</u> minutes past <u>4:18</u> P.M. recorded by <u>Helen Jackson, Dep.</u> Fee: <u>6.00</u> Return to: <u>Above</u>	

By hand.

WARRANTY DEED

FOR VALUE RECEIVED LITA WEST, an unmarried woman, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto NOTCH BUTTE FARMS, LLC, an Idaho Limited Liability Company, hereinafter called Grantee, whose address is: 136 Bridon Way, Jerome, Idaho 83338, the following described premises in Lincoln County, Idaho; to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said 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 encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February ²¹14, 2002
fw

Lita West
LITA WEST

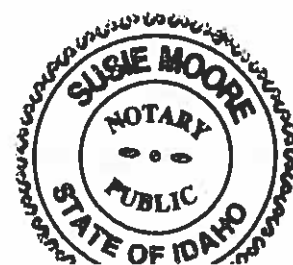
* * * * *

STATE OF IDAHO
County of Twin Falls

On this ²¹14 day of February, 2002, before me, a Notary Public in and for said State, personally appeared LITA WEST, an unmarried woman, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Susie Moore
Notary Public for Idaho
Residing at Twin Falls
Commission expires 11-28-2002



- TOWNSHIP 6 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, LINCOLN
COUNTY, IDAHO

Section 34: W $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$;

Section 35: N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$ EXCEPT a strip of land 50 feet wide, 25 feet on each side of the following described line, to be used as a public road:

Beginning at a point 1025 feet North of the quarter corner between Sections 34 and 35, Township 6 South, Range 18, East Boise Meridian;
Thence in a Northeasterly direction 600 feet to an intersection of the North line of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 35, Township 6 South, Range 18, East Boise Meridian.

Section 36: W $\frac{1}{2}$; That part of the E $\frac{1}{2}$ West of the canal, described as follows:

Commencing at the North quarter corner of Section 36;
Thence East on the Section line 202 feet, more or less, to a point in the American Falls Canal;
Thence South 32° East 336 feet;
Thence South 55° East 410 feet;
Thence South 22° East 925 feet;
Thence South 27°30' West 841 feet;
Thence South 6° East 378 feet;
Thence South 6° East 967 feet;
Thence South 13° West 1051 feet;
Thence South 15° East approximately 521 feet to South boundary line;
Thence West 774 feet, more or less, to the South quarter corner of said Section;
Thence North on the North and South center line to the North quarter corner of said Section, which is THE PLACE OF BEGINNING;

TOWNSHIP 7 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, LINCOLN
COUNTY, IDAHO

Section 1: Lots 1, 3, 4; S $\frac{1}{2}$ N $\frac{1}{2}$; S $\frac{1}{2}$;

Section 12: NE $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$;

TOWNSHIP 7 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN
COUNTY, IDAHO

Section 6: Lots 8 through 11;

TOGETHER WITH 343.1 AND 40.0 SHARES OF BIG WOOD CANAL COMPANY AND 95.6 AND 37.0 SHARES OF AMERICAN FALLS RESERVOIR DISTRICT NO.2

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: A37-10455
Date Received: 7/ 7/1988
Receipt No: S000784
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: THOMAS O'GARA FAMILY TRUST
Address: C/O BRIAN BARSOTTI ESQ
PO BOX 10013
KETCHUM ID

208-726-3030

83340

2. Date of Priority: JAN 1, 1930

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	18E	35	SW	SW	SE		LINCOLN

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	10/01	05/01	0.140		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/600 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	18E	35	SW	SE		STOCK	

11. Place of use in counties: LINCOLN

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NOV 27 1990

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

13. Other Water Rights Used:

NONE

14. Remarks:

OWNERSHIP CHANGE 4/25/90 ADM

OWNERSHIP CHANGE 6/14/95 BY TLB. IL&L-FORMER OWNER, O'GARA-
NEW OWNER. BOTH SIGNATURES, WARRANTY AND QUITCLAIM DEED INCLUDED

15. Basis of Claim: BENEFICIAL USE

Water Right Number - R37-10455

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
O'GARA FAMILY TRUST

THOMAS M

1 - C/O BRIAN BARSOTTI
2 -
3 - PO BOX 10013
City- KETCHUM
Phone - 208-726-3030

State- ID Zip- 83340

*** O - ORIGINAL OWNER ***
WHITTAKER

JAMES A

1 - 550E 535S
2 -
3 -
City- DIETRICH
Phone - 208-544-7731
1 - PO BOX 67
2 - 5401 KENDALL ST
3 -
City- BOISE
Phone - 208-377-3000

State- ID Zip- 83324

State- ID Zip- 83707

IDAHO LAND & LIVESTOCK INC

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/01/1930 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFlg County
06S 18E 35 SW SW SE (63) LINCOLN+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 10/01 05/01 0.140

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.140 0.0+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

06S 18E 35 SW SE 04 STOCKWATER (63) LINCOLN

Total Acres:

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - STOCKWATER, 600 RANGE CATTLE

+ - - Other Rights for Same Use - NONE

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NOV 27 1996

Water right number - R37-10455

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
PARCEL NO. RP06S18E353600A
OWNERSHIP CHANGE MADE 6/14/95 TLB.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +
Date: 12/20/1993 User Id: DUNN1 Subject: COPIED FROM REMARKS

OWNERSHIP CHANGE 4/25/90 ADM

+ - - Audit Fields - - +
06/14/95 TBACKLUN

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/07/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000784	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

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NOV 27 1998



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 1-6-95

JAN 13 1995

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM _____
Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet. SEE Exhibit "A" attached hereto and made a part hereof

- [] 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)
- [] License Nos. 37-07232; 37-07231; 37-02558; 37-02517
Water Right Number(s) A37-10455; A37-10456; A37-10457
Assigned by IDWR: _____

- [] Name and Address of Former Owner/Claimant(s)(Seller): Idaho Land and Livestock, Inc.

5401 Kendell StreetBoise, Idaho 83705

- [] New Owner/Claimant (Purchaser): Thomas M. O'Gara Family Trust

- [] New Mailing Address: c/o Brian Barsotti, Esq.

P O Box 10013Ketchum, Idaho 83340

- [] New Telephone Number: (208) 726 - 3030

- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: _____

(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) THOMAS M. O'GARA Trustee of the THOMAS M. O'GARA Family Trust by *[Signature]* his attorney in fact Date 1-6-95

Date

- [] Signature of Former Owner/Claimant(s): Idaho Land & Livestock, Inc. by *[Signature]* Date 1-6-95

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: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 6/14/95 By: HYB

Claim Numbers of Split, if any:

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NOV 27 1996

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JUNE 14, 1995

THOMAS M O'GARA FAMILY TRUST
C/O BRAIN BARSOTTI
PO BOX 10013
KETCHUM, ID 83340

RE: SRBA CLAIMS A37-07232, A37-07231, A37-02558, A37-02517,
A37-10455, A37-10456, & A37-10457
IDAHO LAND & LIVESTOCK

DEAR CLAIMANTS:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH
THE ABOVE-REFERENCED ADJUDICATION CLAIMS, WE HAVE CHANGED THE
DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR
YOUR RECORDS.** PLEASE REVIEW THE RECORDS THE ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS
OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

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NOV 27 1995

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: A37-10455
Date Received: 7/07/1988
Receipt No: S000784
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES A. WHITTAKER 208-544-7731
Address: 550E 535S
DIETRICH, ID 83324

2. Date of Priority: JAN 01, 1930

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	18E	35	SW	SW	SE		LINCOLN

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	10/01	05/01	0.140		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/600 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	18E	35	SW	SE		STOCK	

11. Place of use in counties: LINCOLN

WATER RIGHT NUMBER - A37-10455

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***

IDAHO LAND & LIVESTOCK INC.

1 - P.O. BOX 67
2 - 5401 KENDALL ST.
3 -
CITY- BOISE
PHONE - 208-377-3000

STATE- ID ZIP- 83707

*** D - ORIGINAL OWNER ***

WHITTAKER

JAMES A.

1 - 550E 535S
2 -
3 -
CITY- DIETRICH
PHONE - 208-544-7731

STATE- ID ZIP- 83324

+ - - PRIORITY DATE - - +
01/01/1930

+ - - - REGION - - - +
ERROR IN REGION

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

+ - - - STATUS - - - - +

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

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

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
06S	18E	35	SW SW SE			(63)	LINCOLN	

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
04 - STOCKWATER		10/01	05/01		0.140	

TOTAL DIV. RATE - +	TOTAL DIV. VOLUME - +	TOTAL DIV. CAPACITY - +	TOTAL CONSUMPTIVE USE - +	KW USAGE - +
0.140			0.0	

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
06S	18E	35	SW SE			04	STOCKWATER	(63) LINCOLN

+ - - DIVERSION MEANS - WELL & PUMP

+ - - NON-IRRIGATION USE - S/600 RANGE CATTLE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +

OWNERSHIP CHANGE 4/25/90 ADM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

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OCT 25 1994

WATER RIGHT NUMBER - A37-10455

PREFIX TRANSLATION: ADJUDICATION CLAIM

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

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

+ - - AUDIT FIELDS - 07/07/88 WHITE 09/26/89 REFUNDML 04/25/90 MERRITT

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

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

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 07/07/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- S000784	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

RP06518E353600A

DATA ENTRY

ENTERED 12-20-93 AS
CHECKED 4-5-94

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

VERIFIED
FEB 13 1992

CERTIFIED
MAR 24 1992
WATER EXAMINER