



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

RECEIVED

JUL 25 2002

Department of Water Resources

July 5, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

THOMAS O GARA FAMILY TRUST

~~C/O BRIAN BARSOTT~~

c/o John Simpson

~~PO BOX 370~~

P.O. Box 2139

~~KETCHUM ID 83340-0370~~

Boise ID 83701-2139

Re: Snake River Basin Adjudication (SRBA)

Notices of Claim to a Water Right #37-2517, 37-2558, 37-2581,
37-2599, 37-2604, 37-2616, 37-7231, 37-7232 and

Water Right #37-11732

Change of Address

records modified 7-25-02.

Dear Claimant:

Updated C110 13010.

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(s) can be sent only to the address on your water right(s) 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 July 23, 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

208-330-0700

Telephone No.

SCANNED

JUL 25 2002

RETURN TO SENDER

fee due 601

U.S. POSTAL SERVICE
5010 PS FORM 3547

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

RETURN TO SENDER.

fee due 60¢

U.S. POSTAL SERVICE
PS FORM 3547

**ADDRESS SERVICE
REQUIRED**

37-2517 Ac
 { - 2558 Loc
 { - 7231 Ac
 { - 7232 Ac
 { - 11732
 PD 1-5-01f

37-2604 cl
 { ~~2617~~
 { - 2581 cl
 { - 2599 cl
 { - 2666 cl
 { ~~2558~~



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

RECEIVED

JAN 28 2002

Department of Water Resources
Southern 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



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.

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.
1-25-02

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 /bh

John K. Simpson

last name
first name
v. org.

Fix
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

Snake 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

BARB013 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
37-2517
2558v
7231v
7232v
10455v
10456v
10457v
11 732v
KCS

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

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: A37-11732
Date Received: 10/18/1988
Receipt No: S003040
Received By: lt o/c

~~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: 222 W 4TH ST
FT WORTH TX 76102

2. Date of Priority: SEP 1, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	16	SE	SW	SW		BLAINE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	16	SW	SW		DOMEST	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
02/09/99, CHANGED OWNERSHIP (CHEMS TO O GARA FAMILY TRUST) AS PER
REQUEST RECEIVED 06/24/98. CT

15. Basis of Claim: BENEFICIAL USE



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

February 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

THOMAS O GARA
THOMAS O GARA FAMILY TRUST
222 W 4TH ST
FT WORTH TX 76102

RE: SRBA Claim(s) A37-11732

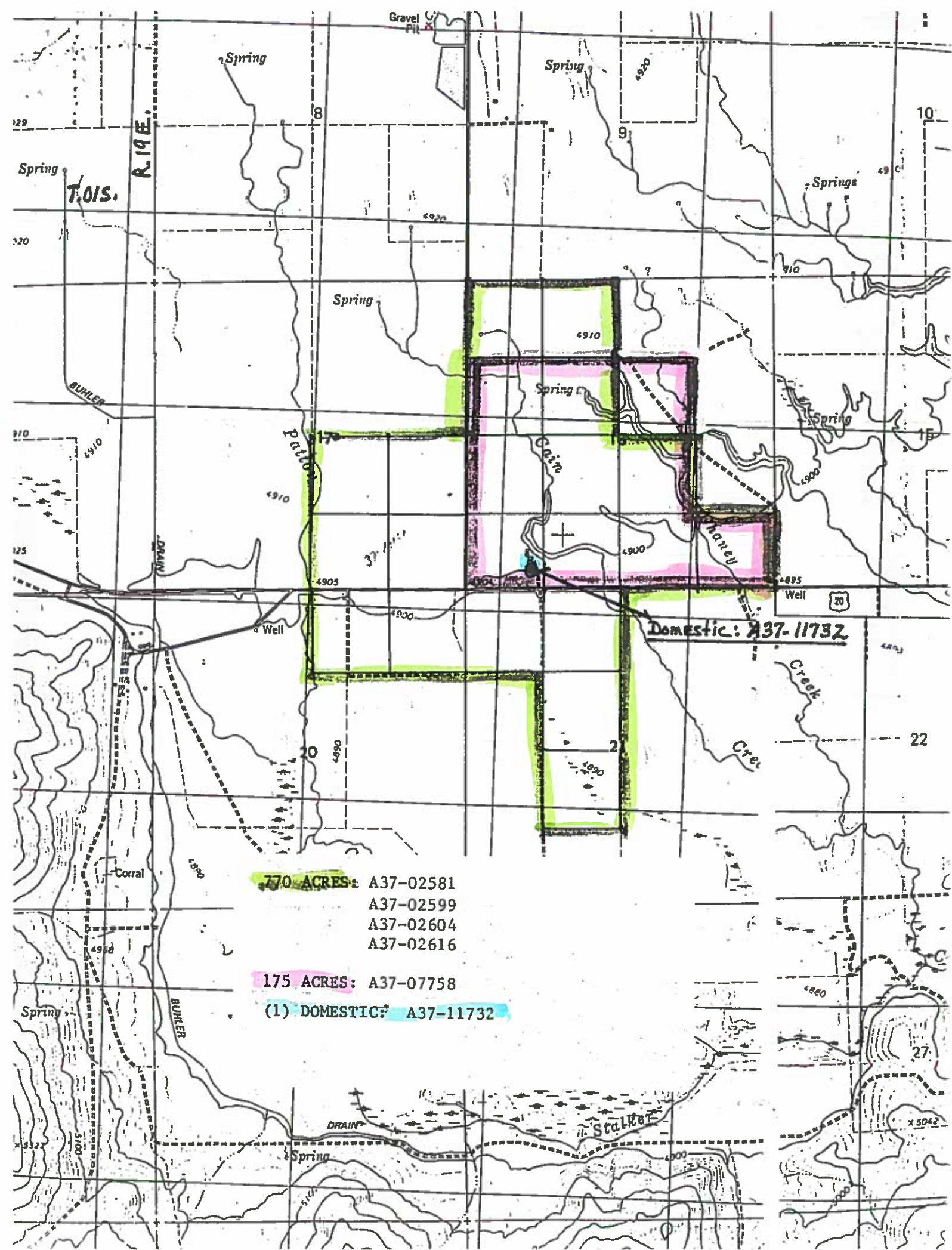
Dear Claimant:

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

Sincerely,

Cheryl Timm
Clerical Specialist, SRBA

Enc.: Claim to a Water Right A37-11732



11732-00m

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

JUN 24 1998
Department of Water Resources
Southern Region

1. Water Right Number(s) _____
Adjudication Claim Number(s) A37-02581; A37-02599; A37-02604; A37-02616; A37-07758; A37-11732
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 * MAP
 - 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) CHEMS
PO BOX 237
GOODING ID 83330
4. New Owner/Claimant(s) THOMAS O'GARA FAMILY TRUST, THOMAS O'GARA TRUSTEE
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address WEST 4TH STREET
City, State and ZIP Code FORT WORTH TX 76102
New Telephone Number () -
5. Date you acquired the property MARCH 24, 1998
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) Don McCrean Trustee of the Date 6/18/97
Don McCrean Trust Date _____
8. (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.

#.23686

AR02

WARRANTY DEED

COPY

For value received, CS&B,LLP, an Idaho limited liability partnership (the Grantor), does hereby grant, bargain, sell and convey unto the THOMAS O'GARA FAMILY TRUST, Thomas O'Gara Trustee, 222 West 4th Street, Fort Worth, Texas 76102, the Grantee, the real property known as the Bickett Ranch, located at 18154 State Highway 20, in Blaine County, Idaho, and described on Exhibit A hereto (the "Premises"),

TO HAVE AND TO HOLD said Premises with their appurtenances unto the said Grantee and its assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that Grantor, the owner, is in fee simple of said Premises, that said Premises are free from all encumbrances thereon, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Grantor's covenants and warranties are subject to Schedule 1 hereto.

Dated: May 31, 1998

CS&B,LLP, an Idaho limited liability partnership

Carol Diane Herrmann
Carol Diane Herrmann, partner

Harvey Myron Bickett
Harvey Myron Bickett, partner

Elizabeth Jane Bickett
Elizabeth Jane Bickett, partner

414850

Deed

BLAINE CO. REQUEST

OF: SAWTOOTH TITLE

'98 JUN 1 PM 2 32

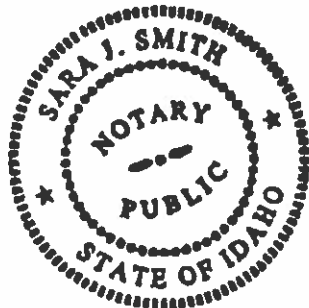
MARY GREEN, CLERK *ms*

FEES \$ 30.00

STATE OF IDAHO)
) ss.
 County of Ada)

On this 24 day of March, 1998, before me, Sara J. Smith, a notary public for said State, personally appeared Carol Diane Herrmann, known or identified to me to be a partner of CS&B, LLP, the limited liability partnership that executed the instrument or the person who executed the instrument on behalf of said limited liability partnership, and acknowledged to me that such limited liability partnership executed the same.

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

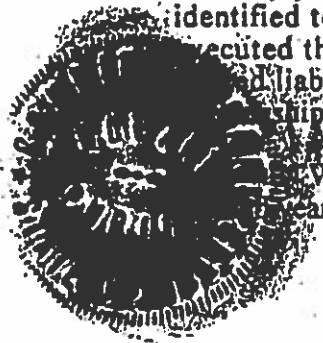


Sara J. Smith
 Notary Public
 Residing at: Baie Id
 My Commission Expires: 11-1-2002

STATE OF IDAHO)
) ss.
 County of Ada)

On this 19th day of March, 1998, before me, Connie J. Dart, a notary public for said State, personally appeared Elizabeth Jane Bickett, known or identified to me to be a partner of CS&B, LLP, the limited liability partnership that executed the instrument or the person who executed the instrument on behalf of said limited liability partnership, and acknowledged to me that such limited liability partnership executed the same.

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

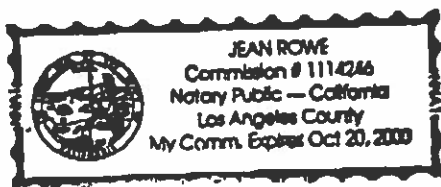


Connie J. Dart
 Notary Public
 Residing at: Baie Idaho
 My Commission Expires: 6-24-98

STATE OF California)
: ss.
County of Los Angeles)

On this 26 day of March, 1998, before me, Jean Rowe,
a notary public for said State, personally appeared Harvey Myron Bickett, known or
identified to me to be a partner of CS&B, LLP, the limited liability partnership that
executed the instrument or the person who executed the instrument on behalf of said
limited liability partnership, and acknowledged to me that such limited liability
partnership executed the same.

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



Jean Rowe
Notary Public 12704 De Foe Ave
Residing at: Sylmar CA 91342
My Commission Expires: 10/20/00

Boiss:0088368 01

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 16: A parcel of land within said Section 16, more particularly described as follows:

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence N. 89° 27' 32" E., 664.32 feet along the North boundary of said Section 16 to the Northwest Corner of the E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 27' 32" E., 664.32 feet to the Northeast corner of the E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16; thence S. 00° 06' 47" E., 1303.01 feet to the Southeast corner of the E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16; thence S. 89° 33' 07" W., 666.17 feet to the Southwest corner of the E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16; thence N. 00° 01' 52" W., 1301.95 feet to the TRUE POINT OF BEGINNING. (Tax Lot 250)

AND

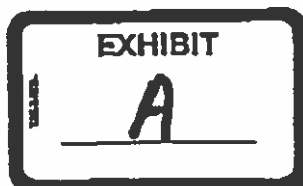
TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 16: A parcel of land within said Section 16, more particularly described as follows:

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence N. 89° 27' 32" E., 1328.64 feet along the North boundary of said Section 16 to the Northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 27' 32" E., 163.14 feet along the North boundary of said Section 16; thence S. 32° 21' 46" E., 1535.35 feet along a fence to the South boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16; thence S. 89° 33' 07" W., 982.43 feet to the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16; thence N. 00° 06' 47" W., 1303.01 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2835)

AND

CONTINUED



TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 16: A parcel of land within said Section 16, more particularly described as follows:

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West ¼ corner of said Section 16; thence N. 89° 38' 40" E., 1336.05 feet to the Southwest corner of the SE¼NW¼ of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 00° 06' 47" W., 1303.01 feet to the Northwest corner of the SE¼NW¼ of said Section 16; thence N. 89° 33' 07" E., 982.43 feet along the North boundary of the SE¼NW¼ of said Section 16 to a fence; thence S. 32° 21' 46" E., 649.03 feet along a fence; thence S. 00° 32' 44" E., 491.73 feet along a fence; thence S. 30° 44' 03" E., 5.57 feet along a fence to the east boundary of the SE¼NW¼ of said Section 16; thence S. 00° 16' 34" E., 257.69 feet to the Southeast corner of the SE¼NW¼ of said Section 16; thence S. 89° 38' 40" W., 1336.05 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2837)

AND

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 16: A parcel of land within said Section 16, more particularly described as follows:

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West ¼ corner of said Section 16; thence N. 89° 38' 40" E., 2672.09 feet to the Southwest corner of the SW¼NE¼ of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 00° 16' 34" W., 257.69 feet along the West boundary of the SW¼NE¼ of said Section 16 to a fence; thence S. 30° 44' 03" E., 286.46 feet along a fence; thence S. 33° 17' 23" E., 12.58 feet along a fence to the South boundary of the SW¼NE¼ of said Section 16; thence S. 89° 38' 40" W., 152.06 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2838)

AND

CONTINUED

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 16: A parcel of land within said Section 16, more particularly described as follows:

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4 corner of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 00° 03' 03" E., 1300.89 feet to the Northwest corner of the SW 1/4 NW 1/4 of said Section 16; thence N. 89° 33' 07" E., 1332.34 feet to the Northeast corner of the SW 1/4 NW 1/4 of said Section 16; thence S. 00° 06' 47" E., 1303.01 feet to the Southeast corner of the SW 1/4 NW 1/4 of said Section 16; thence S. 89° 38' 40" W., 1338.05 feet to the TRUE POINT OF BEGINNING.

AND

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 16: A parcel of land within said Section 16, more particularly described as follows:

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4 corner of said Section 16; thence N. 89° 38' 40" E., 2672.09 feet to the Northwest corner of the NW 1/4 SE 1/4 of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 38' 40" E., 152.06 feet along the North boundary of the NW 1/4 SE 1/4 of said Section 16 to a fence; thence S. 33° 17' 23" E., 24.93 feet along a fence; thence S. 52° 51' 23" E., 980.12 feet along a fence; thence S. 02° 58' 57" W., 391.78 feet along a fence; thence S. 44° 13' 05" E., 437.64 feet along a fence to the South boundary of the NW 1/4 SE 1/4 of said Section 16; thence S. 89° 37' 38" W., 1225.48 feet to the Southwest corner of the NW 1/4 SE 1/4 of said Section 16; thence N. 00° 16' 34" W., 1324.59 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2840)

AND

CONTINUED

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 16: A parcel of land within said Section 16, more particularly described as follows:

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4 corner of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 38' 40" E., 2672.09 feet to the Northeast corner of the N1/4SW1/4 of said Section 16; thence S. 00° 16' 34" E., 1324.59 feet to the Southeast corner of the N1/4SW1/4 of said Section 16; thence S. 89° 35' 27" W., 2677.86 feet to the Southwest corner of the N1/4SW1/4 of said Section 16; thence N. 00° 01' 40" W., 1327.11 feet along the West boundary of said Section 16 to the TRUE POINT OF BEGINNING.

AND

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 16: A parcel of land within said Section 16, more particularly described as follows:

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4 corner of said Section 16; thence S. 00° 01' 40" E., 1327.11 feet to the Northwest corner of the S1/4SW1/4 of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 35' 27" E., 2677.86 feet to the Northeast corner of the S1/4SW1/4 of said Section 16; thence N. 89° 37' 38" E., 2671.92 feet to the Northeast corner of the S1/4SE1/4 of said Section 16; thence S. 00° 34' 24" E., 1245.18 feet along the East boundary of said Section 16 to the North boundary of Highway 20 as depicted on pages 23, 24 & 25 of the Idaho State Department of Transportation plans for Project No. S-2809(13) dated 1/4/74; thence along the North boundary of said Highway 20 the following 10 courses; thence S. 89° 50' 25" W., 353.27 feet; thence N. 87° 17' 50" W., 200.25 feet; thence S. 89° 50' 25" W., 100.00 feet; thence S. 86° 58' 40" W., 200.25 feet; thence S. 89° 50' 25" W., 564.49 feet; thence S. 89° 28' 48" W., 1335.83 feet; thence N. 87° 39' 27" W., 200.25 feet; thence S. 89° 28' 48" W., 100.00 feet; thence S. 86° 37' 03" W., 200.25 feet; thence S. 89° 28' 48" W., 2108.09 feet to the West boundary of said Section 16; thence N. 00° 01' 40" W., 1248.36 feet along the West boundary of said Section 16 to the TRUE POINT OF BEGINNING. (Tax Lot 4175)

AND
CONTINUED

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 17: A parcel of land within said Section 17, more particularly described as follows:

COMMENCING at brass cap marking the Southeast corner of said Section 17; thence N. 00° 01' 40" W., 2654.22 feet to a 5/8 inch diameter rebar marking the East ¼ corner of said Section 17 and the TRUE POINT OF BEGINNING; thence S. 00° 01' 40" E., 2575.47 feet along the East boundary of the SE¼ of said Section 17 to the North boundary of Highway 20 as depicted on pages 22 & 23 of the Idaho State Department of Transportation plans for Project No. S-2809(13) dated 1/4/74; thence S. 89° 28' 48" W., 2393.39 feet along the North boundary of said Highway 20; thence N. 87° 39' 27" W., 200.25 feet along the North boundary of said Highway 20; thence S. 89° 28' 48" W., 70.88 feet along the North boundary of said Highway 20 to the West boundary of said SE¼ of Section 17; thence N. 00° 03' 03" E., 74.46 feet along the West boundary of said SE¼ of said Section 17 to the Southwest corner of a 20 foot square parcel described in a deed recorded in Book 171 of Deeds at page 285 and under Instrument No. 111785, records of Blaine County, Idaho; thence S. 89° 56' 57" E., 20.00 feet to the Southeast corner of said 20 foot square parcel; thence N. 00° 03' 03" E., 20.00 feet to the Northeast corner of said 20 foot square parcel; thence N. 89° 56' 57" W., 20.00 feet to the Northwest corner of said 20 foot square parcel and the West boundary of said SE¼ of Section 17; thence N. 00° 03' 03" E., 2461.03 feet to the Northwest corner of said SE¼ of said Section 17; thence N. 89° 15' 53" E., 2660.97 feet to the TRUE POINT OF BEGINNING. (Tax Lot 4173)

AND

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 20: A parcel of land within said Section 20, more particularly described as follows:

COMMENCING at brass cap marking the North ¼ corner of said Section 20; thence N. 89° 25' 19" E., 2664.51 feet to a brass cap marking the Northeast corner of said Section 20; thence S. 00° 23' 24" E., 21.25 feet along the East boundary of said Section 20 to the South boundary of Highway 20 as depicted on page 22 & 23 of the Idaho State Department of Transportation plans for Project No. S-2809(13) dated 1/4/74 and the TRUE POINT OF BEGINNING; thence S. 00° 23' 24" E., 1304.47 feet to the Southeast corner of the NE¼NE¼ of said Section 20; thence S. 89° 22' 49" W., 2001.20 feet to the Southwest corner of the E¼NW¼NE¼ of said Section 20; thence N. 00° 16' 06" W., 1307.97 feet along the East boundary of the E¼NW¼NE¼ of said Section 20 to the South boundary of said Highway 20; thence N. 89° 28' 48" E., 1998.42 feet along the South boundary of said Highway 20 to the TRUE POINT OF BEGINNING. (Tax Lot 4174)

CONTINUED

AND

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 21: A parcel of land within said Section 21, more particularly described as follows:

COMMENCING at brass cap marking the Northwest corner of said Section 21; thence N. 89° 32' 15" E., 2683.62 feet to a brass cap marking the North ¼ corner of said Section 21; thence S. 00° 17' 18" E., 18.56 feet along the East boundary of the NW¼ of said Section 21 to the South boundary of Highway 20 as depicted on pages 23 & 24 of the Idaho State Department of Transportation plans for Project No. S-2809(13) dated 1/4/74 and the TRUE POINT OF BEGINNING; thence S. 00° 17' 18" E., 3962.43 feet to the Southeast corner of the NE¼SW¼ of said Section 21; thence S. 89° 37' 08" W., 1338.28 feet to the Southwest corner of the NE¼SW¼ of said Section 21; thence N. 00° 20' 21" W., 2651.64 feet to the Northwest corner of the SE¼NW¼ of said Section 21; thence S. 89° 36' 39" W., 1340.63 feet to the Southwest corner of the N¼NW¼ of said Section 21; thence N. 00° 23' 24" W., 1304.47 feet along the West boundary of said Section 21 to the south boundary of said Highway 20; thence N. 89° 28' 48" E., 2108.81 feet along the South boundary of said Highway 20; thence N. 87° 39' 27" E., 200.25 feet along the South boundary of said Highway 20; thence N. 89° 28' 48" E., 100.00 feet along the South boundary of said Highway 20; thence N. 86° 37' 03" E., 200.25 feet along the South boundary of said Highway 20; thence N. 89° 28' 48" E., 74.78 feet along the south boundary of said Highway 20 to the TRUE POINT OF BEGINNING. (Tax Lot 4176)

**SCHEDULE 1
TO WARRANTY DEED
dated May 31, 1998**

**CS&B, LLP (Grantor)
Thomas O'Gara Family Trust (Grantee)**

The Grantor's covenants and warranties concerning all water rights conveyed appurtenant to the Premises are subject to the final outcome of all proceedings in and the provisions, terms and conditions of the Decree to be entered in *The General Adjudication of Rights to the Use of Water from the Snake River Basin Water System*, Twin Falls District Court Case No. 39576.

Grantor's covenants and warranties are further subject to the following:

1. Unpatented mining claims; reservations or exceptions on patents and state deeds or in acts authorizing the issuance thereto
2. Power Line Easement in favor of Idaho Power Company, a corporation, recorded September 27, 1957, in Book 171 of Deeds, page 139. (Blanket Easement)
3. Power Line Easement in favor of Idaho Power Company, a corporation, recorded October 15, 1962, in Book 176 of Deeds, page 462. (Blanket Easement)
4. Restrictions contained in that certain Warranty Deed, given and between Harvey Bickett and Lucile Bickett, husband and wife, grantors and the State of Idaho, by and through the Idaho Board of Highway Directors, grantee, recorded November 7, 1960, as Instrument No. 134079.
5. Terms and Conditions contained in that certain Order for Annexation into the Carey Rural Fire Protection District, executed by Blaine County Board of Commissioners, recorded July 27, 1993, as Instrument No. 355071.
6. The rights of the public over any portion of said land known as Price Lane.

BOISE.0090361 01

AJ5809NP
No. A37-11732

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/26/98
PAGE: 2

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
-----		-----	-----	-----	-----	-----
C	CHEMS PO BOX 237 GOODING ID 83330 (208) 934-4337	09/01/1955	DOMESTIC	01-01 12-31	0.04 CFS	
					TOTAL DIVERSION:	0.04 CFS
Water Source: GROUNDWATER		Tributary to:			Stage: BENEFICIAL USE	
Point(s) of Diversion:		T01S R19E S16 SESWSW		BLAINE County		
Place of use Legal Description for: DOMESTIC						
NE NW SW SE						
NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE :						
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :						
--- : --- : --- : --- : --- : --- :						
01S 19E 16 : : : D :						
POU County: BLAINE						
Non-Irrigation Uses: D/ 1 HOUSE						
Other Rights: NONE						
Dates:		Exam Made Date:	Verified Date:	Objection Filed Date:		
Misc:		Water District Number:	Field Inspection Flag:		Presumption Flag:	

AJ5856NP

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

DATE: OCT-24-1997

PAGE: A-948

RIGHT NUMBER: 37-11732

NAME & ADDRESS: CHEMS
PO BOX 237
GOODING ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 09/01/1955

POINT OF DIVERSION: T01S R19E S16 SESWSW Within BLAINE County

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

PLACE OF USE: DOMESTIC Within BLAINE County
T01S R19E S16 SWSW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP01S190161440A

Claim proofread by: KJ

Date: 11-02-11

D
7-29-98

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: A37-11732
Date Received: 10/18/1988
Receipt No: S003040
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHEMS 208-934-4337
Address: P.O. BOX 237
GOODING, ID 83330

2. Date of Priority: SEP 01, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	16	SE	SW	SW		BLAINE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	16	SW	SW		DOMEST	

11. Place of use in counties: BLAINE

A37-11732

Page 1

Date: 10/18/88

MICROFILMED
FEB 25 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Pres of
_____ Title
Chems, that I have signed the foregoing
Organization
document in the space below as Pres of
_____ Title
Chems and that the statements contained in the
Organization
foregoing document are true and correct.

H. D. Buckett
Signature of Authorized Agent

Pres Chems
Title and Organization

10/18/88
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of October 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94
Date: 10/18/88

A37-11732

Page

2

MICROFILMED

FEB 25 1993

OCT 25 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A37-11732

PREFIX TRANSLATION: ADJUDICATION CLAIM

+-----COMMENTS-----+

NO COMMENTS FOUND

[illegible]

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	-	10/18/1988	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	-	S003040	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		POU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-		NOTICE OF ERROR FLAG	-	

RP015190161440A

DATA ENTRY
ENTERED 12-24-93 RJS
CHECKED 4-2-94 V

"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 25 1992

CERTIFIED
MAR 23 1992
WATER EXAMINER