

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-1260

RIGHT NUMBER: 37-12403

NAME & ADDRESS: THE THOMAS M O GARA FAMILY TRUST
C/O BRIAN BARSOTTI
ATTORNEY AT LAW
PO BOX 10013
KETCHUM ID 83340

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS

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

PRIORITY DATE: 12/31/1950

POINT OF DIVERSION: T01S R19E S09 NWNESW Within BLAINE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER - HOME	01-01 12-31	0.07 CFS

PLACE OF USE: STOCKWATER Within BLAINE County
T01S R19E S09 NESW

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
S/300 NON-DAIRY CATTLE

no parcel #

D7-29-98

Claim proofread by: *Wb*
Date: *1103*

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: **A37-12403**
Date Received: 12/21/1988
Receipt No: C004292
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: THE THOMAS M O GARA FAMILY TRUST 208-726-3030
Address: C/O BRIAN BARSOTTI
ATTORNEY AT LAW
PO BOX 10013
KETCHUM ID 83340

2. Date of Priority: DEC 31, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	9	NW	NE	SW		BLAINE

5. Description of diverting works:
WELL AND PUMLP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 NON-DAIRY CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	9	NE	SW		STOCK	

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:

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: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 26 1994

BRIAN BARSOTTI

ATTORNEY AT LAW

GREYHAWK ALPINE CENTER

WARM SPRINGS VILLAGE

P. O. BOX 10013

KETCHUM, IDAHO 83340

208/726-3030 FAX NO. 208/726-2922

OF COUNSEL TO
ROARK, DONOVAN, PRAGGASTIS,
RIVERS & PHILLIPS

ADMITTED TO THE PRACTICE
OF LAW IN IDAHO AND
CALIFORNIA

January 4, 1994

RECEIVED

JAN 05 1994

Department of Water Resources
Southern Region Office

Att: Crystal
John Rosholt
Rosholt, Robertson & Tucker
P O Box 1906
Twin Falls, Idaho 83303-1906

Dear Crystal:

Enclosed is the executed Claimant Acknowledgement of Change in Attorney. This was executed by Tom O'Gara as Trustee of the Thomas M. O'Gara Family Trust.

Thank you for your assistance.

Very truly yours,



Brian J. Barsotti

BB/k
Enc.

MICROFILMED

OCT 26 1994

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

Name(s) of Claimant (please print):

THE THOMAS M. O'GARA FAMILY TRUST

I/we acknowledge (check one):

☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

☒ I/we are now represented by the attorney at the address below.

IN SRBA = JOHN A. ROSHOLT of ROSHOLT, ROBERTSON & TUCKER

PO BOX 1906, TWIN FALLS ID 83303-1906

(208/734-0700)

OTHER MATTERS = BRIAN BARSOTTI, ATTORNEY AT LAW

PO BOX 10013, KETCHUM ID 83340

(208/726-3030)

Attorney's Phone _____

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

A37-00803: A37-02476: A37-07569: A37-12400: A37-12401: A37-12402
A37-00355: A37-00682: A37-00683: A37-00684: A37-00113C: A37-00577BZ
A37-12403

For Individuals:

Authorized signature(s) Date 12/27/93

Reslee of THE THOMAS M. O'GARA TRUST

For Organizations:

I am _____ of _____, and I

Title

Organization

have signed the foregoing document in the space below as

of _____

Title

Organization

Signature of Authorized Agent _____

Title _____

Date _____

Organization _____

IDWR Use:

Date Received _____

Data Entry _____

RECEIVED

JAN 05 1994

Department of Water Resources

Southern Region Office

MICROFILMED

OCT 26 1994

Revised Date 4-03-92

BRIAN BARSOTTI

ATTORNEY AT LAW

GREYHAWK ALPINE CENTER

WARM SPRINGS VILLAGE

P. O. BOX 10013

KETCHUM, IDAHO 83340

208/726-3030 FAX NO. 208/726-2922

OF COUNSEL TO
ROARK, DONOVAN, PRAGGASTIS,
RIVERS & PHILLIPS

ADMITTED TO THE PRACTICE
OF LAW IN IDAHO AND
CALIFORNIA

January 4, 1994

RECEIVED

JAN 05 1994

Department of Water Resources
Southern Region Office

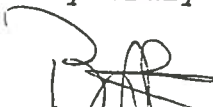
Att: Crystal
John Rosholt
Rosholt, Robertson & Tucker
P O Box 1906
Twin Falls, Idaho 83303-1906

Dear Crystal:

Enclosed is the executed Claimant Acknowledgement of Change in Attorney. This was executed by Tom O'Gara as Trustee of the Thomas M. O'Gara Family Trust.

Thank you for your assistance.

Very truly yours,



Brian J. Barsotti

BB/k
Enc.

MICROFILMED

OCT 26 1994

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

DATE:

12/22/93

TO:

Julie Givens

FROM:

Crystal Vincent

RE:

"O'Lara"NUMBER OF PAGES INCLUDING THIS ONE: 3

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US BACK AS
SOON AS POSSIBLE AT (208) 734-0700.

THE INFORMATION CONTAINED IN THIS FACSIMILE COMMUNICATION IS ATTORNEY/CLIENT
PRIVILEGED AND/OR CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE
INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS COVER PAGE IS NOT THE
INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE
INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION
OR COPYING OF THIS COMMUNICATION OR THE INFORMATION CONTAINED HEREIN IS STRICTLY
PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY
CALL AT (208) 734-0700, AND RETURN THIS FACSIMILE TO US BY MAIL AT THE ABOVE ADDRESS.
WE APPRECIATE YOUR COOPERATION.

ADDITIONAL MESSAGE:

When I lined your copies up, I don't
remember seeing this document. It is the
most important one!

MICROFILMED

OCT 26 1994

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

Name(s) of Claimant (please print):

THE THOMAS M. O'GARA FAMILY TRUST

I/we acknowledge (check one):

☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

☒ I/we are now represented by the attorney at the address below.

IN SRBA = JOHN A. ROSHOLT of ROSHOLT, ROBERTSON & TUCKER

PO BOX 1906, TWIN FALLS ID 83303-1906

(208/734-0700)

OTHER MATTERS = BRIAN BARSOTTI, ATTORNEY AT LAW

PO BOX 10013, KETCHUM ID 83340

(208/726-3030)

Attorney's Phone _____

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

A37-00803: A37-02476: A37-07569: A37-12400: A37-12401: A37-12402
A37-00355: A37-00682: A37-00683: A37-00684: A37-00113C: A37-00577BZ
A37-12403

For Individuals:

Authorized signature(s) Date

12/27/93

Truster of THE THOMAS M. O'GARA TRUST

For Organizations:

I am _____ of _____, and I

Title

Organization

have signed the foregoing document in the space below as

of _____

Title

Organization

Signature of Authorized Agent _____

Title _____

Date _____

Organization _____

IDWR Use:

Date Received _____

Data Entry _____

RECEIVED

JAN 05 1994 MICROFILMED

Revised Date 4-03-92

Department of Water Resources
Southern Region Office

OCT 26 1994

COPY

ASSIGNMENT OF RIGHT TO PURCHASE PROPERTY

THIS ASSIGNMENT is made this 1st day of February, 1990, by and between GREGORY C. SMITH, a single man, hereinafter referred to as "Smith", and THE THOMAS M. O'GARA FAMILY TRUST, hereinafter referred to as "O'Gara".

R E C I T A L S :

A. O'Gara and J.H. Walton, Jr., and Carolyn K. Walton, husband and wife, hereinafter referred to as "Walton", entered into that certain Real Estate Purchase and Sale Agreement dated October 13, 1989, hereinafter the "Agreement", wherein Walton agreed to convey to O'Gara, and O'Gara agreed to acquire from Walton, certain real property and improvements thereon, all more particularly described in the Agreement (the "Silver Springs and Shoestring Ranches").

B. Smith desires to take assignment of and assume all of O'Gara's rights and obligations under the Agreement, and O'Gara desires to assign to Smith all such rights and obligations on the terms and conditions hereinafter set forth.

TERMS AND CONDITIONS

1. Assignment. O'Gara hereby assigns to Smith all of his right, title and interest to purchase the Silver Springs and Shoestring Ranches in accordance with the terms and conditions of the Agreement.
2. Assumption. Smith hereby accepts this assignment from O'Gara, and further agrees to assume all of the obligations of O'Gara under the Agreement and to be bound thereby, as if he had originally signed and entered into the Agreement.
3. Escrow Instructions. The parties agree to deliver a copy of this Assignment to Blaine County Title as further escrow instructions for its Escrow No. 19892591, and said escrow holder is instructed to be governed thereby.

MICROFILMED

OCT 26 1994

IN WITNESS WHEREOF, the parties have executed this Assignment as of the dates set forth below.

Dated: 12/1/90

"O'Gara"

THE THOMAS M. O'GARA FAMILY TRUST

By [Signature]
Thomas M. O'Gara, Trustee

Dated: 1/31/90

"Smith"

[Signature]
Gregory C. Smith

realest\ogara.asn

Water Right Number - R37-12403 Prefix Translation: RESEARCH Old (D) Number -

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

*** A - ATTORNEY ***
ROSHOLT JOHN A 1 - ROSHOLT ROBERTSON & TUCKER
2 - PO BOX 1906
3 -
City- TWIN FALLS State- ID Zip- 833031906
Phone - 208-732-0700

*** C - CURRENT OWNER ***
THOMAS M O GARA FAMILY TRUST THE 1 - C/O BRIAN BARSOTTI
2 - ATTORNEY AT LAW
3 - PO BOX 10013
City- KETCHUM State- ID Zip- 83340
Phone - 208-726-3030

*** O - ORIGINAL OWNER ***
KERR PACIFIC CORP. 1 - C/O ANDREW P. KERR
2 - GILBERTSON, ET AL
3 - 1200 S.W. MAIN BLDG.
City- PORTLAND State- OR Zip- 97205
Phone - 503-221-1772

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/31/1950 ERROR IN REGION J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
01S 19E 9 NW NE SW (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.070

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.070 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 19E 9 NE SW 04 STOCKWATER (13) BLAINE

Total Acres:

- - Diversion Means - WELL AND PUMLP
- - Non-Irrigation Use - S/300 NON-DAIRY CATTLE

OCT 26 1994
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Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

+	Remarks	+
	No Remarks found.	

+-----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
----------------------------------	----------------------------------	-----------------------------------

Date	User Id	Subject	Comments
01/13/1994	GIVENS	OWNERSHIP CHANGE	
CHANGE OF OWNERSHIP RECEIVED 10/01/93 FORMER OWNER KERR PACIFIC			CORP. NEW OWNER THE THOMAS M. O'GARA FAMILY TRUST. COPY OF REAL
ESTATE INSTALLMENT SALE CONTRACT (IN FILE NO. A37-00803) AND			FORMER OWNER SIGNED THE FORM.

+ - - Audit Fields - - +
01/13/94 GIVENS

+ - - - - - 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	- 12/21/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C004292	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 26 1954

DATE: 01/13/94
PAGE: 1

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:

MICROFILMED
OCT 26 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

14-JAN-1994

JOHN A RSHOLT
RSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

ATTN: CRYSTAL VINCENT

RE: ADJUDICATION CLAIM(S) A37-00803, A37-02476, A37-07569, A37-12400
A37-12401, A37-12402, A37-00355, A37-00682, A37-00683, A37-00684
A37-00113C, A37-00577BZ, A37-12403 OWNERSHIP CHANGE IN THE NAME
OF KERR PACIFIC CORP. to THE THOMAS M. O'GARA FAMILY TRUST

Dear Mr. Rosholt:

Pursuant to the notification that you are representing the Claimants on the above-referenced Change of Ownership Adjudication Claims, I have changed the Department's record(s) as you have requested.

Please check the print-outs for corrections. Should you have any questions, please feel free to contact me at this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

c.c. Kerr Pacific Corp. - c/o Andrew P. Kerr, Attorney at Law
Jim Speck - Attorney at Law
Brian Barsotti - Attorney at Law



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

OCT 01 1993

Department of Water Resources
Southern Region Office

DATE OF CLOSING: N/A

SEE CLAIMS LISTED
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.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A37-00803: A37-02476: A37-07569: A37-12400: A37-12401: A37-12402:
Assigned by IDWR: A37-00355: A37-00682: A37-00683: A37-00684: A37-00113C: A37-00577BZ:
A37-12403
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): KERR PACIFIC CORPORATION, an Oregon corporation
c/o Andrew P. Kerr, Attorney at Law
1200 S.W. Main Bldg., Portland, Oregon 97205
- ☐ New Owner/Claimant (Purchaser): THE THOMAS M. O'GARA FAMILY TRUST
- ☐ New Mailing Address: c/o Brian Barsotti, Attorney at Law
P O Box 10013
Ketchum, 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) Brian Barsotti, Attorney at Law Date 9/28/93
Thomas M. O'Gara Family Trust Date 9/28/93
- ☐ Signature of Former Owner/Claimant(s): KERR PACIFIC CORP Date _____
by Jan M. Wain, Asst Secretary Date 9/17/93
(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11/14/94 By: LC

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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OCT 26 1994

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

SD-0601-2 Last Name: KERR PACIFIC CORP.

STATE

S	First	O	Water	Priority		Total	Use
E	Name	W	Right No.	Date	Source	Diversion	Code Desc
L		N					
-	-	-	-	-	-	-	-
-	KERR PACIFIC CORP.						
-		C	A37-00803	06/15/1946	GROUNDWATER	2.540	01 IRR
-		C	A37-02476	02/12/1947	GROUNDWATER	1.640	01 IRR
-		C	A37-07569	03/08/1977	GROUNDWATER	9.200	01 IRR
-		C	A37-12400	12/31/1960	GROUNDWATER	0.040	43 DOMEST
-		C	A37-12401	12/31/1973	GROUNDWATER	0.040	43 DOMEST
-		C	A37-12402	12/31/1938	GROUNDWATER	0.130	43 DOMEST
-							04 STOCK
-		C	A37-00355	05/17/1883	BIG WOOD RI	5.600	01 IRR
-		C	A37-00682	04/17/1883	BIG WOOD RI	0.500	01 IRR
-		C	A37-00683	06/20/1884	BIG WOOD RI	4.500	01 IRR
-		C	A37-00684	06/02/1890	BIG WOOD RI	1.000	01 IRR
-		C	A37-00113C	07/10/1884	BIG WOOD RI	1.000	01 IRR
-		C	A37-00577BZ	03/24/1883	BIG WOOD RI	0.690	01 IRR
-		C	A37-12403	12/31/1950	GROUNDWATER	0.070	04 STOCK
-							

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

OCT 26 1994

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: A37-12403

Date Received: 10/27/1988

Receipt No: C004292 *has*

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KERR PACIFIC CORP.
Address: C/O ANDREW P. KERR
GILBERTSON, ET AL
1200 S.W. MAIN BLDG.
PORTLAND, OR 97205
503-221-1772

2. Date of Priority: DEC 31, 1950

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	9	NW	NE	SW		BLAINE

5. Description of diverting works:
WELL AND PUMLP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 NON-DAIRY CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	9	NE	SW		STOCK	

A37-12403

Page 1

Date: 01/16/89

MICROFILMED

FEB 26 1993

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:

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: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A37-12403
Date Received 10-27-88
Receipt Number 0004292

RECEIVED

OCT 27 1988

NOTICE OF CLAIM
TO A

WATER RIGHT

Department of Water Resources
Southern Region Office

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

1. Name of Claimant(s): Kerr Pacific Corp.
Phone: (503) 221-1772
Mailing Address: c/o Andrew P. Kerr
Gilbertson, Brownstein, Rask, Sweeney, Kerr &
Grimm
1200 S.W. Main Bldg.
Portland, OR 97205

2. Date of Priority: 1950

3. Source of water supply: (a) Groundwater
which is tributary to: (b)

4. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
1S	19E	9	NW	NE	SW		Blaine

Additional points of diversion if any: None.

5. Description of diversion works: Well and pump.
6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Stockwater	January 1	December 31	0.07 cfs

7. Total Quantity Claimed: 0.07 cfs

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8. Total consumptive use claimed is de minimus

9. Non-irrigation uses: Stockwater - 300 head of non-dairy cattle.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>
1S	19E	9	NE	SW	S

11. Place of use is located in Blaine County.

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

13. Describe other water rights used? None.

14. Remarks:

15. Basis of Claim: Beneficial use.

IDWR Water Right Number: N/A

Court: Case Number:

Decree Date:

Plaintiff v. Defendant:

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

E. Randolph Jelle

Date 10-21-88

Date _____

State of Oregon)
County of Multnomah) ss.

Subscribed and sworn before me this 21st day of October, 1988.

Notary Public

Residing at

Commission Expires

Janet M. Engelau
Portland, Oregon
5/22/89

Last Name: Kerr Pacific Corp.

Ident No.:

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A 37-00355	\$50	acres 918
A 37-00682	\$50	same
A 37-00683	\$50	same
A 37-00684	\$50	same
A 37-00577	\$50	same
A 37-00113E	\$50	same
A 37-07569	\$50	same
A 37-00803	\$50	same
A 37-02476	\$50	same
A 37-12400	\$25	
A 37-12401	\$25	
A 37-12402	\$25	
A 37- _{stock} 12403	\$25	

1468⁰⁰

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HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

October 25, 1988

CERTIFIED MAIL

Mr. Jim Stanton
Idaho Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Re: Snake River Basin Adjudication
Notices of Claims for Water Rights
Kerr Pacific Corp.

Dear Jim:

Enclosed please find Snake River Basin Adjudication
Claims which have been prepared for Kerr Pacific Corp. for the
following-described water rights:

- 1) 37-0355;
- 2) 37-0682;
- 3) 37-0683;
- 4) 37-0684;
- 5) 37-0577BA;
- 6) 37-0113E;
- 7) 37-7569;
- 8) 37-0803
- 9) 37-2476;
- 10) Domestic Well - Shoestring Ranch House;
- 11) Domestic Well - Ranch Foreman's House;
- 12) Domestic and Stockwater Well - Main House and
Caretaker's Quarters;
- 13) Stockwater well.

Enclosed please also find check in the amount of
\$1,468.00 to cover the filing fees for these claims.

If you have any questions, please give me a call.

Sincerely yours,

HOGUE, SPECK & AANESTAD

James P. Speck
James P. Speck

JPS/jal
Enclosures
cc: Kerr Pacific Corp.
J. H. Walton

RECEIVED
OCT 27 1988
Department of Water Resources
Southern Region Office

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