

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: A37-02223
Date Received: 10/19/1988
Receipt No: S003062
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GUELFO DICARPEGNA
Address: 35 WEST 54TH STREETQ
NEW YORK, NY 10019
AND/OR
Name: RUFO DICARPEGNA
Address: 35 WEST 54TH STREETQ
NEW YORK, NY 10019
AND/OR
Name: ALLEGRA DICARPEGNA
Address: 35 WEST 54TH STREET
NEW YORK, NY 10019

2. Date of Priority: OCT 14, 1911

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	36	SE	NW	NW		BLAINE
				NE	SW		BLAINE
				SE	SW		BLAINE
02S	19E	1	NE	SE	NW		BLAINE

5. Description of diverting works:
OPEN DITCHES, STOCK TROUGHS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.120		

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

A37-02223

Page 1

Date: 10/02/89

MICROFILMED
FEB 23 1993

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 500 BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	25	SW	SW		IRR	20.0
			SW	SW		STOCK	
						Section Acres	20.0
		36	NW	NW		STOCK	
						Total Acres	20.0

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:
A37-07800

14. Remarks:
S/ USE WAS NOT NEEDED ON WR BUT HAS BEEN INCLUDED IN THIS CLAIM.

15. Basis of Claim: LICENSE
Water Right Number: 7840

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: 39356

NOTICE OF CHANGE OF OWNERSHIP
FOR
CLAIM(S) TO WATER RIGHT(S)

1. Claim Identification Number(s): A37-11756; A37-02223; A37-07800;
A37-02618; A37-02609B
2. Name of Original Claimant(s): Robert Gardner &/or Kathryn
Gardner
Mailing Address: P. O. Box 470
Bellevue, ID 83313
3. Name of Purchaser(s)/New Claimant(s)
of Water Right(s): Guelfo DiCarpegna &/or Rufo
DiCarpegna &/or Allegra
DiCarpegna
Mailing Address: c/o Guelfo DiCarpegna
35 West 54th Street
New York, NY 10019

4. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the purchaser(s)/new claimant(s) of the water rights identified herein and that all notices required by law to be mailed by the director to the purchaser(s)/new claimant(s) should be mailed to the address listed below.

Signature: James P. Speck

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: Sept. 15 1989 Sept. 25, 1989

DATE: Sept 15 1989

Guelfo DiCarpegna
Guelfo DiCarpegna

MICROFILMED

FEB 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 2, 1989

Re: A37-02618 A37-02609B
A37-07800 A37-11756
A37-02223

Jim Speck
P O Box 987
Paul, ID 83347

Dear Claimant(s):

Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

FEB 23 1993

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: A37-02223
Date Received: 10/19/1988
Receipt No: S003062
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT GARDNER 208-788-2568
Address: BOX 470
BELLEVUE, ID 83313
OR
Name: KATHRYN GARDNER 208-788-2568
Address: BOX 470
BELLEVUE, ID 83313

2. Date of Priority: OCT 14, 1911

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	36	SE	NW	NW		BLAINE
				NE	SW		BLAINE
				SE	SW		BLAINE
02S	19E	1	NE	SE	NW		BLAINE

5. Description of diverting works:
OPEN DITCHES, STOCK TROUGHS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 500 BEEF

A37-02223

Page 1

Date: 10/19/88

COPY MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	25	SW	SW		IRR	20.0
			SW	SW		STOCK	
						Section Acres	20.0
		36	NW	NW		STOCK	
						Total Acres	20.0

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:
A37-07800

14. Remarks:
S/ USE WAS NOT NEEDED ON WR BUT HAS BEEN INCLUDED IN THIS CLAIM.

15. Basis of Claim: LICENSE
Water Right Number: 7840

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Robert Gardner Date: 10-19-88

Date: _____

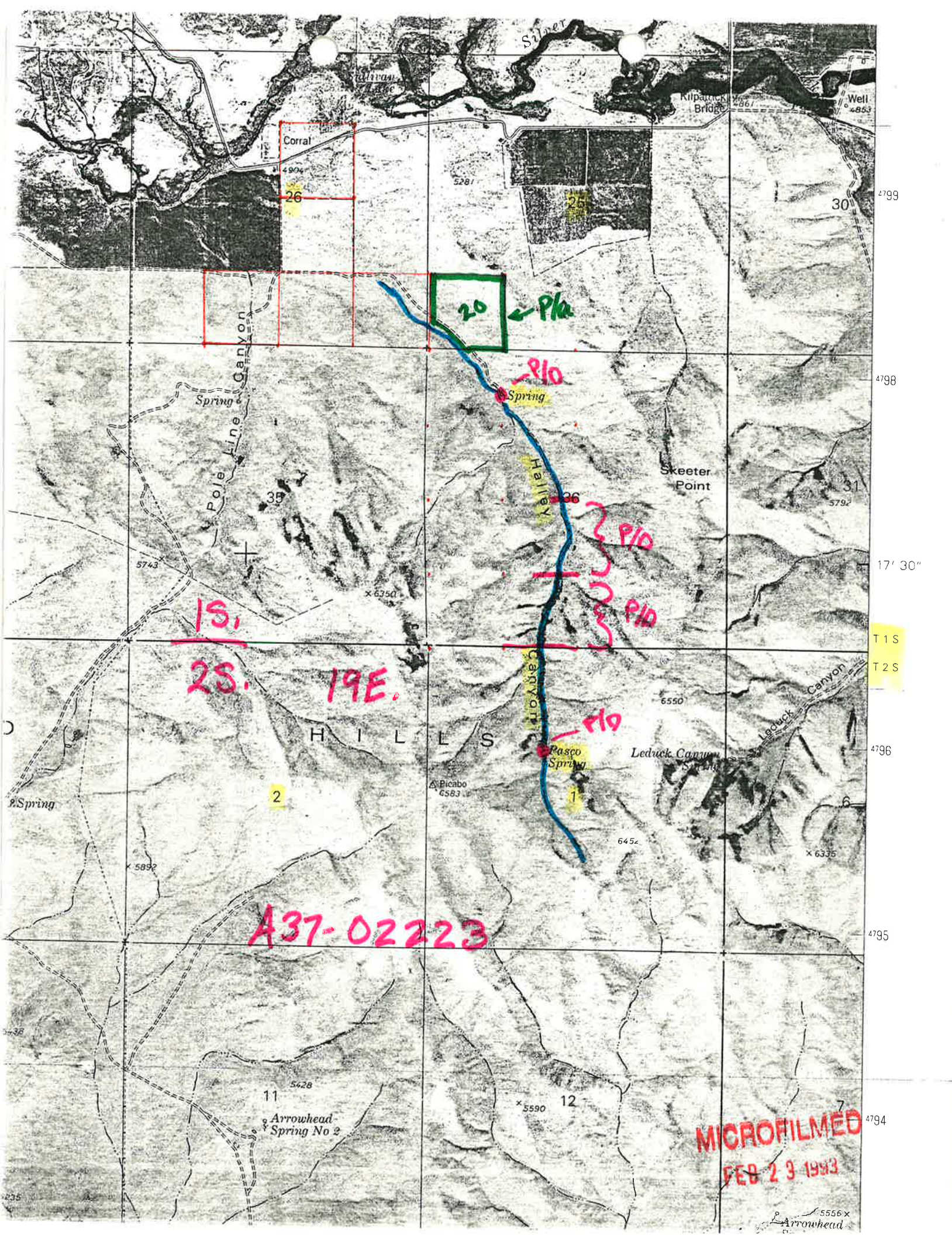
State of Idaho)
County of Twin Falls) SS.

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

Roxanne Strey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94



For Office Use Only
Updated by C. J. [signature]
Date 11/5/09

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

RECEIVED
JAN 05 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

[] Water Right Number(s): 37-02223

[] Name(s): State of Idaho
Department of Lands

[] Old Mailing Address: 700 W Jefferson Room 210
PO Box 44449
Boise, ID 83711-4449

[] New Mailing Address: 300 North 6th Street, Suite 103
PO Box 83720
Boise, ID 83720-0050

Telephone Number: () _____ - _____

Email: _____

[] Signature(s) of Owner(s) _____
David Stanish, Deputy Attorney General
(Include your title if on behalf of company or organization)

Date: 12/30/2009

Send a signed original to your closest regional office:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

SCANNED
JAN 04 2010



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

RECEIVED
JAN 15 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

January 4, 2010

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

To Whom It May Concern:

Enclosed please find a notification concerning a change of address for the State of Idaho Department of Lands.

Sincerely,

A handwritten signature in blue ink, appearing to be "Olga Valdivia".

Olga Valdivia
Legal Secretary

Enclosure

/olv

SCANNED
JAN 04 2010

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 MAY 21 AM 12 42

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

In Re SRBA

Case No. 39576

Subcase No. 37-2223, 37-2618,
37-7800

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 5/21/09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5-21, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

Albert Barker
Barker Rosholt & Simpson
PO Box 2139
Boise ID 83701

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Andrew Waldera / Scott Campbell
Moffatt Thomas Barrett Rock & Fields
PO Box 829
Boise ID 83701

The Nature Conservancy
116 1st Ave N
Hailey ID 83333

Thomas O'Gara Family Trust
c/o Brian Barsotti
PO Box 370
Ketchum ID 83340

Paul Arrington
Barker Rosholt & Simpson
PO Box 485
Twin Falls ID 83303


Signature of person or attorney mailing the form

05/19/2009

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

RIGHT NUMBER: 37-2223

NAME AND ADDRESS: THE NATURE CONSERVANCY
116 1ST AVE N
HAILEY ID 83333-8411

SOURCE: SPRINGS

TRIBUTARY: SINKS

QUANTITY: 0.120 CFS
6.70 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/14/1911

POINT OF
DIVERSION:

T01S R19E S36 SWNENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.120 CFS
6.70 AFY

PLACE OF USE:

STOCKWATER in BLAINE County

T01S R19E S25

SWSW

T01S R19E S36

NWNW

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

The remainder of this right was forfeited for non-use from 1979 to 1988.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

Stockwater use is for 500 range cattle.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

05/19/2009

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

RIGHT NUMBER: 37-2618

NAME AND ADDRESS: THE NATURE CONSERVANCY
116 1ST AVE N
HAILEY ID 83333-8411

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.390 CFS
569.80 AFY

Right Nos. 37-2618 and 37-7800 are limited to a total combined annual diversion volume of 1106.8 AF.

Right Nos. 37-2609B and 37-2618 are limited to a total combined diversion rate of 3.26 cfs and to a total combined annual diversion volume of 569.8 AF.

The rights listed below are limited to a total combined diversion rate of 6.84 cfs and to a total combined annual diversion volume of 1106.8 AF.
Combined Right Nos.: 37-2609B, 37-2618, and 37-7800.

PRIORITY DATE: 06/29/1959

POINT OF
DIVERSION:

T01S R19E S26 SENESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.390 CFS 569.80 AFY
<u>PLACE OF USE: IRRIGATION in BLAINE County</u>		
T01S R19E S26 SWNW 1.00	T01S R19E S26 SENW	13.00
T01S R19E S26 NESW 39.00	T01S R19E S26 NWSW	34.00
T01S R19E S27 SWNE 15.00	T01S R19E S27 SENE	5.80
T01S R19E S27 NESE 34.00	T01S R19E S27 NWSE	21.00

162.8 ACRES TOTAL

Right Nos. 37-2618 and 37-7800 are limited to the irrigation of a combined total of 341.8 acres in a single irrigation season.

Right Nos. 37-2609B and 37-2618 are limited to the irrigation of a combined total of 162.8 acres in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 341.8 acres in a single irrigation season. Combined Right Nos.: 37-2609B, 37-2618, and 37-7800.

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

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.

The remainder of this right was forfeited for non-use from 1975 to 1987.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

05/19/2009

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

RIGHT NUMBER: 37-7800

NAME AND ADDRESS: THE NATURE CONSERVANCY
116 1ST AVE N
HAILEY ID 83333-8411

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.750 CFS
636.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

The rights listed below are limited to a total combined diversion rate of 6.84 cfs and to a total combined annual diversion volume of 1106.8 AF.
Combined Right Nos.: 37-2609B, 37-2618, and 37-7800.

Right Nos. 37-2618 and 37-7800 are limited to a total combined annual diversion volume of 1106.8 AF.

PRIORITY DATE: 10/09/1979

POINT OF
DIVERSION:

T01S R19E S26 NWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	4/01 11/01	3.750 CFS 636.00 AFY
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01S R19E S25 SWSW 30.00	T01S R19E S26 SWNE 20.00	
	T01S R19E S26 NESW 33.00	T01S R19E S26 SESW 33.00	
	T01S R19E S26 NWSE 40.00	T01S R19E S26 SWSE 33.00	
	T01S R19E S26 SESE 23.00		

212 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 341.8 acres in a single irrigation season. Combined Right Nos.: 37-2609B, 37-2618, and 37-7800.

Right Nos. 37-2618 and 37-7800 are limited to the irrigation of a combined total of 341.8 acres in a single irrigation season.

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

May 21, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

THE NATURE CONSERVANCY
116 1ST AVE N
HAILEY ID- 83333

RE: SRBA Claim(s) 37-2223, 37-2618, 37-7800

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: Thomas O'Gara Family Trust
Albert Barker, Barker Rosholt & Simpson - Boise
Paul Arrington, Barker Rosholt & Simpson - Twin Falls
Andrew Waldera or Scott Campbell, Moffatt Thomas

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

RECEIVED
MAY 11 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
AS 37-7800					
AS 37-2618					
PD 37-2609B					
AS 37-2223					
PD 37-11756					

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) or claim(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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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 OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Thomas M. O'Gara Family Trust
c/o Brian Barsotti, PO Box 370
Ketchum, ID 83340

4. New Owner/Claimant(s) The Nature Conservancy
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 116 1st Ave., North

City, State and ZIP Code Hailey, ID 83333

New Telephone Number (208) 788-8988 Email: lhubbard@tnc.org

5. Date you acquired the property March 10, 2009

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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.**

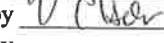
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)  Idaho State Director
(title if applicable)
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by 
 Received by 
 Processed by AJ

Date 5-12-09
 Date 5/14/09
 Date _____

Receipt Amt. \$75
 Receipt No. 8030888
 WR _____ Date _____

BCT 9016117

When Recorded Please Mail To:

The Nature Conservancy
Attention: Legal Department
559 East South Temple
Salt Lake City, Utah 84102

Mail Tax Notice to:
Grantee at its address below

Instrument # 565539

HAILEY, BLAINE, IDAHO

3-10-2009 03:46:33 No. of Pages: 6

Recorded for : BLAINE COUNTY TITLE CO

JOLYNN DRAGE

Fee: 18.00

Ex-Officio Recorder Deputy

Index to: WTYQC/CORP DEED

AB

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED Thomas M. O'Gara, Trustee of the Thomas M. O'Gara Family Trust dated July 8, 1982 ("Grantor") hereby grants to The Nature Conservancy, a District of Columbia nonprofit corporation, whose address is 4245 North Fairfax Drive, Arlington, VA 22203 ("Grantee"), the real property and improvements situated in Blaine County, Idaho ("Property"), and more particularly described on the attached Exhibit A, which is incorporated herein by this reference.

TO HAVE AND TO HOLD the Property with all hereditaments and appurtenances thereto unto Grantee and Grantee's successors and assigns forever,

SUBJECT TO taxes for the year 2009 and thereafter, and those matters described on the attached Exhibit B, which is incorporated herein by this reference.

This Special Warranty Deed is a conveyance between the Grantor and the Grantee for a fair and adequate consideration and is part of the consideration between the Grantor and the Grantee for discharge of certain obligations between the Grantor and the Grantee.

The discharge of the Grantor's liability owing to Grantee as a result of this Special Warranty Deed shall not affect that certain Real Estate Mortgage, dated July 28, 2005, as amended (collectively, the "Mortgage"), securing an indebtedness in the original principal amount of \$2,145,000.00 wherein Grantor is mortgagor and Grantee is the mortgagee and recorded against the Property in the records of the County Recorder of Blaine County, Idaho, on July 20, 2009, as Instrument No. 523747. The respective interests of Grantee and/or Grantor in the Property upon effectuation of this Special Warranty Deed shall not merge with the interests of Grantee pursuant to the Mortgage. It is the express intention of Grantor and Grantee that the interests of Grantee or Grantor in the Property shall not merge but shall be and remain at all times separate and distinct notwithstanding any unity or commonality of interest of Grantee or Grantor and that the Mortgage shall be and remain at all times a valid and continuous lien on the Property until released of record by a written instrument executed by Grantee.

IN WITNESS WHEREOF, the Grantor has executed this Special Warranty Deed as of this 6 day of March, 2009.

GRANTOR:

The Thomas M. O'Gara Family Trust
dated July 8, 1982

By: [Signature]

Thomas M. O'Gara, Trustee

STATE OF Idaho)
: ss.
COUNTY OF Blaine)

On this 6 day of March, in the year of 2009, before me, a notary public, personally appeared Thomas M. O'Gara, known or identified to me to be the Trustee of the Thomas M. O'Gara Family Trust under trust agreement dated July 8, 1982 and acknowledged to me that by attaching said Trustee's signature on the foregoing instrument, the foregoing named Trust executed the same.

[Signature]
NOTARY PUBLIC

Residing at: Kootenai

My Commission Expires:

7/26/12

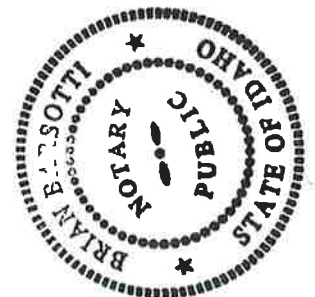
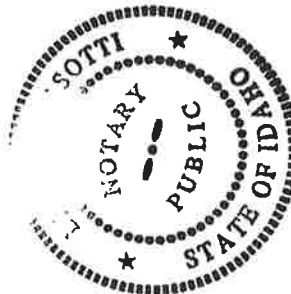


**EXHIBIT A
TO
SPECIAL WARRANTY DEED**

Property Description

PARCEL I

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

Section 25: SW1/4SW1/4

Section 26: SE1/4SE1/4; SE1/4SW1/4; W1/2SE1/4; SW1/4SW1/4

Section 27: S1/2SE1/4; SE1/4SW1/4

Section 35: NE1/4NW1/4

PARCEL II

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

A parcel of land within Sections 26 and 27, more particularly described as follows:

Beginning at the center quarter corner of said Section 26;

Thence South 0°20'59" East, 1321.82 feet to the c.s. 1/16 corner of said Section 26;

Thence South 89°43'17" West, 2635.34 feet to the South 1/16 corner common to Sections 26 & 27;

Thence South 89°46'30" West, 2649.89 feet to the c.s. 1/16 corner of said Section 27;

Thence South 89°51'12" West, 1322.44 feet to the SW 1/16 corner of said Section 27;

Thence North 0°14'32" West, 1073.52 feet along the west boundary of the NE1/4SW1/4 of said Section 27 to a 1/2" bar;

Thence North 89°50'20" East, 1408.33 feet to a 1/2" bar;

Thence North 3°40'30" West, 717.99 feet to a 1/2" bar;

Thence North 84°36'39" East, 991.57 feet to a 1/2" bar;

Thence North 5°10'50" West, 128.00 feet to a 1/2" bar;

Thence North 88°16'42" East, 505.06 feet to a 1/2" bar;

Thence South 19°38'39" East, 491.56 feet to a 1/2" bar;

Thence South 67°23'32" East, 319.34 feet to a 1/2" bar;

Thence South 20°09'59" East, 472.91 feet to a 1/2" bar;

Thence North 82°58'35" East, 1422.49 feet to a 1/2" bar;

Thence North 38°41'08" East, 561.70 feet to a 1/2" bar;

Thence North 70°18'09" East, 622.33 feet to a 1/2" bar;

Thence North 82°42'12" East, 456.22 feet to a 1/2" bar;

Thence South 25°50'53" East, 127.13 feet to a 1/2" bar;

Thence North 85°17'06" East, 279.70 feet to the east boundary of the SE1/4NW1/4 of said Section 26;

Thence South 0°21'04" East, 440.41 feet to the C 1/4 corner of said Section 26, the point of beginning.

PARCEL III

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

Section 26: That part of the SW1/4NE1/4 lying south of county road

Section 26: A parcel of land in the SE1/4NW1/4 described as follows:

Beginning at a point on the east boundary of said SE1/4NW1/4, which lies North 0°21'04" West, 440.41 feet from the C 1/4 corner of said Section 26;

Thence South 85°17'06" West, 279.70 feet to a 1/2" bar;

Thence North 25°50'83" West, 127.13 feet to a 1/2" bar;

Thence North 82°42'12" East, 336.08 feet to a point on the east boundary of said SE1/4NW1/4 of said Section 26;

Thence South 0°21'04" East, 134.11 feet to the point of beginning.

**EXHIBIT B
TO
SPECIAL WARRANTY DEED**

Permitted Exceptions

1. General taxes for the year 2009, a lien due, but not yet payable.
2. Title to, and easements in, any portion of the land lying within any highways, roads, streets, or other ways.
3. Power Line Easement, including the terms and provisions thereof, in favor of Idaho Power Company, recorded March 9, 1962 in Book 176 of Deeds, at page 302, records of Blaine County, Idaho.
4. Power Line Easement, including the terms and provisions thereof, in favor of Idaho Power Company, recorded August 23, 1968 in Book 189 of Deeds at page 271 records of Blaine County, Idaho.
5. Power Line Easement, including the terms and provisions thereof, in favor of Idaho Power Company, recorded November 18, 1975 as Instrument No. 162952, records of Blaine County, Idaho.
6. Facts evidenced by that certain Survey, recorded November 15, 1982, as Instrument No. 232582, records of Blaine County, Idaho.
7. Power Line Easement, including the terms and provisions thereof, in favor of Idaho Power Company, recorded March 9, 1984 as Instrument No. 249440, records of Blaine County, Idaho.
8. Terms and provisions of restrictions and easements as disclosed by Warranty Deed by and between Nature Conservancy and the Nature Conservancy of Idaho, Inc., an Idaho non-profit corporation and Ralph E. Gardner and Kathryn Gardner, Husband and Wife, recorded May 23, 1984 as Instrument No. 251962, records of Blaine County, Idaho.
9. Reservation of Conservation Easement and Rights of Way, including the terms and provisions thereof, recorded May 23, 1984 as Instrument No. 251963, records of Blaine County, Idaho.
10. Terms and Provisions of Access Easement, recorded July 29, 2005 as Instrument No. 523749 and rerecorded November 2, 2005 as Instrument No. 528409, records of Blaine County, Idaho.
11. Real Estate Mortgage dated July 28, 2005 executed by Thomas M. O'Gara, Trustee of the Thomas M. O'Gara Family Trust Dated July 8, 1982, as borrower, to The Nature Conservancy, a District of Columbia nonprofit corporation, as lender, to secure an

indebtedness in the amount of \$2,145,000.00, recorded July 29, 2005, as Instrument No. 523747, records of Blaine county, Idaho.

**EXHIBIT A
TO
QUITCLAIM DEED**

Property Description

PARCEL I

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

Section 25: SW1/4SW1/4

Section 26: SE1/4SE1/4; SE1/4SW1/4; W1/2SE1/4; SW1/4SW1/4

Section 27: S1/2SE1/4; SE1/4SW1/4

Section 35: NE1/4NW1/4

PARCEL II

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

A parcel of land within Sections 26 and 27, more particularly described as follows:

Beginning at the center quarter corner of said Section 26;

Thence South 0°20'59" East, 1321.82 feet to the c.s. 1/16 corner of said Section 26;

Thence South 89°43'17" West, 2635.34 feet to the South 1/16 corner common to Sections 26 & 27;

Thence South 89°46'30" West, 2649.89 feet to the c.s. 1/16 corner of said Section 27;

Thence South 89°51'12" West, 1322.44 feet to the SW 1/16 corner of said Section 27;

Thence North 0°14'32" West, 1073.52 feet along the west boundary of the NE1/4SW1/4 of said Section 27 to a 1/2" bar;

Thence North 89°50'20" East, 1408.33 feet to a 1/2" bar;

Thence North 3°40'30" West, 717.99 feet to a 1/2" bar;

Thence North 84°36'39" East, 991.57 feet to a 1/2" bar;

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Thence North 70°18'09" East, 622.33 feet to a 1/2" bar;

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Thence South 0°21'04" East, 440.41 feet to the C 1/4 corner of said Section 26, the point of beginning.

PARCEL III

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

Section 26: That part of the SW1/4NE1/4 lying south of county road

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Thence North 82°42'12" East, 336.08 feet to a point on the east boundary of said SE1/4NW1/4 of said Section 26;

Thence South 0°21'04" East, 134.11 feet to the point of beginning.

**EXHIBIT B
TO
QUITCLAIM DEED**

Water Rights

#A37-07800	groundwater	irrigation -- 3.75 cfs
#A37-02618	groundwater	irrigation -- 2.39 cfs
#A37-02609B	groundwater	irrigation -- 1.414 cfs
#A37-02223	springs	irrigation -- 0.4 cfs stock watering -- 0.12 cfs
#A37-11756	groundwater	stock watering -- 0.04

10/27/2006

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

RIGHT NUMBER: 37-2223

NAME AND ADDRESS: RUFO DICARPEGNA
35 W 54TH ST
NEW YORK NY 10019

GUELFO DICARPEGNA
35 W 54TH ST
NEW YORK NY 10019

ALLEGRA DICARPEGNA
35 W 54TH ST
NEW YORK NY 10019

SOURCE: SPRINGS

TRIBUTARY: SINKS

QUANTITY: 0.040 CFS
6.700 AFY

PRIORITY DATE: 10/14/1911

POINT OF DIVERSION: T01S R19E S36 SENENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS 6.70 AFY

PLACE OF USE: STOCKWATER Within BLAINE County

T01S R19E S25	SWSW	T01S R19E S36	NWNW
---------------	------	---------------	------

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

The remainder of this right was forfeited for non-use from 1979 to 1988.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

Stockwater use is for 500 range cattle.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

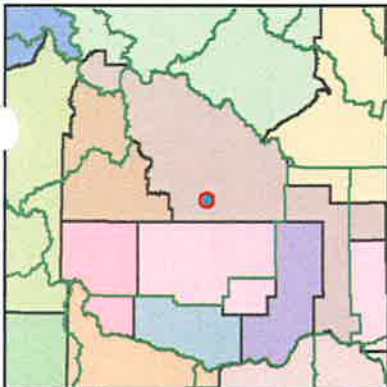
SRBA Recommendation:

37-2223

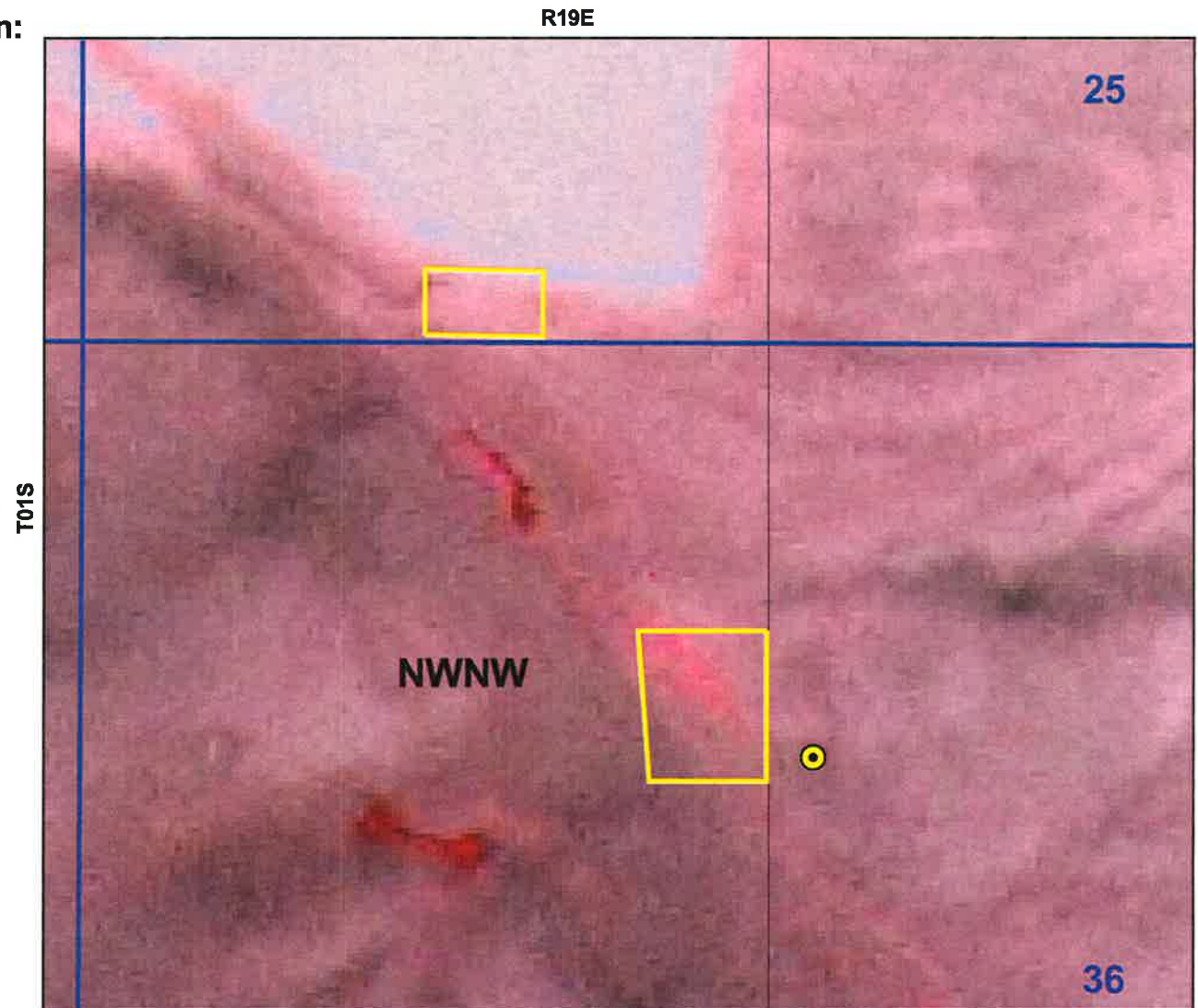
(Stockwater)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by S. Keen
On Friday, October 27, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

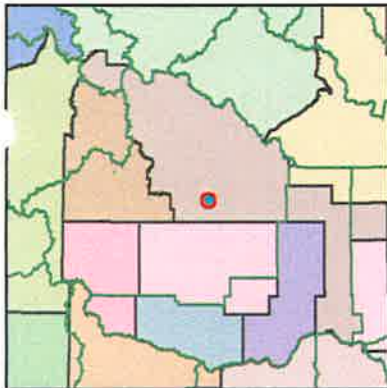
SRBA Recommendation:

37-2223

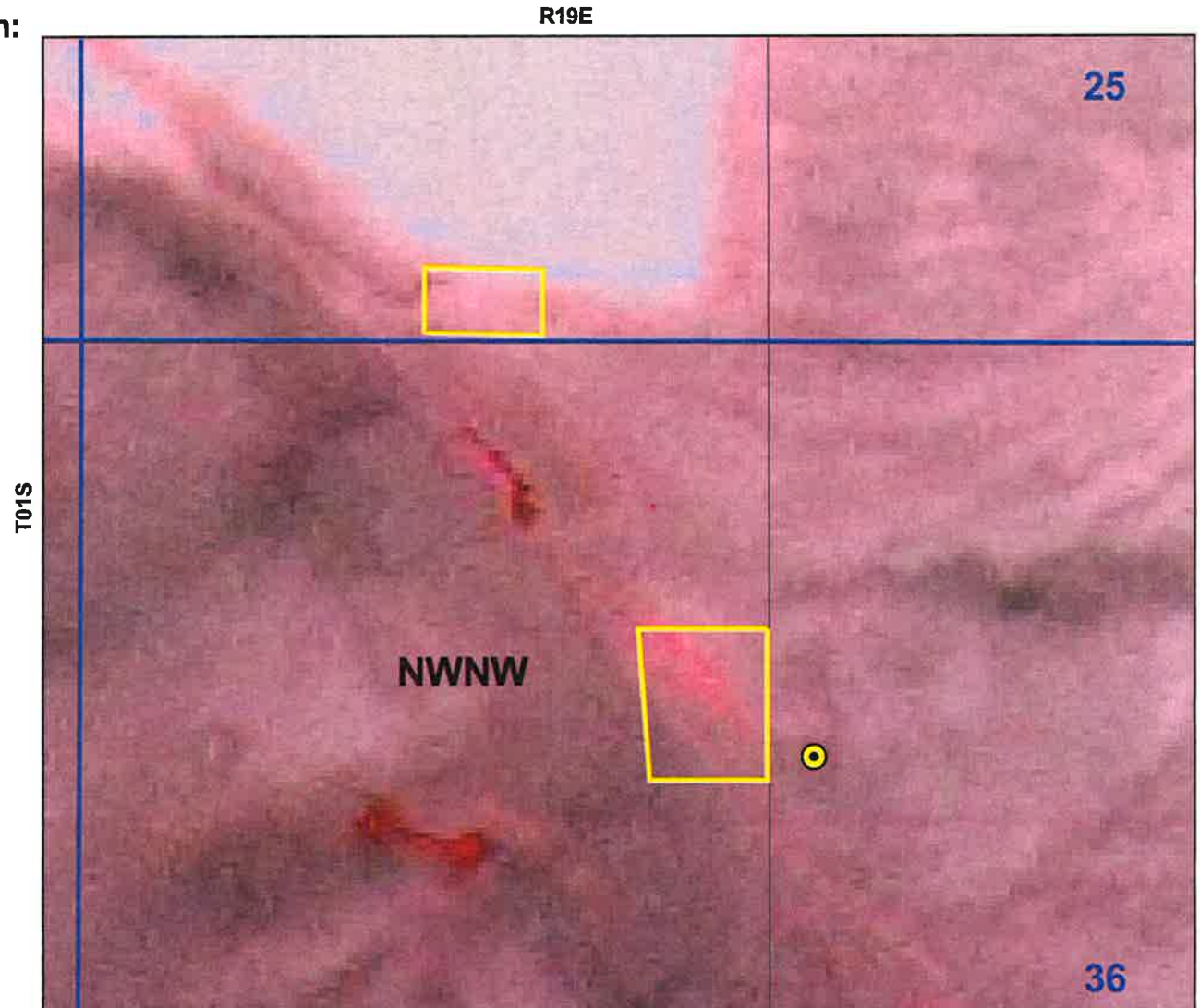
(Stockwater)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by S. Keen
On Friday, October 27, 2006
1987/88 Aerial Photography

MEMORANDUM

TO: 37-2223

FROM: Erin Retelle

RE: Field Inspection

Date: October 20, 2006

.....

Yesterday I visited the PoU and PoD sites for 37-2223. The adjudication claim, in the name of DiCarpegna, lists 4 springs as sources for 20 acres of irrigation, plus stockwater.

Ownership:

ArcView taxlot data shows O'Gara as the current owner of the land claimed by DiCarpegna as the PoU for the irrigation and some of the stockwater, and IDL as the current owner of the land claimed by DiCarpegna as the PoU for the rest of the stockwater.

I met with Guy Bonnivier, who helps manage O'Gara's properties. He substantiates that the land now belongs to O'Gara.

Water Use:

Guy told me that he has been working on the land since the mid-1970s, and the spring water has never been tied into the irrigation system.

As far as stock-watering goes, he said the springs in the canyon provided water to several troughs, and the animals would drink directly from the sources as well.

Near the top of the canyon is an undeveloped spring that feeds a small stream in the canyon bottom. Water from this spring reaches the mouth of the canyon. There is no evidence this spring or any point above it has ever been developed.

Quite near the mouth of the canyon, but still on IDL land is another spring. It is developed with about a 2.5' diameter metal pipe/barrel to collect the water. A 2" diameter flexible pipe then carries the water a short distance westward down into the canyon into a large trough. There is a valve where the water can be split off from the trough into another 2" diameter flexible pipe that runs down the canyon to the north toward the trough on O'Gara's land. At this time, the hose is disconnected and no water is being diverted through it.

COANNED

JAN 18 2007

On the north side of the fence at the mouth of the canyon (on O'Gara's land) is the remains of another trough. There is a dilapidated wooden frame, and a 2" diameter flexible pipe, like the others, that emerges from underground. Guy says it used to be connected to the working trough.

Information:

Undeveloped
Spring:

N43°16.947
W114°08.837

Developed Spring: N43°17.970
W114°09.017

Working trough: N43°17.966
W114°09.044

Former trough: N 43°18.115
W 114°09.175

Well: N 43°18.532
W114°09.883

Well: N43°18.357
W114°10.030

Well: N43°18.326
W114°09.954



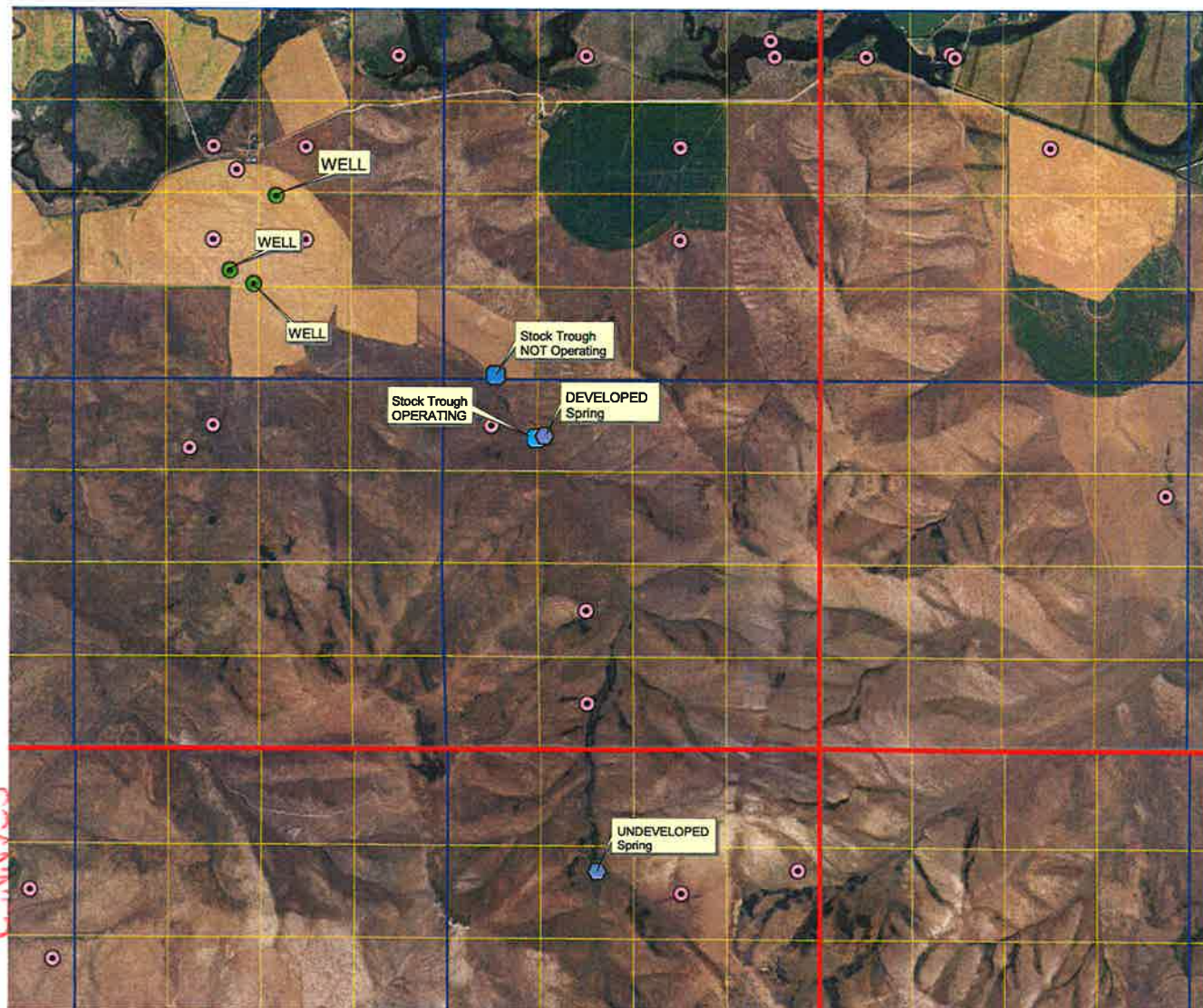
Guy Bonnivier

1122 East 1520 North
Richfield, Idaho 83349
Off: (208) 487-2960
Cell: (208) 720-3732
Fax: (208) 487-2970
Gbonnivier@aol.com

COANNED

JAN 18 2007

37-2223

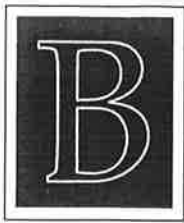


- Right POD
- Administrative BasinsAdminbas.shp
- Township/Range
- Sections
- QQ



0.7 0 0.7 1.4 Miles

JAN 18 2007



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

January 4, 2007

Michael Ciscell
Idaho Department of Water Resources
322 E. Front Street
Boise, Idaho 83702-7374

Re: Notice of Change in Water Right Ownership

Dear Michael,

Please find two notices of change in water right ownership enclosed with this letter. We spoke today regarding these ownership changes. Each notice has the warranty deed, aerial photos of the property, place of use of the water right, and adjudication water right claim enclosed.

The first change in ownership is from Gibson Farm, Inc. to Thomas M O'Gara Family Trust. This ownership change includes water right adjudication claim numbers 37-14285 and 37-14286.

The second ownership change is from the diCarpegna family to Thomas M O'Gara Family Trust. The diCarpegna Family sold the property to the Nature Conservancy on 10 December 2004. The Nature Conservancy sold this property to the Thomas M O'Gara Family trust on July 28, 2005. Both deeds, identifying the ownership trail, are included. The water right numbers included with this notice of ownership change are: 37-2223, 37-2609B, 37-2618, and 37-7800.

If you have any questions, please feel free to contact me.

Sincerely,



G. Erick Powell, Ph.D., E.I.T.

enclosures: Notice of Change in Water Right Ownership – Gibson to
O'Gara
Notice of Change in Water Right Ownership – diCarpegna to
O'Gara

cc: Brian Barsotti

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

SCANNED

JAN 08 2007

Form 42-24842-1409(6) July, 2000

**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.

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>37-2223</u>	<u>37-2223</u>	☐	<u> </u>	<u> </u>	☐
<u>37-2609B</u>	<u>37-2609B</u>	☐	<u> </u>	<u> </u>	☐
<u>37-2618</u>	<u>37-2618</u>	☐	<u> </u>	<u> </u>	☐
<u>37-7800</u>	<u>37-7800</u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </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): Allegra Dicamegna
35 W 54th Street, New York, NY 10019
4. New Owner/Claimant(s): Thomas M O'Gara Family Trust
New Mailing Address: C/O Brian Barsotti
City, State, Zip Code: P.O. Box 370, Ketchum, ID 83340
New Telephone Number: (208) 726-3030
5. Date you acquired the property: July 28, 2005

SCANNED

JAN 08 2007

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 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 UseDiversion Rate or Volume

(cubic feet per second or acre-feet 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 UseDiversion Rate or Volume

(cubic feet per second or acre-feet annum)

Description

(acres, number and type of stock, homes, etc.)

Irrigation _____

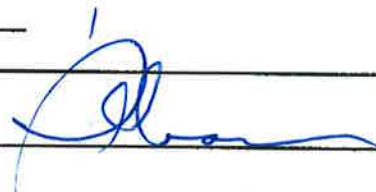
Stock _____

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: _____
Received by: _____
Processed by: _____ AJ

Date: _____
Date: _____
Date: _____

Fee: _____
Receipt No: _____
WR: _____ Date: _____

SCANNED

JAN 08 2007

BCT# 4012908

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Douglas J. Aanestad, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340

Instrument # 513982

HAILEY, BLAINE, IDAHO
2004-12-15 10:56:00 No. of Pages: 4
Recorded for: BLAINE COUNTY TITLE
MARSHA RIEMANN Fee: 12.00
Ex-Officio Recorder Deputy
Inscribed to WTY/OC/CRP DEED

(Space above line for Recorder's use)

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, RUFO ALFREDO CRISTOFORO diCARPEGNA, a married man as his sole and separate property, GUELFO PERCIVALE RAIMONDO diCARPEGNA, a single man and ALLEGRA CRISTINA SUSANNA diCARPEGNA, a married woman as her sole and separate property; each as to an undivided 1/3 interest (collectively called "Grantors") do hereby convey, grant, and warrant as set forth below to THE NATURE CONSERVANCY, a District of Columbia nonprofit corporation ("Grantee"), whose address is 4245 N. Fairfax Dr., Arlington VA 22203, the following described real property in Blaine County, Idaho, to-wit:

PARCEL I

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

Section 25: SW1/4SW1/4

Section 26: SE1/4SE1/4; SE1/4SW1/4; W1/2SE1/4; SW1/4SW1/4

Section 27: S1/2SE1/4; SE1/4SW1/4

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PARCEL II

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

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Thence South 89°46'30" West, 2649.89 feet to the c.s. 1/16 corner of said Section 27;

Thence South 89°51'12" West, 1322.44 feet to the SW 1/16 corner of said Section 27;

COPIED

JAN 08 2007

Thence North 0°14'32" West, 1073.52 feet along the west boundary of the NE1/4SW1/4 of said Section 27 to a 1/2" bar;
 Thence North 89°50'20" East, 1408.33 feet to a 1/2" bar;
 Thence North 3°40'30" West, 717.99 feet to a 1/2" bar;
 Thence North 84°36'39" East, 991.57 feet to a 1/2" bar;
 Thence North 5°10'50" West, 128.00 feet to a 1/2" bar;
 Thence North 88°16'42" East, 505.06 feet to a 1/2" bar;
 Thence South 19°38'39" East, 491.56 feet to a 1/2" bar;
 Thence South 67°23'32" East, 319.34 feet to a 1/2" bar;
 Thence South 20°09'59" East, 472.91 feet to a 1/2" bar;
 Thence North 82°58'35" East, 1422.49 feet to a 1/2" bar;
 Thence North 38°41'08" East, 561.70 feet to a 1/2" bar;
 Thence North 70°18'09" East, 622.33 feet to a 1/2" bar;
 Thence North 82°42'12" East, 456.22 feet to a 1/2" bar;
 Thence South 25°50'53" East, 127.13 feet to a 1/2" bar;
 Thence North 85°17'06" East, 279.70 feet to the east boundary of the SE1/4NW1/4 of said Section 26;
 Thence South 0°21'04" East, 440.41 feet to the C 1/4 corner of said Section 26, the point of beginning.

PARCEL 10

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

Section 26: That part of the SW1/4NE1/4 lying south of county road

Section 26: A parcel of land in the SE1/4NW1/4 described as follows:

Beginning at a point on the east boundary of said SE1/4NW1/4, which lies North 0°21'04" West, 440.41 feet from the C 1/4 corner of said Section 26;
 Thence South 85°17'06" West, 279.70 feet to a 1/2" bar;
 Thence North 25°50'53" West, 127.13 feet to a 1/2" bar;
 Thence North 82°42'12" East, 336.08 feet to a point on the east boundary of said SE1/4NW1/4 of said Section 26;
 Thence South 0°21'04" East, 134.11 feet to the point of beginning.

As Part of an IRC 1031 tax-deferred exchange. (Relinquished property)

TO HAVE AND TO HOLD the Property with its hereditaments, appurtenances and water rights, including but not limited to Water Rights No. A37-07800; No. A37-02618; No. A37-02609B; No. A37-02223; and No. A37-11756, unto the Grantee and Grantee's successors and assigns forever,

SUBJECT TO taxes for the year 2004, and thereafter (a lien not yet due and payable), easements established or of record,

restrictions and encumbrances of record, rights reserved in patents, state or railroad deeds, building or use restrictions, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

Grantors hereby bind themselves to warrant and defend the title against only the acts of Grantors and those claiming by or through Grantors and none other, subject to the matters set forth above.

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 10 day of December, 2004.

Rufo Alfredo Cristoforo di Carpegna
RUFO ALFREDO CRISTOFORO di CARPEGNA

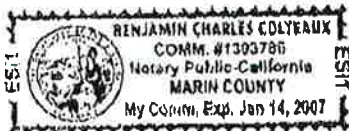
Gulfo Percivale Raimondo di Carpegna by Rufo di Carpegna his
GULFO PERCIVALE RAIMONDO di CARPEGNA,
by RUFO di CARPEGNA, his attorney-in-fact

Allegria Cristina Susanna di Carpegna by Rufo di Carpegna his
ALLEGRIA CRISTINA SUSANNA di CARPEGNA,
by RUFO di CARPEGNA, her attorney-in-fact

STATE OF CALIFORNIA)
County of MARIN) ss.

On this 10 day of December, 2004, before me, the undersigned, a notary public in and for said state, personally appeared RUFO ALFREDO CRISTOFORO di CARPEGNA, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



[Signature]
Notary Public for California
Residing at: 5+ Avenue, CA
Comm. expires: 1/14/2007

STATE OF CALIFORNIA)
) ss.
 County of Marin)

On this 10 day of December, 2004, before me, the undersigned, a notary public in and for said state, personally appeared RUFO diCARPEGNA, known or identified to me to be the attorney-in fact for GUELFO PERCIVALE RAIMONDO diCARPEGNA whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as attorney-in-fact.

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

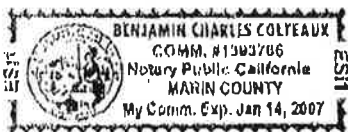


[Signature]
 Notary Public for California
 Residing at: San Anselmo, CA
 Comm. expires: 1/14/2007

STATE OF CALIFORNIA)
) ss.
 County of Marin)

On this 10 day of December, 2004, before me, the undersigned, a notary public in and for said state, personally appeared RUFO diCARPEGNA, known or identified to me to be the attorney-in fact for ALLEGRA CRISTINA SUSANNA diCARPEGNA whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as attorney-in-fact.

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



[Signature]
 Notary Public for California
 Residing at: San Anselmo, CA
 Comm. expires: 1/14/2007

BCT #501419B

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Instrument # 523745

HAILEY, BLAINE, IDAHO

2005-07-29

12:34:00 No. of Pages: 4

Recorded for : BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: WTYQC/CORP DEED

(Space above line for Recorder's use)

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, THE NATURE CONSERVANCY, a District of Columbia non profit corporation ("Grantor") does hereby grant, bargain, sell and convey to Thomas M. O'Gara, Trustee of the Thomas M. O'Gara Family Trust dated July 8, 1982, ("Grantee"), whose address is P.O. Box 1097, Bellevue, Idaho, 83313, the real property located in Blaine County, Idaho and more particularly described on the attached Exhibit A, which is incorporated herein by this reference("the Property").

TO HAVE AND TO HOLD the Property with all hereditaments and appurtenances thereto (except water rights which are conveyed under separate deed) unto the Grantee and Grantee's successors and assigns forever,

SUBJECT TO taxes for the year 2005, and thereafter, easements established or of record, restrictions and encumbrances of record, rights reserved in patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

Grantor shall warrant and defend the title against only the acts of Grantor and those claiming by or through Grantor and none other, subject to the matters set forth above.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 28th day of July, 2005.

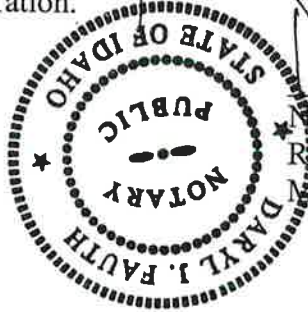
GRANTOR:

THE NATURE CONSERVANCY,
a District of Columbia non profit corporation

By Louise C. Lynch
Title Acting Director

STATE OF IDAHO)
COUNTY OF Blaine)SS.

The foregoing instrument was acknowledged before me this 20th day of July, 2005
by Louis C. Link, Jr., the Admin Director of The Nature Conservancy, a District
of Columbia non profit corporation.



[Signature]
Notary Public
Residing at [Signature]
My commission expires: 9/9/2006

Exhibit A
To Special Warranty Deed

The Property

PARCEL I

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

Section 25: SW1/4SW1/4

Section 26: SE1/4SE1/4; SE1/4SW1/4; W1/2SE1/4; SW1/4SW1/4

Section 27: S1/2SE1/4; SE1/4SW1/4

Section 35: NE1/4NW1/4

PARCEL II

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

A parcel of land within Sections 26 and 27, more particularly described as follows:

Beginning at the center quarter corner of said Section 26;

Thence South 0°20'59" East, 1321.82 feet to the c.s. 1/16 corner of said Section 26;

Thence South 89°43'17" West, 2635.34 feet to the South 1/16 corner common to Sections 26 & 27;

Thence South 89°46'30" West, 2649.89 feet to the c.s. 1/16 corner of said Section 27;

Thence South 89°51'12" West, 1322.44 feet to the SW 1/16 corner of said Section 27;

Thence North 0°14'32" West, 1073.52 feet along the west boundary of the NE1/4SW1/4 of said Section 27 to a 1/2" bar;

Thence North 89°50'20" East, 1408.33 feet to a 1/2" bar;

Thence North 3°40'30" West, 717.99 feet to a 1/2" bar;

Thence North 84°36'39" East, 991.57 feet to a 1/2" bar;

Thence North 5°10'50" West, 128.00 feet to a 1/2" bar;

Thence North 88°16'42" East, 505.06 feet to a 1/2" bar;

Thence South 19°38'39" East, 491.56 feet to a 1/2" bar;

Thence South 67°23'32" East, 319.34 feet to a 1/2" bar;

Thence South 20°09'59" East, 472.91 feet to a 1/2" bar;

Thence North 82°58'35" East, 1422.49 feet to a 1/2" bar;

Thence North 38°41'08" East, 561.70 feet to a 1/2" bar;

Thence North 70°18'09" East, 622.33 feet to a 1/2" bar;

Thence North 82°42'12" East, 456.22 feet to a 1/2" bar;

Thence South 25°50'53" East, 127.13 feet to a 1/2" bar;

Thence North 85°17'06" East, 279.70 feet to the east boundary of the SE1/4NW1/4 of said Section 26;

Thence South 0°21'04" East, 440.41 feet to the C 1/4 corner of said Section 26, the point of beginning.

Continue Exhibit A
To Special Warranty Deed

The Property

PARCEL III

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

Section 26: That part of the SW1/4NE1/4 lying south of county road

Section 26: A parcel of land in the SE1/4NW1/4 described as follows:

Beginning at a point on the east boundary of said SE1/4NW1/4, which lies North 0°21'04" West, 440.41 feet from the C 1/4 corner of said Section 26;

Thence South 85°17'06" West, 279.70 feet to a 1/2" bar;

Thence North 25°50'83" West, 127.13 feet to a 1/2" bar;

Thence North 82°42'12" East, 336.08 feet to a point on the east boundary of said SE1/4NW1/4 of said Section 26;

Thence South 0°21'04" East, 134.11 feet to the point of beginning.

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Instrument # 523746

HAILEY, BLAINE, IDAHO

2005-07-29

12:35:00 No. of Pages: 3

Recorded for: BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WTY/QCICORP DEED

(Space above line for Recorder's use)

QUITCLAIM DEED

For valuable consideration, The Nature Conservancy, a District of Columbia non profit corporation, does remise, release and quitclaim to Thomas M. O'Gara, Trustee of the Thomas M. Ogara Family Trust dated July 8, 1982, his heirs and assigns, all water rights appurtenant to the real property more particularly described on Exhibit A, attached hereto and incorporated herein by reference.

Dated: July 28, 2005.

THE NATURE CONSERVANCY,
a District of Columbia non profit corporation

By Louis C. Lunk, Jr.
Title Acting Director

STATE OF IDAHO)
COUNTY OF Blaine)ss.

The foregoing instrument was acknowledged before me this 28th day of July, 2005, by Louis C. Lunk, Jr., the Acting Director of The Nature Conservancy, a District of Columbia non profit corporation.

My commission expires: 9/9/2006

Notary Public

Address: Hailey, ID



Exhibit A
To Quitclaim Deed

The Property

PARCEL I

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

Section 25: SW1/4SW1/4

Section 26: SE1/4SE1/4; SE1/4SW1/4; W1/2SE1/4; SW1/4SW1/4

Section 27: S1/2SE1/4; SE1/4SW1/4

Section 35: NE1/4NW1/4

PARCEL II

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

A parcel of land within Sections 26 and 27, more particularly described as follows:

Beginning at the center quarter corner of said Section 26;

Thence South 0°20'59" East, 1321.82 feet to the c.s. 1/16 corner of said Section 26;

Thence South 89°43'17" West, 2635.34 feet to the South 1/16 corner common to Sections 26 & 27;

Thence South 89°46'30" West, 2649.89 feet to the c.s. 1/16 corner of said Section 27;

Thence South 89°51'12" West, 1322.44 feet to the SW 1/16 corner of said Section 27;

Thence North 0°14'32" West, 1073.52 feet along the west boundary of the NE1/4SW1/4 of said Section 27 to a 1/2" bar;

Thence North 89°50'20" East, 1408.33 feet to a 1/2" bar;

Thence North 3°40'30" West, 717.99 feet to a 1/2" bar;

Thence North 84°36'39" East, 991.57 feet to a 1/2" bar;

Thence North 5°10'50" West, 128.00 feet to a 1/2" bar;

Thence North 88°16'42" East, 505.06 feet to a 1/2" bar;

Thence South 19°38'39" East, 491.56 feet to a 1/2" bar;

Thence South 67°23'32" East, 319.34 feet to a 1/2" bar;

Thence South 20°09'59" East, 472.91 feet to a 1/2" bar;

Thence North 82°58'35" East, 1422.49 feet to a 1/2" bar;

Thence North 38°41'08" East, 561.70 feet to a 1/2" bar;

Thence North 70°18'09" East, 622.33 feet to a 1/2" bar;

Thence North 82°42'12" East, 456.22 feet to a 1/2" bar;

Thence South 25°50'53" East, 127.13 feet to a 1/2" bar;

Thence North 85°17'06" East, 279.70 feet to the east boundary of the SE1/4NW1/4 of said Section 26;

Thence South 0°21'04" East, 440.41 feet to the C 1/4 corner of said Section 26, the point of beginning.

Continue Exhibit A
To Quitclaim Deed

The Property

PARCEL III

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

Section 26: That part of the SW1/4NE1/4 lying south of county road

Section 26: A parcel of land in the SE1/4NW1/4 described as follows:

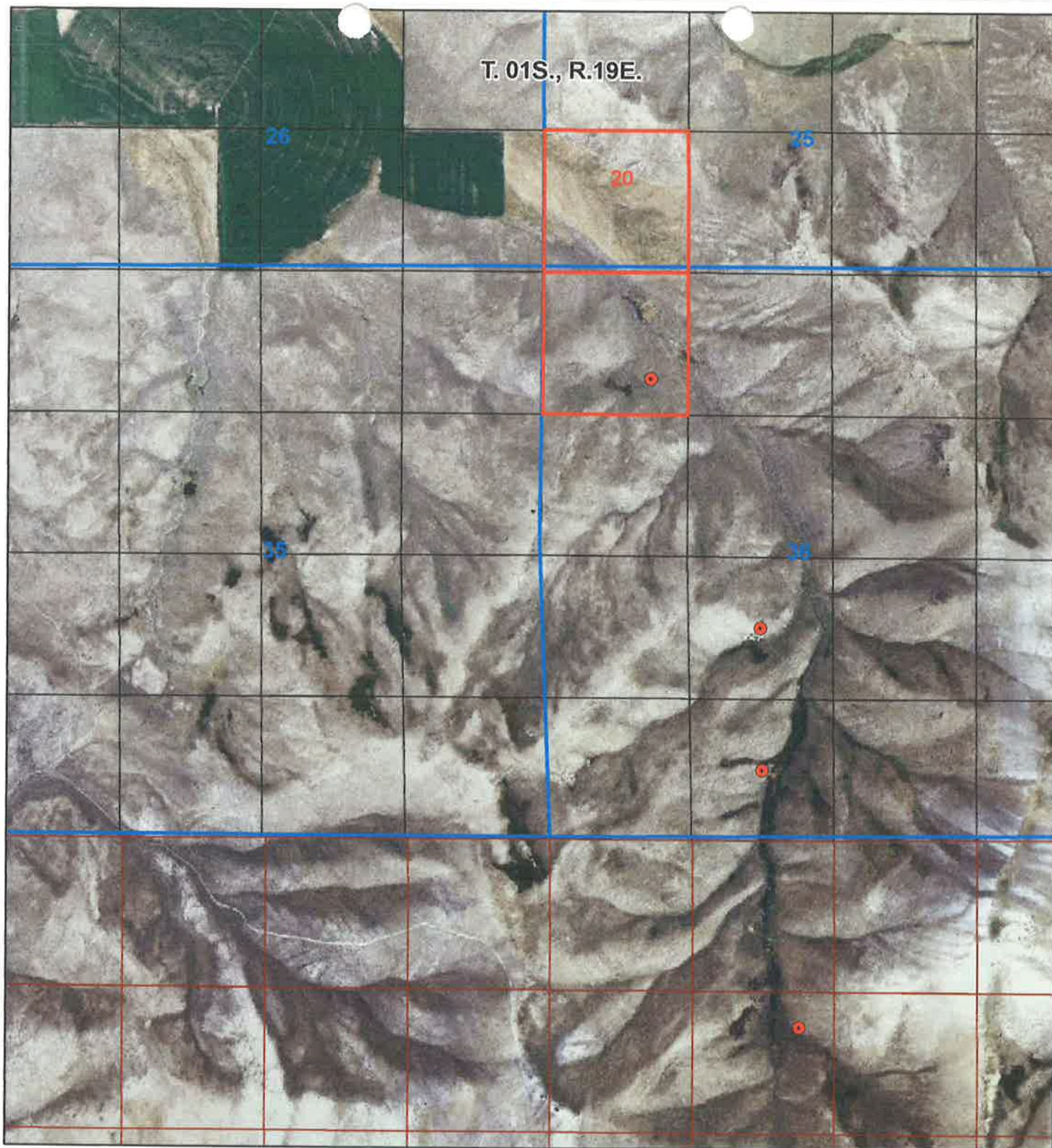
Beginning at a point on the east boundary of said SE1/4NW1/4, which lies North 0°21'04" West, 440.41 feet from the C 1/4 corner of said Section 26;

Thence South 85°17'06" West, 279.70 feet to a 1/2" bar;

Thence North 25°50'83" West, 127.13 feet to a 1/2" bar;

Thence North 82°42'12" East, 336.08 feet to a point on the east boundary of said SE1/4NW1/4 of said Section 26;

Thence South 0°21'04" East, 134.11 feet to the point of beginning.



THOMAS M O'GARA FAMILY TRUST
CLAIM # 37-2223
NAIP 2006 Aerial

Legend

BASIN, SEQNO, SUFFIX

● 37, 2223,

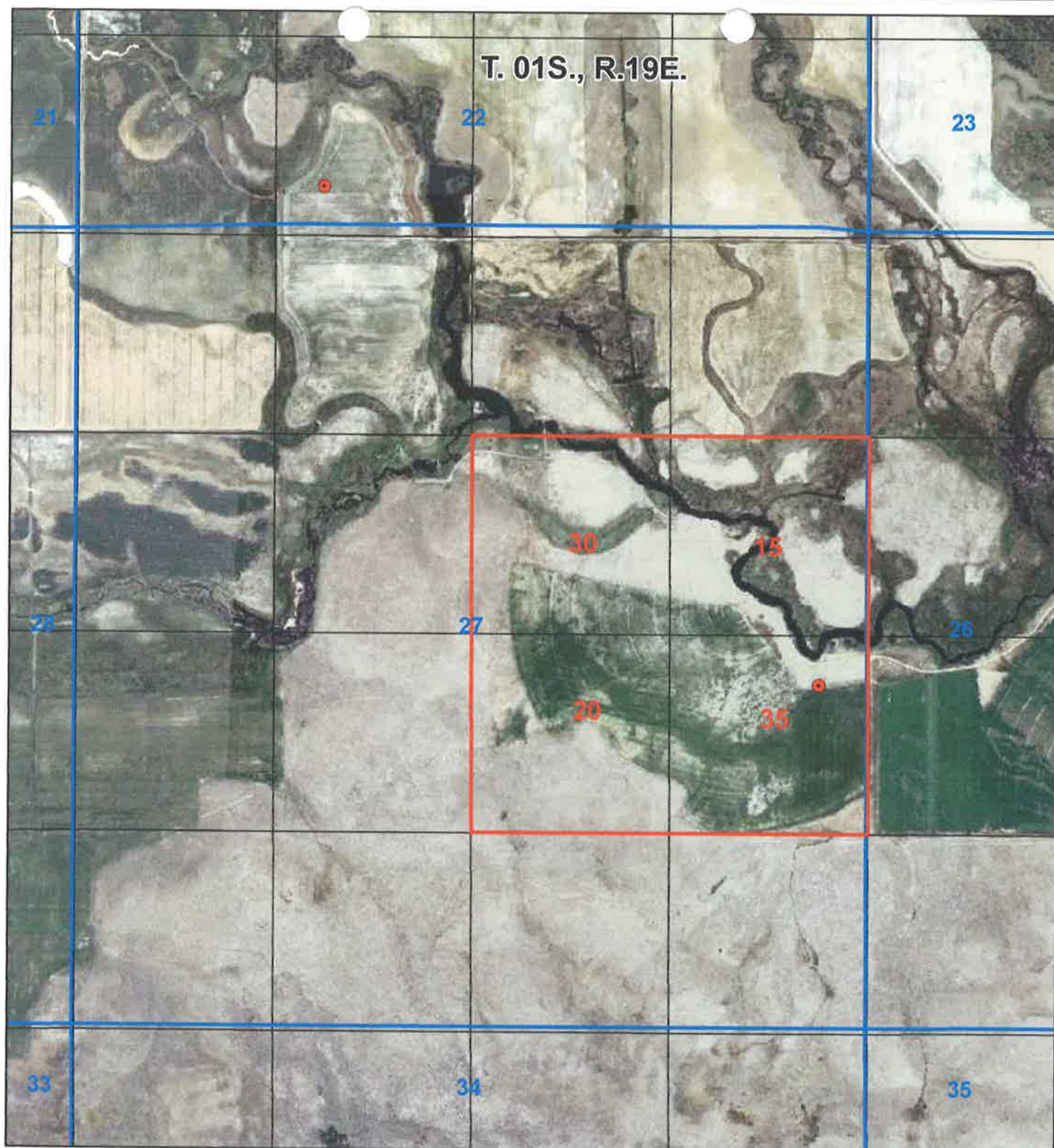
BASIN, SEQNO, SUFFIX

□ 37, 2223,

□ Sections

□ t01s19e

□ t02s19e



THOMAS M O'GARA FAMILY TRUST
CLAIM # 37-2609B
NAIP 2006 Aerial

Legend

BASIN, SEQNO, SUFFIX

● 37, 2609, B

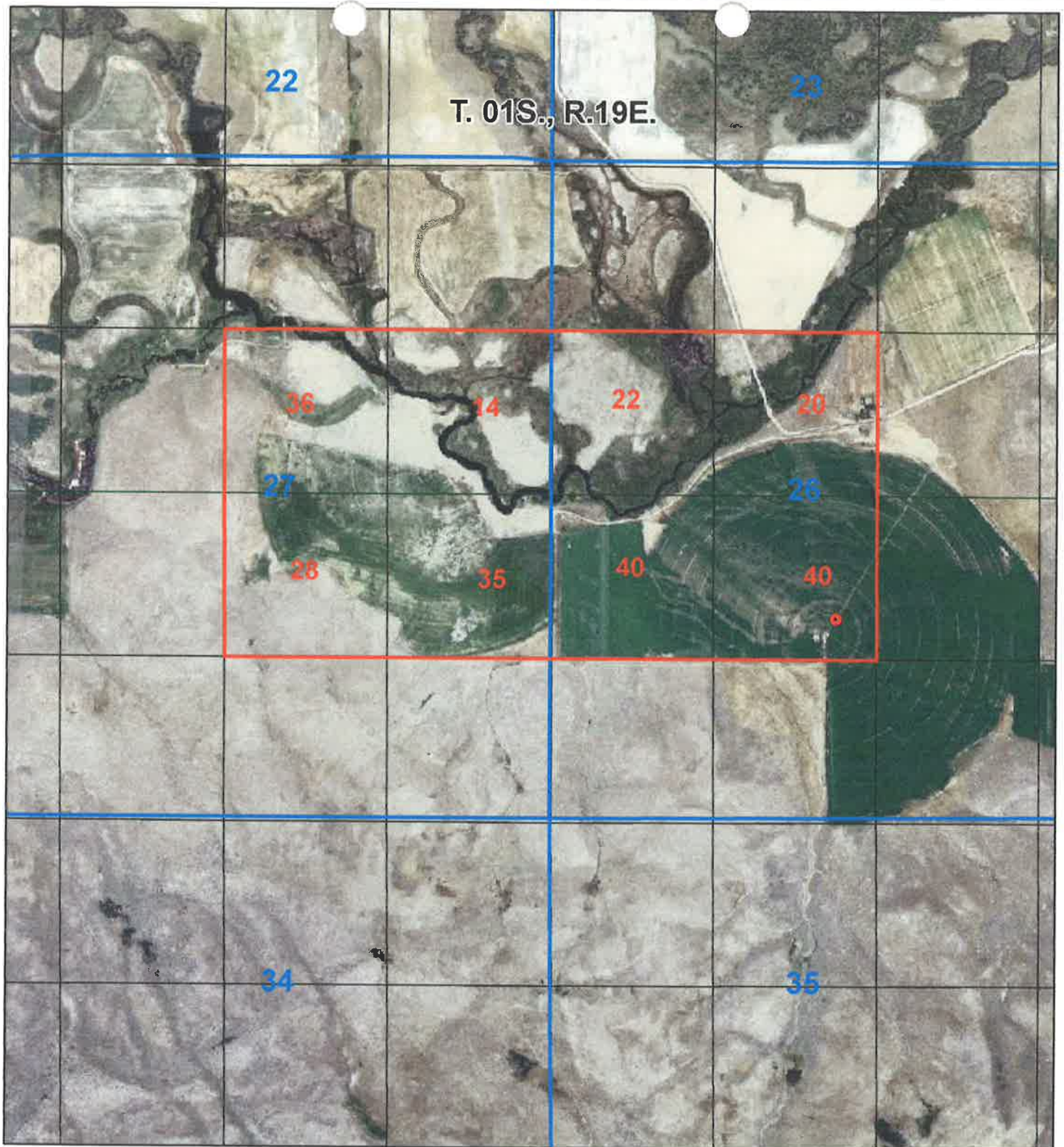
BASIN, SEQNO, SUFFIX

□ 37, 2609, B

□ Sections

□ 101s19e

□ 102s19e

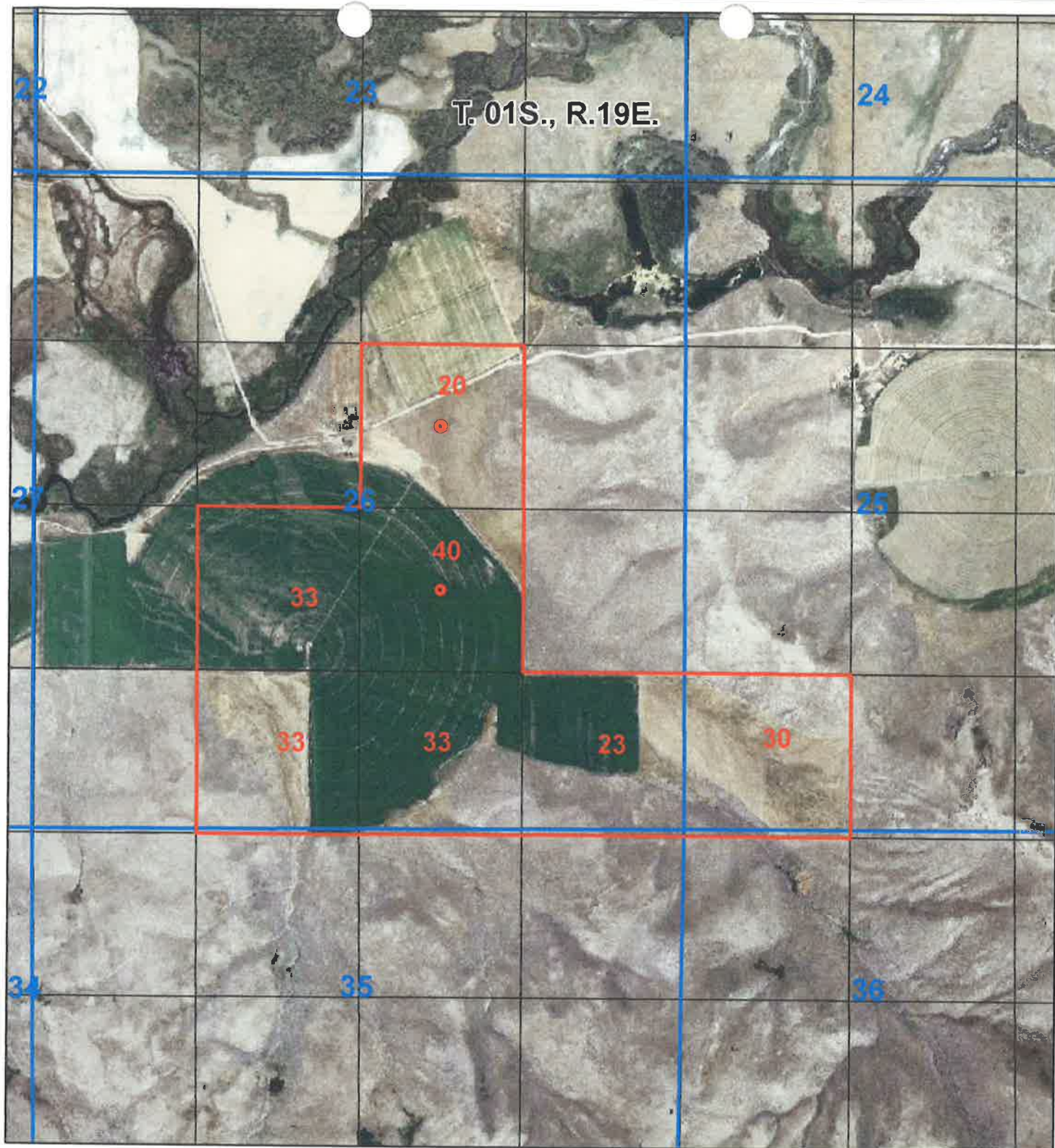


THOMAS M O'GARA FAMILY TRUST
CLAIM # 37-2618
NAIP 2006 Aerial

Legend
 Point_of_Diversion
 ● 37, 2618,
 Place_of_Use
 □ 37, 2618,
 □ Sections
 □ T01s19e

BROCKWAY ENGINEERING, PLLC.
ALR - JAN. 2, 2007

SCANNED
JAN 08 2007



THOMAS M O'GARA FAMILY TRUST
CLAIM # 37-7800
NAIP 2006 Aerial

Legend

Point_of_Diversion

● 37, 7800,

Place_of_Use

□ 37, 7800,

□ Sections

□ 01s19e

BROCKWAY ENGINEERING, PLLC.
ALR - JAN. 2, 2007

SCANNED

JAN 08 2007

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

12/20/2006

WATER RIGHT NO. 37-2223

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALLEGRA DICARPEGNA
Current Owner	GUELFO DICARPEGNA
Current Owner	RUFO DICARPEGNA
	35 W 54TH ST
	NEW YORK, NY 10019
Attorney	JAMES P SPECK
	SPECK & AANESTAD
	PO BOX 987
	KETCHUM, ID 83340
	(208)726-4421
Original Owner	KATHRYN ALLRED GARDNER
Original Owner	ROBERT E GARDNER
	PO BOX 1200
	HAILEY, ID 83333
	(208)788-2568

Priority Date: 10/14/1911

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.4 CFS	
STOCKWATER	1/01	12/31	0.12 CFS	
Total Diversion			0.4 CFS	

Location of Point(s) of Diversion:

SPRINGS	SENWNW	Sec. 36	Township 01S	Range 19E	BLAINE County
SPRINGS	NESW	Sec. 36	Township 01S	Range 19E	BLAINE County
SPRINGS	SESW	Sec. 36	Township 01S	Range 19E	BLAINE County
SPRINGS	NESENW	Sec. 01	Township 02S	Range 19E	BLAINE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

SCANNED
JAN 08 2007

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01S	19E	25		SWSW	20									

Place of Use Legal Description: STOCKWATER BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01S	19E	25		SWSW										
		36		NWNW										

Total Acres: 20

Conditions of Approval:

1. S/ USE WAS NOT NEEDED ON WR BUT HAS BEEN INCLUDED IN THIS CLAIM. CONFORMED ATTORNEY MAILING ADDRESS DMS

Dates:

Licensed Date: 05/10/1979

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector: AND/OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

COANNED

JAN 08 2007

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

12/20/2006

WATER RIGHT NO. 37-2609B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALLEGRA DICARPEGNA
Current Owner	GUELFO DICARPEGNA
Current Owner	RUFO DICARPEGNA
	35 W 54TH ST
	NEW YORK, NY 10019
Attorney	JAMES P SPECK
	SPECK & AANESTAD
	PO BOX 987
	KETCHUM, ID 83340
	(208)726-4421
Original Owner	KATHRYN ALLRED GARDNER
Original Owner	ROBERT E GARDNER
	PO BOX 1200
	HAILEY, ID 83333
	(208)788-2568

Priority Date: 10/08/1958

Basis: License

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>Volume</u>
IRRIGATION	4/01	11/01	1.414 CFS	
Total Diversion			1.414 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSESW	Sec. 22	Township 01S	Range 19E	BLAINE County
GROUND WATER Rediversion	NENESE	Sec. 27	Township 01S	Range 19E	BLAINE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01S	19E	27		SWNE	30		SENE	15						

COANNED
JAN 08 2007

				NESE	35			NWSE	20							
--	--	--	--	------	----	--	--	------	----	--	--	--	--	--	--	--

Total Acres: 100

Conditions of Approval:

1.	THIS WELL IS SHARED BY 3 CLAIMANTS. WATER IS DIVERTED INTO CHANEY CR.(SWSES, S.22) AND DIVERTED OUT FROM POINT OF RE-DIVERSION LISTED. ***** THIS AMENDMENT IS TO CORRECT THE AMOUNT OF WATER CLAIMED. 4.04 CFS IS THE TOTAL AMOUNT OF THE ORIGINAL RIGHT. THE AMOUNT CLAIMED BY RALF AND HARRIET STINSON (A37-02609A) SHOULD ALSO BE AMENDED AND REDUCED AS THEY HAVE ALSO CLAIMED THE ENTIRE AMOUNT OF THE ORIGINAL RIGHT (4.04 CFS).
----	---

Dates:

Licensed Date: 05/15/1979

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector: AND/OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED

JAN 08 2007

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

12/20/2006

WATER RIGHT NO. 37-2618

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALLEGRA DICARPEGNA
Current Owner	GUELFO DICARPEGNA
Current Owner	RUFO DICARPEGNA
	35 W 54TH ST
	NEW YORK, NY 10019
Attorney	JAMES P SPECK
	SPECK & AANESTAD
	PO BOX 987
	KETCHUM, ID 83340
	(208)726-4421
Original Owner	KATHRYN ALLRED GARDNER
Original Owner	ROBERT E GARDNER
	PO BOX 1200
	HAILEY, ID 83333
	(208)788-2568

Priority Date: 06/29/1959

Basis: License

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>Volume</u>
IRRIGATION	4/01	11/01	2.39 CFS	705 AFA
Total Diversion			2.39 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SENESW	Sec. 26	Township 01S	Range 19E	BLAINE County
--------------	--------	---------	--------------	-----------	---------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01S	19E	26		SWNW	22		SENW	20						
				NESW	40		NWSW	40						

SCANNED
JAN 08 2007

Water Right Report

		27		SWNE	36		SENE	14									
				NESE	35		NWSE	28									

Total Acres: 235

Dates:

Licensed Date: 05/15/1979

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector: AND/OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

SCANNED

JAN 08 2007

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

12/20/2006

WATER RIGHT NO. 37-7800

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALLEGRA DICARPEGNA
Current Owner	GUELFO DICARPEGNA
Current Owner	RUFO DICARPEGNA
	35 W 54TH ST
	NEW YORK, NY 10019
Attorney	JAMES P SPECK
	SPECK & AANESTAD
	PO BOX 987
	KETCHUM, ID 83340
	(208)726-4421
Original Owner	KATHRYN ALLRED GARDNER
Original Owner	ROBERT E GARDNER
	PO BOX 1200
	HAILEY, ID 83333
	(208)788-2568

Priority Date: 10/09/1979

Basis: License

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>Volume</u>
IRRIGATION	4/01	11/01	3.75 CFS	636 AFA
Total Diversion			3.75 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 26	Township 01S	Range 19E	BLAINE County
GROUND WATER	NWSE	Sec. 26	Township 01S	Range 19E	BLAINE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01S	19E	25		SWSW	30									

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Page 2 of 2

[illegible]

Conditions of Approval:

1.		1 point of diversion on center line of NWSE & SWNE, S26, T1S, R19E.
2.	R29	This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

Enlargement Statute Priority Date:

Close

כְּתוּבָה

JAN 08 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 27, 2006

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

RE: Snake River Basin Adjudication (SRBA) ✓
Notices of Claim to a Water Right #37-2223, 37-2609B, 37-2618 and 37-7800

Dear Claimant:

We have been advised you may be the owner of the property and water right claims referenced above.

Before we can change our records, we require the enclosed Notice of Change in Water Right Ownership form be completed.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

ss:region

Enclosure:

Notice of Change in Water Right Ownership Form

SCANNED

OCT 27 2006

Robert / Kathryn Gardner

Box 470

Bellevue 83313 788-2568

A37-11763 ✓

1945 1. 1N 19E S. 28 NE SE SW 1 H. (04) 300 B.

A37-11764 ✓

1982 2. 1S. 19E S. 3 ~~X~~ SW SE SE 1 H.

A37-11765 ✓

1950 3. 1S 19E S. 13 ~~X~~ ~~SE~~ ^{NE} NE NE 1 H. (04) 300

1890 4. A37-11766 ~~X~~ " ~~X~~ NE " " 1 H. + 500

1976 5. A37-11767 ✓

S. 13 ~~X~~ SW NW NW 1 H. + 2 Horses

1964 6. 9-9-1962 4N 18E

Added Spring
A37-12103
10/26/88

10 Tel. ct.
50 + 15 (65.00)

Kathryn
Mary Ellen
Dorothy
Boise

7. 4N 18E.

(01) 20 Acres
NE SE

(10) Trailer Ct.
SW SE.

Springs

8. Y25 Laverly 1N. 19E
9. Y76 Hayshed 1S. 20E
10. Y75 ✓ 1S. 19E
11. pole line 1S. 19E
12. seeding 2S. 19E.
13. 1 Tank 2S 19E
14. windmill 2S. 20E
5. 2S. 19E S. 11 ~~X~~

Tanks

(04) 200 Hd.
(04) 1000 Hd.
(01) 2A.
(04) 100 Hd.
800 Hd.
100 Hd.

A37-02223

-02618

-07800

-026098

-11756

(50)

total (285)

(-33 \$) (229)

(50)

(25)

A37-11782

A37-11783

A37-11785

A37-11786

500

100 Hd.

Robert / Kathryn Gaedner

Box 470

BelleVue 83313 788-2568

A37-11763 ✓

1945 1. 1N 19E S. 28 NE SE SW 1 H. (04) 300 B.

A37-11764 ✓

1982 2. 1S. 19E S. 3 X SW SE SE 1 H.

A37-11765 ✓

1950 3. 1S 19E S. 13 X NE SE NE NE 1 H. (04) 300

1890 4. A37-11766 ✓ " X NE " " 1 H. + 500

A37-11767 ✓

1976 5. 1S. 19E S. 13 X SW NW NW 1 H. + 2 Houses

1964 6. 4N 18E

A37-11768 ✓

S. 30 SE SW SE

10 Trl. ct.

(comm.)

50 + 15 (65)

Kathryn
Mary Ellen
Dorashnee
Boise

4N 18E

A37-04375 (Spring)

37-04375

SW NE SE

(01) 20 Acres NE SE

65 + 60 (125) (10) Trailer ct. SW SE.

Springs

8. Y25 Laverly 1N. 19E. S. 35 X A37-11770 Tanks (04) 200 Hd.
9. Y76 Hayshed 1S. 20E S. 7 X A37-11771 (04) 1000 Hd.
10. Y75 ✓ 1S. 19E Permit S. 13 X A37-11772 (01) 2A.
11. pole line 1S. 19E. S. 35 X A37-11775 (04) 100 Hd.
12. seedling 2S. 19E. S. 3 X A37-11780 800 Hd.
13. 1 Tank 2S 19E S. 9 X A37-11781 100 lbs
14. windmill 2S. 20E S. 11 (?) X A37-11782 500
5. 2S. 19E S. 11 X A37-11783 100 Hd.

A37-02223

(50)

-02618

total (285)

-07800

(-33 \$) (229)

-02609B

(50)

-11756

(25)

A37-11785

A37-11786

A37-11790
A37-11791
A37-11792
A37-11794
A37-11795

Sagebrush Spr.

~~Spr.~~

~~Fish Canyon~~

25. 19E

SW NWSE.

100 H2

S. 17

#72 52-

475-

639-

1166

(190⁰⁰)

577 BA →

"New #"

50 A37-00713 B ok

~~A37-08219~~ - NO proof

418 A →

"418 D"

64 A37-00802 ✓

419 A →

"419 D"

98 A37-02684 ok

H

665 → 50 A37-00665 H ✓

F

666 → 50 A37-00666 F ✓

K

667 → ~~TOTAL~~ A37-00667 K ✓

50 A37-00418 D ok

50 A37-00419 D ok

~~A37-08294~~ Drop.

50 A37-02345 A ok

50 (577 BA) A37-11671 ok

50 A37-00353 D ok

281 ~~A37-00480 B~~ ok

Total = 280 A37-00637 ✓

50 A37-00638 ✓

Total - A37-00443 ✓

Proofs

WATER # 5

	#	"	Date	splits
✓ /	37-0713 'B'	150" (3.0)	6-10-1880 ok	2
file	37-0577 'BA'	69" (1.38)	3-24-1883	WT Riley
✓	37-0665 'C'	130" } 408 2.6 278" } (8.16) 5.56	10-15-1884	?
✓	665B ?			
✓	37-0666 'A'	69.50 } 351.4 1.39 9.9 } (7.03) .198 92.0 } 1.84	6-12-1886	?
A+B O ✓	37-0353 A+B	180" } 3.6	6-12-1886	7
✓ /	37-0418 'A'	76.50 } 87.4 1.53 10.90 } (1.75) 2.18	6-23-1888	* Needs split C
✓ /	37-0419 'A'	40.5 } (9.3) 1.81 5.8 } 1.16	8-2-1889	* needs split C
✓ /	37-480	175 (3.5)	6-15-1891	
✓ /	37-0667 'E+F'	138 } 6.83 2.76 19.8 } 3.76 183.5 } 3.67	6-15-1891	
✓	'B'			

? others:

✓	37-0664		
✓	37-2684	6.8 ok	
37-0115 B	(cfs)		
4.5 ok	✓ 37-8219	✓ 37-2223 spr.	ok .40
5.0 ok	✓ 37-0802	37-7800 gw	3.75
✓	37-0443	37-02618	
✓	37-0219	37-02609	
✓	37-0637	37-8294	
✓	37-0638	37-02345	

664
665C

666A

667E.

37-0713 B

37-2684

(#4) 1 N. 19E.
S. 33

NE NW

NW NW

SW NW

SE NW

NWNE

SWNE ?

SENE

(#1) S. 34

SWSW

NW SW

SE SW

- OR -

~~S. 33~~ → ~~NESE~~ 4A.

(#4)

S. 28

SWSW

SE SW

37-0713 B

577 BA

37-2684

664

713 B

665B

666A+B

2684

667E+F

1 S. 19E.

(#5)

S. 1 SWSE

SWSW ? 8219

S. 12 NWNW 0802 8219

NE NW - 8219 443

SW NW 8219 802

SE NW 8219 802

NW SW 8219 802 443

NESW 443

NW SE 802

SWSE + 8219

SESE all 3

20E.

S. 7 SWSW

SESW

19E

S. 13 NENE 802 SWNE ?

NWNE SENE

20E

S. 18 NENW 802 8219

NW NW 802

SW NW 637 638 802

SE NW + 8219

NESW all 4

NWSW 637 638

SWSW

SE SW

North Farm

#3

1N. 19E.

37-0418 A

419 A

2345

8294 (GAR)

S. 18

SW NE

SE NE

+ 5778A → NE SE

" NW SE

SW SE

SE SE

NE NE

NW NE

418A

S. 19

419A

667B

8294

map

#2

1S. 19E.

S. 27

NE SE

NW SE

SE NE

SW NE

2609 →
2618

S. 26

NW SW - 2618

NE SW < 2618
7800

SE SW

SE NW - 2618

SW NE < 2618
7800

NW SE

SW SE

SE SE

S. 25 SW SW

37-2223 SPR.
37-7800 G.W.

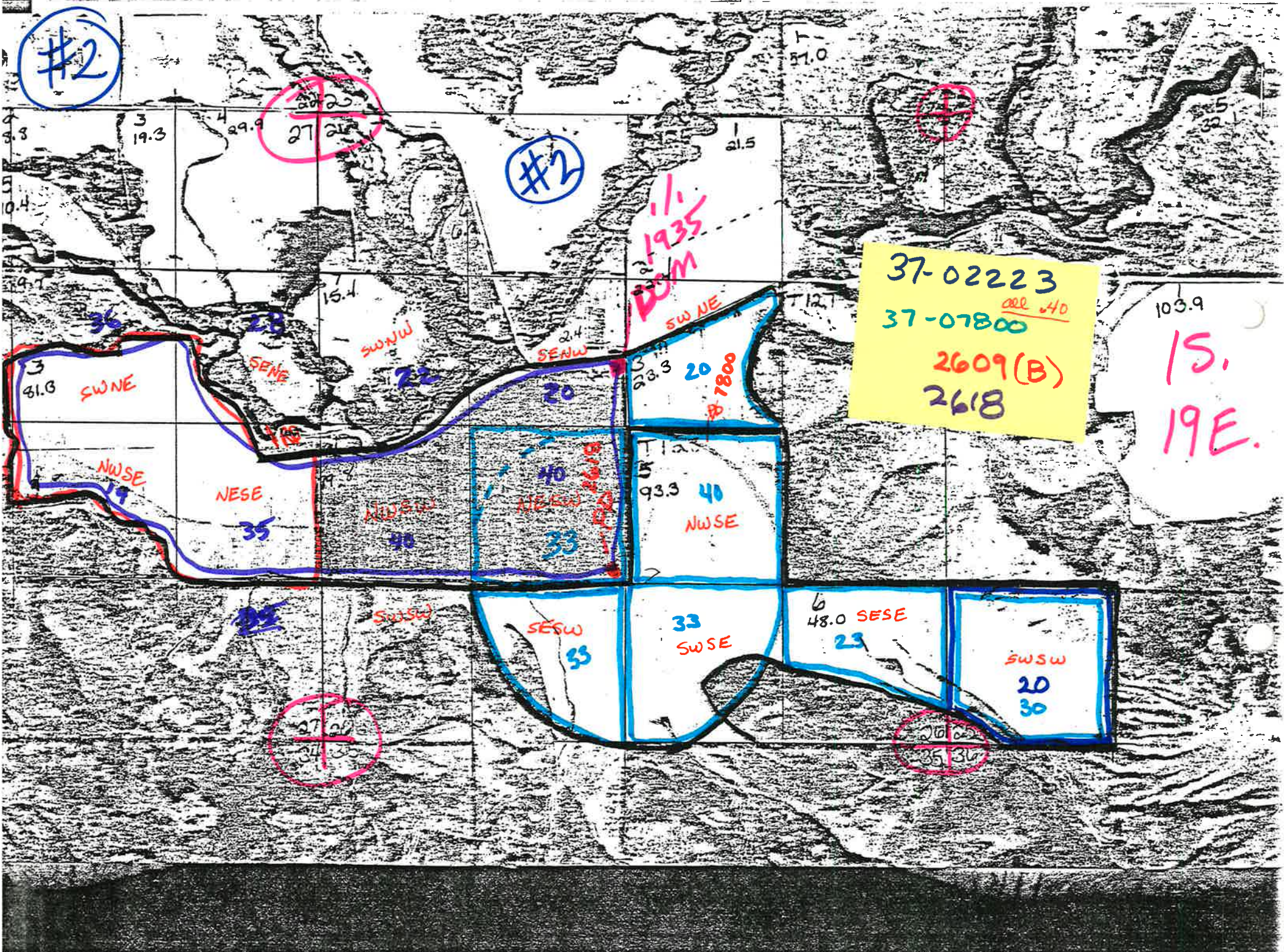
#2

#2

11/1935
DOM

37-02223
37-07800 ^{all 40}
2609(B)
2618

15.
19E.



#3

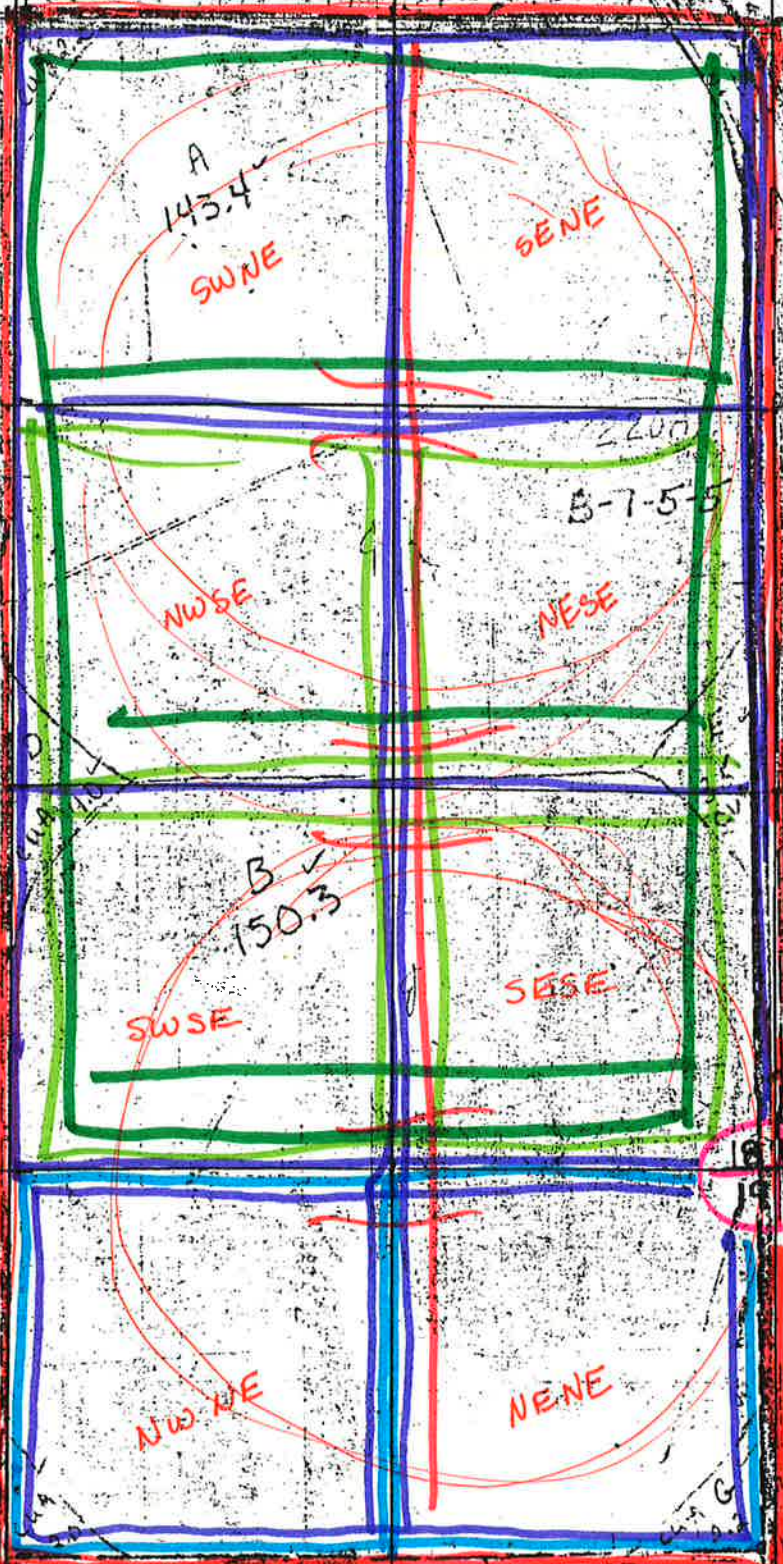
7 8
18117

41.2

51.6

35.0

7.2



One system

S. 18

SWNE
SENE

NE SE
NW SE
SW SE
SE SE

all
406

S. 19

NENE
NWNE

A
149.2

B
78.9

IN.
19E.

all
acc
add
353
0

2345
~~8294~~

same

52.6
418A
37-00419A
37-0667 B
5778A

18 17
19 00

51.5

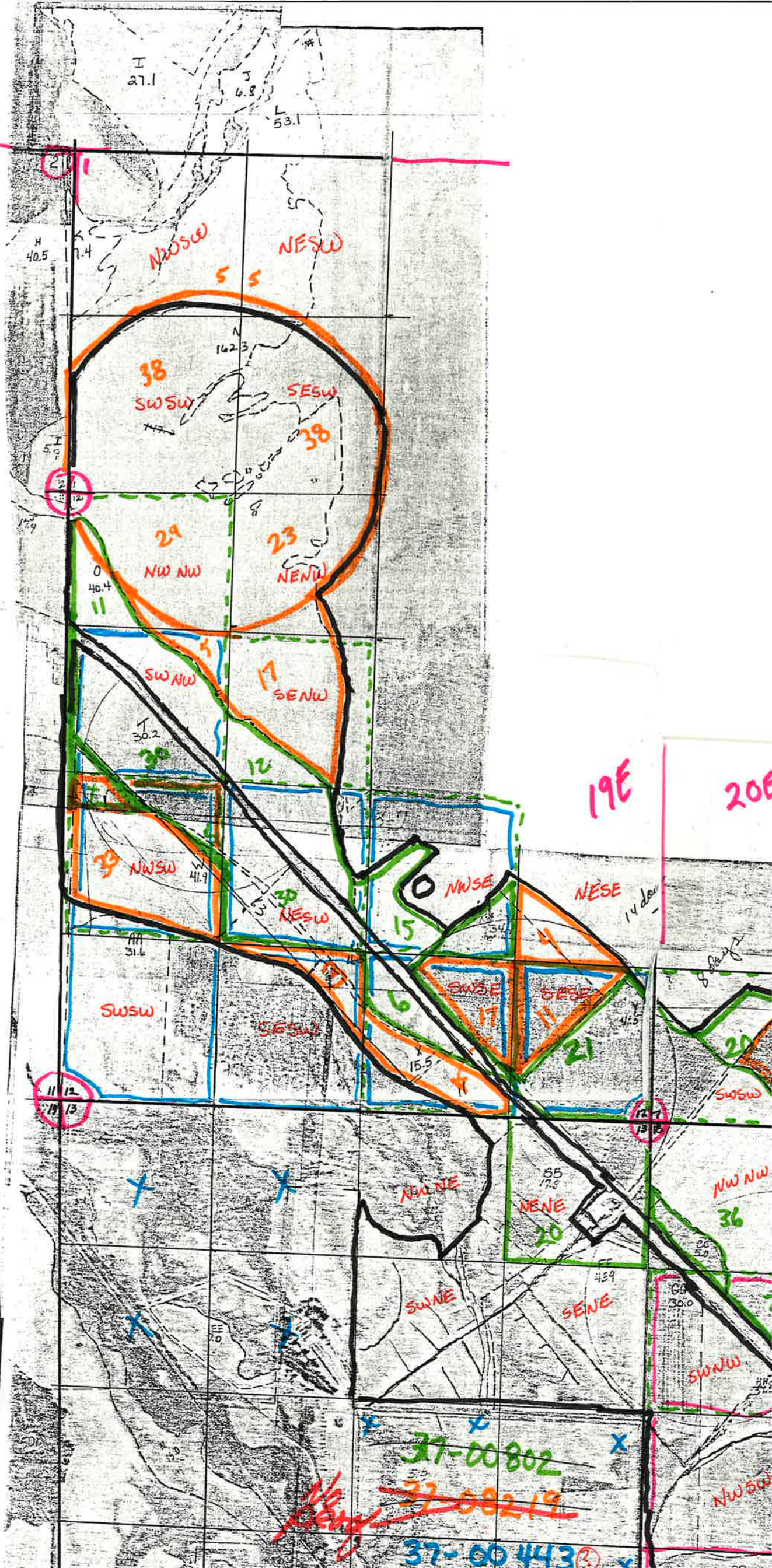
I 47.7

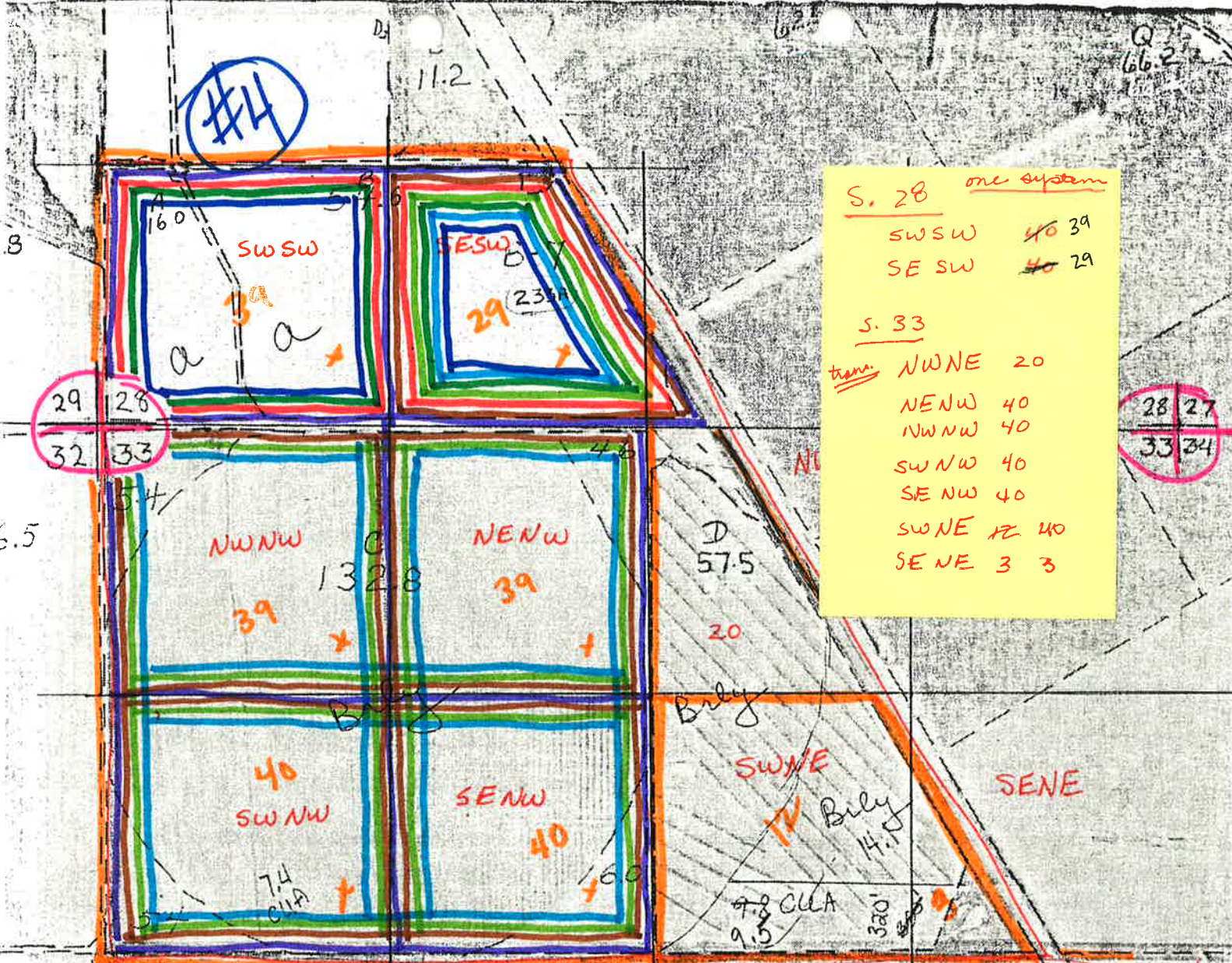
K
59

IN.

15.
196

15





S. 28 one system

SW SW	40	39
SE SW	40	29

S. 33

trans. NWNE	20
NENW	40
NWNW	40
SW NW	40
SE NW	40
SW NE	12 40
SE NE	3 3



~~37-00665~~
 37-00 665 C
 37-00 665 B (all .36)
~~37-00667~~
 37-00 667 E
 667 F (all .70)
 666 A
 666 B (all .34)

IN.
 19E.
 37-001158 SE
 37-007138 (SWR)
 37-02684 (SW)

NOT TO SCALE

#1

28 27
33 34
41.4

1N.
19E.

577 BA
<SPLIT>

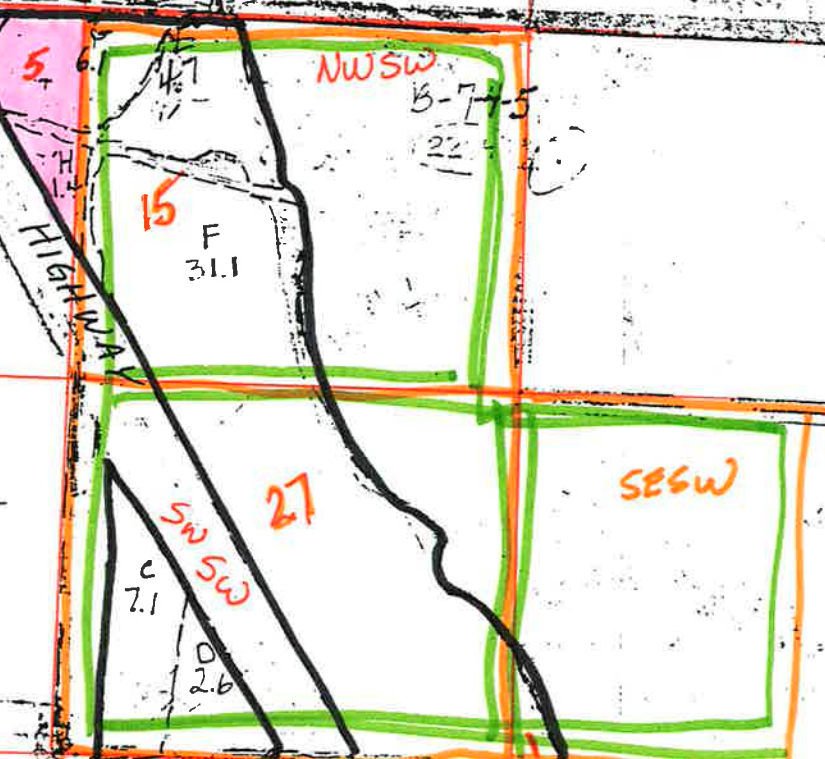
S. 33
NESE 5
S. 34
NW SW 15
SW SW 27
SE SW 1

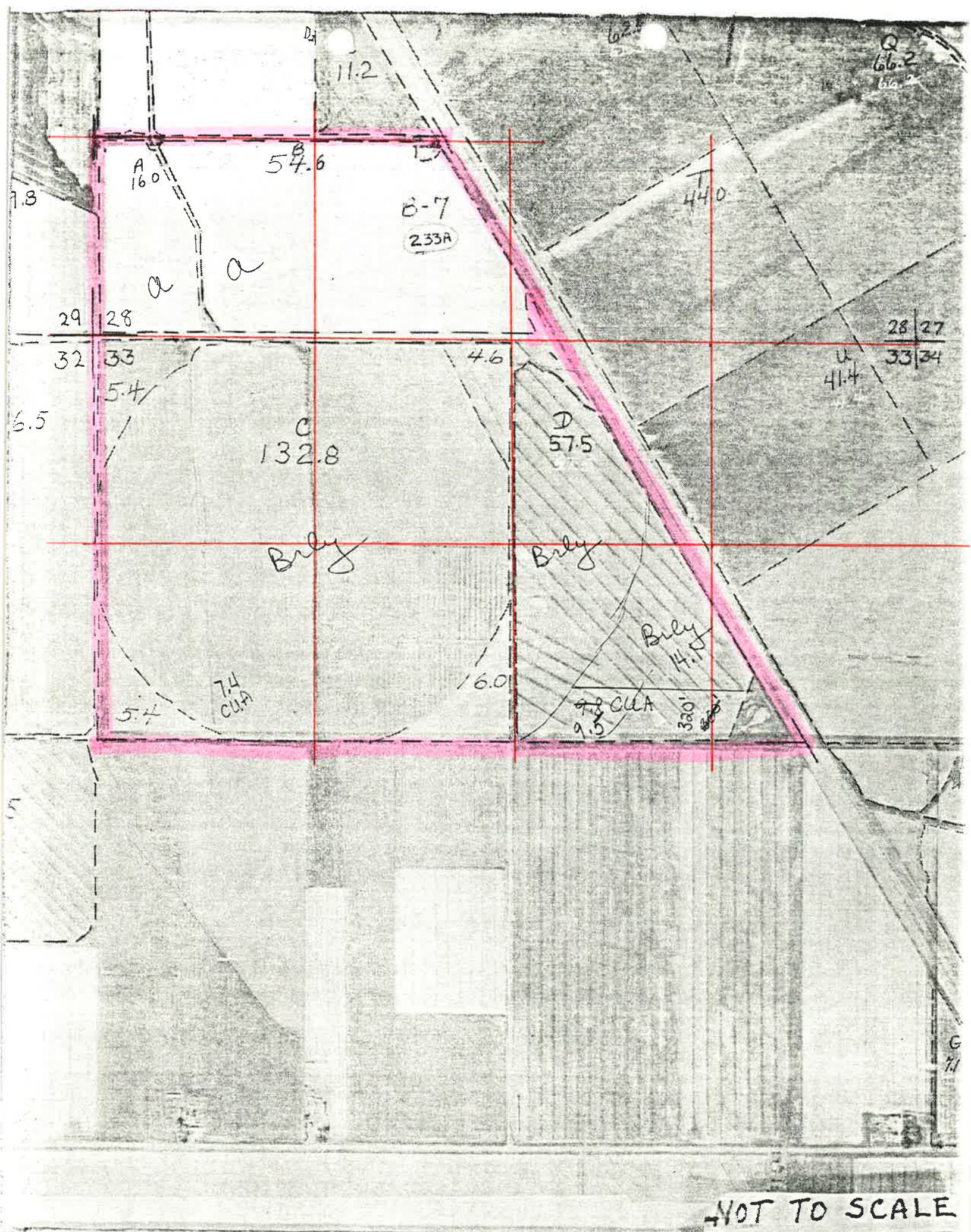
#1

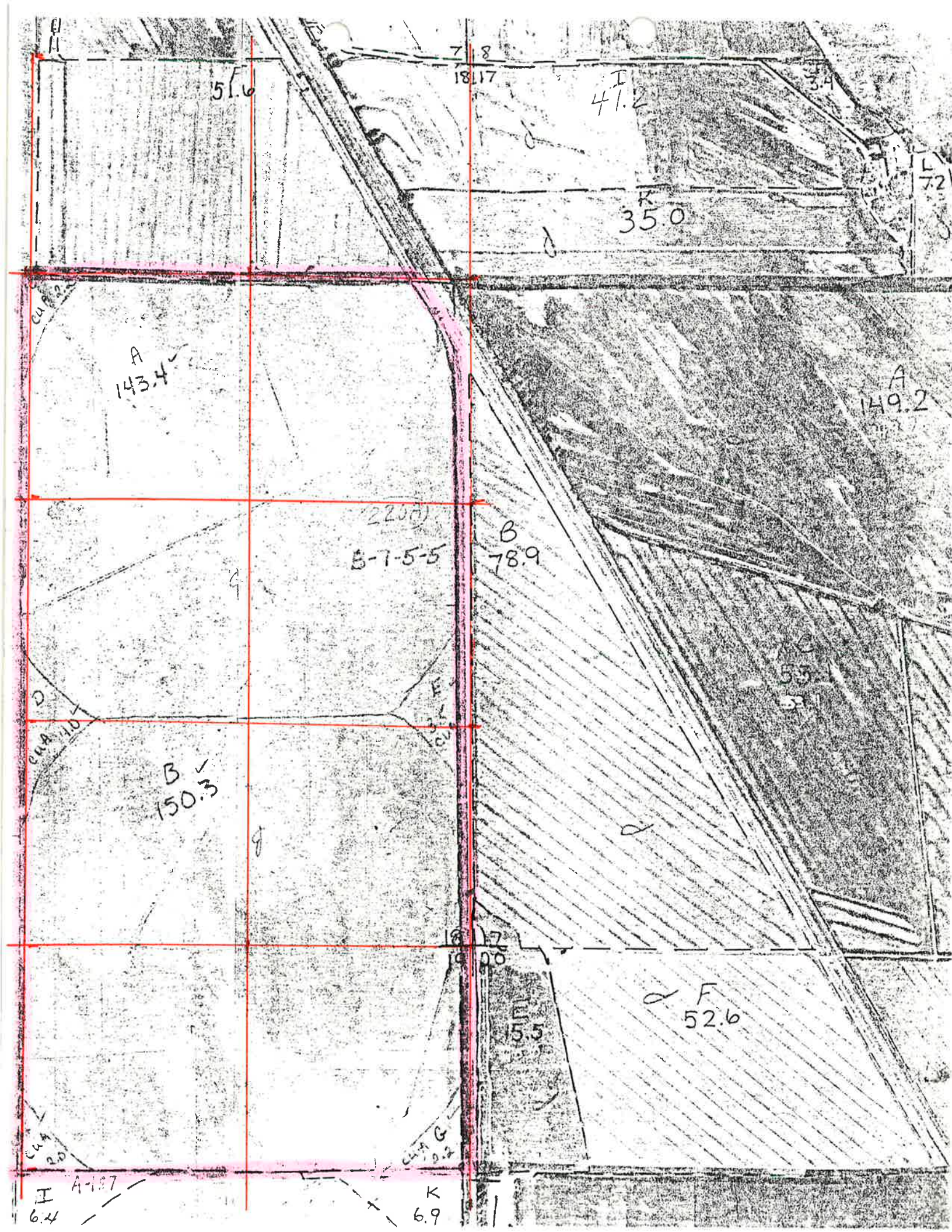
add
P/H

NESE

577BA
A37-00713 B (BWR)
37
02684 (GPO)







51.6

71.8
18117

I
41.2

3.4

72

K
350

A
143.4

A
149.2

2208
B-7-5-5

B
78.9

B
150.3

53.1

5.5

F
52.6

1812
18100

G
10.2

I
6.4

K
6.9

D
142-1
13

F
34.0

U
41.4

28	27
33	34

Y
67.6

G
23.6
14.0

155.6 L 142

797

6.1

4.7

B-745
22.4

F
31.1

H
HIGHWAY

C
7.1

D
2.6