

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: **A37-02604**
Date Received: 10/18/1988
Receipt No: S003040
Received By: **CT: OWNER CHANGE**

~~COPY FOR~~
~~YOUR FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPY FOR~~
~~YOUR FILES~~

1. Name: THOMAS O GARA FAMILY TRUST
Address: 222 WEST 4TH ST
FT WORTH TX 76102

2. Date of Priority: JUL 29, 1958

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	17	NE	NW	SE		BLAINE

5. Description of diverting works:
ARTESIAN WELL, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			2.500		

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

8. Total consumptive use is 1925.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	16	NE	NW		IRR	33.0
			NW	NW		IRR	20.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	16	NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	25.0
			SW	SE		IRR	39.0
			SE	SE		IRR	38.0
						Section Acres	395.0
		17	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	160.0
		20	NE	NE		IRR	35.0
			NW	NE		IRR	20.0
						Section Acres	55.0
		21	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
						Section Acres	160.0
						Total Acres	770.0

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:

A37-02599, A37-02616, A37-02581, A37-07758.

14. Remarks:

08/10/99, CHANGED OWNERSHIP: CHEMS TO O GARA FAMILY TRUST AS PER 1409(6), WARRANTY DEED, TITLE INS. REC'D 06/24/98. C.T.

15. Basis of Claim: LICENSE

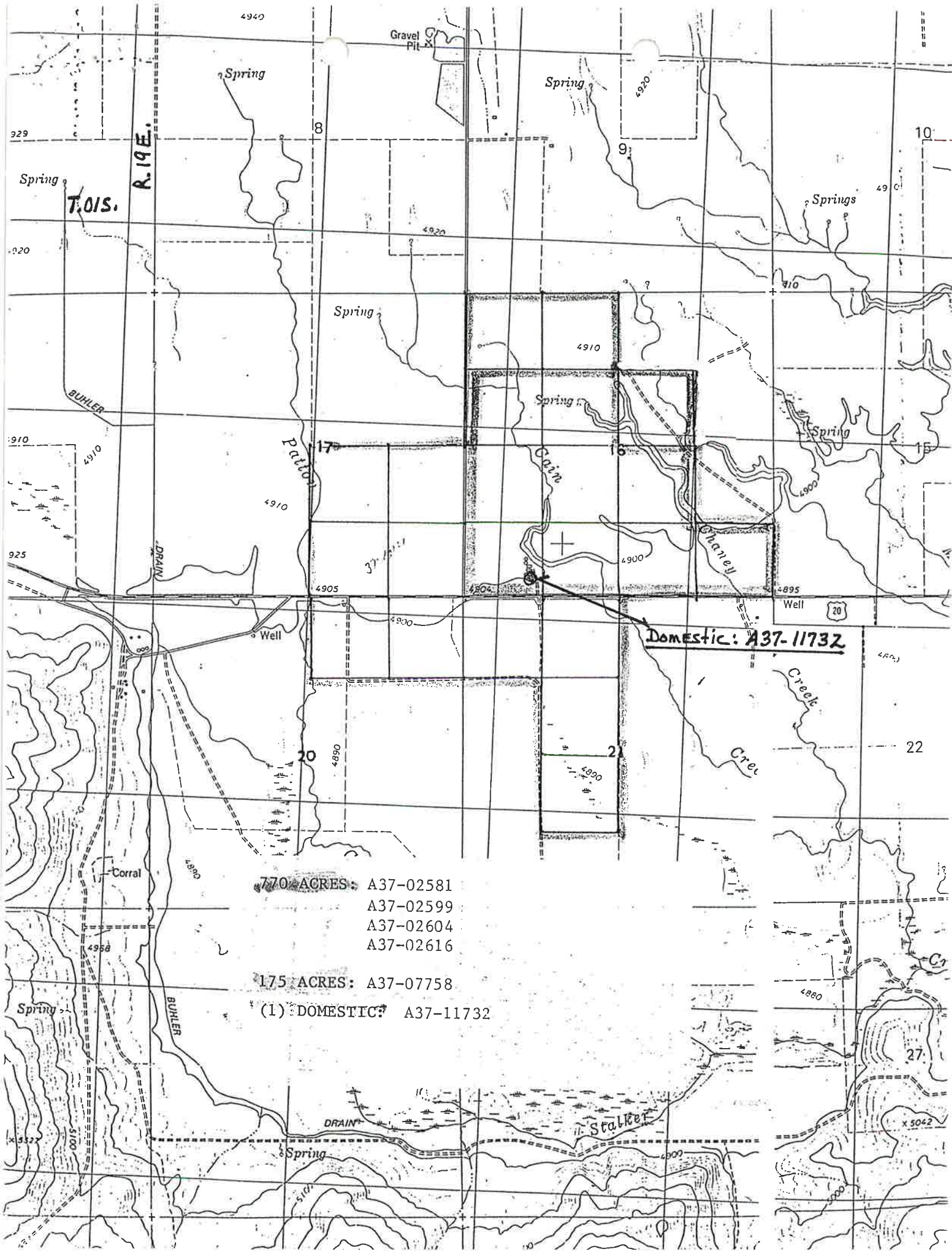
Water Right Number: 27512

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

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

JUN 24 1998
Department of Water Resource
Southern Region

1. Water Right Number(s) _____
Adjudication Claim Number(s) A37-02581; A37-02599; A37-02604; A37-02616; A37-07758; A37-11732
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent ^{*} DEED, ^{*} TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND * MAP
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) CHEMS
PO BOX 237
GOODING ID 83330
4. New Owner/Claimant(s) THOMAS O'GARA FAMILY TRUST, THOMAS O'GARA TRUSTEE
New Mailing Address WEST 4TH STREET
City, State and ZIP Code FORT WORTH TX 76102
New Telephone Number () -
5. Date you acquired the property MARCH 24, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Thomas O'Gara Trustee of the Date 6/18/98
Thomas O'Gara Trust Date _____
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



#23686
AR02WARRANTY DEED

COPY

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

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

Dated: May 31, 1998

CS&B,LLP, an Idaho limited liability partnership

Carol Diane Herrmann
Carol Diane Herrmann, partner

Harvey Myron Bickett
Harvey Myron Bickett, partner

Elizabeth Jane Bickett
Elizabeth Jane Bickett, partner

414850

Deed

BLAINE CO. REQUEST

OF: SAWTOOTH TITLE

'98 JUN 1 PM 2 32

MARY GREEN, CLERK

FEES \$ 30.00

STATE OF IDAHO)
County of Ada) : ss.

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

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



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

STATE OF IDAHO)
County of Ada) : ss.

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

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

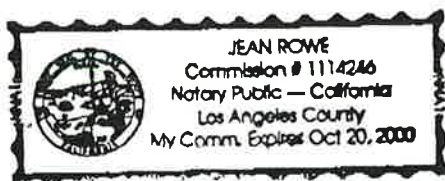


Connie J. Dart
Notary Public
Residing at: Boise Idaho
My Commission Expires: 6-24-98

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

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

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



Jean Rowe
Notary Public 12701 De Foe Ave
Residing at: Sylmar CA 91342
My Commission Expires: 10/20/00

Boise:0088368.01

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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence N. 89° 27' 32" E., 664.32 feet along the North boundary of said Section 16 to the Northwest Corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 27' 32" E., 664.32 feet to the Northeast corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16; thence S. 00° 06' 47" E., 1303.01 feet to the Southeast corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16; thence S. 89° 33' 07" W., 666.17 feet to the Southwest corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16; thence N. 00° 01' 52" W., 1301.95 feet to the TRUE POINT OF BEGINNING. (Tax Lot 260)

AND

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

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

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

AND

CONTINUED



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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4 corner of said Section 16; thence N. 89° 38' 40" E., 1336.05 feet to the Southwest corner of the SE 1/4 NW 1/4 of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 00° 06' 47" W., 1303.01 feet to the Northwest corner of the SE 1/4 NW 1/4 of said Section 16; thence N. 89° 33' 07" E., 982.43 feet along the North boundary of the SE 1/4 NW 1/4 of said Section 16 to a fence; thence S. 32° 21' 46" E., 649.03 feet along a fence; thence S. 00° 32' 44" E., 491.73 feet along a fence; thence S. 30° 44' 03" E., 5.57 feet along a fence to the east boundary of the SE 1/4 NW 1/4 of said Section 16; thence S. 00° 16' 34" E., 257.69 feet to the Southeast corner of the SE 1/4 NW 1/4 of said Section 16; thence S. 89° 38' 40" W., 1336.05 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2837)

AND

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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4 corner of said Section 16; thence N. 89° 38' 40" E., 2672.09 feet to the Southwest corner of the SW 1/4 NE 1/4 of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 00° 16' 34" W., 257.69 feet along the West boundary of the SW 1/4 NE 1/4 of said Section 16 to a fence; thence S. 30° 44' 03" E., 286.46 feet along a fence; thence S. 33° 17' 23" E., 12.58 feet along a fence to the South boundary of the SW 1/4 NE 1/4 of said Section 16; thence S. 89° 38' 40" W., 152.06 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2838)

AND

CONTINUED

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West ¼ corner of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 00° 03' 03" E., 1300.89 feet to the Northwest corner of the SW¼NW¼ of said Section 16; thence N. 89° 33' 07" E., 1332.34 feet to the Northeast corner of the SW¼NW¼ of said Section 16; thence S. 00° 06' 47" E., 1303.01 feet to the Southeast corner of the SW¼NW¼ of said Section 16; thence S. 89° 38' 40" W., 1336.05 feet to the TRUE POINT OF BEGINNING.

AND

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West ¼ corner of said Section 16; thence N. 89° 38' 40" E., 2672.09 feet to the Northwest corner of the NW¼SE¼ of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 38' 40" E., 152.06 feet along the North boundary of the NW¼SE¼ of said Section 16 to a fence; thence S. 33° 17' 23" E., 24.93 feet along a fence; thence S. 52° 51' 23" E., 980.12 feet along a fence; thence S. 02° 58' 57" W., 391.78 feet along a fence; thence S. 44° 13' 05" E., 437.64 feet along a fence to the South boundary of the NW¼SE¼ of said Section 16; thence S. 89° 37' 38" W., 1225.48 feet to the Southwest corner of the NW¼SE¼ of said Section 16; thence N. 00° 16' 34" W., 1324.59 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2840)

AND

CONTINUED

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 Inch diameter rebar marking the West 1/4 corner of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 38' 40" E., 2672.09 feet to the Northeast corner of the N1/2SW1/4 of said Section 16; thence S. 00° 16' 34" E., 1324.59 feet to the Southeast corner of the N1/2SW1/4 of said Section 16; thence S. 89° 35' 27" W., 2677.86 feet to the Southwest corner of the N1/2SW1/4 of said Section 16; thence N. 00° 01' 40" W., 1327.11 feet along the West boundary of said Section 16 to the TRUE POINT OF BEGINNING.

AND

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 Inch diameter rebar marking the West 1/4 corner of said Section 16; thence S. 00° 01' 40" E., 1327.11 feet to the Northwest corner of the S1/2SW1/4 of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 35' 27" E., 2677.86 feet to the Northeast corner of the S1/2SW1/4 of said Section 16; thence N. 89° 37' 38" E., 2671.92 feet to the Northeast corner of the S1/2SE1/4 of said Section 16; thence S. 00° 34' 24" E., 1245.18 feet along the East boundary of said Section 16 to the North boundary of Highway 20 as depicted on pages 23, 24 & 25 of the Idaho State Department of Transportation plans for Project No. S-2809(13) dated 1/4/74; thence along the North boundary of said Highway 20 the following 10 courses; thence S. 89° 50' 25" W., 353.27 feet; thence N. 87° 17' 50" W., 200.25 feet; thence S. 89° 50' 25" W., 100.00 feet; thence S. 86° 58' 40" W., 200.25 feet; thence S. 89° 50' 25" W., 564.49 feet; thence S. 89° 28' 48" W., 1335.83 feet; thence N. 87° 39' 27" W., 200.25 feet; thence S. 89° 28' 48" W., 100.00 feet; thence S. 86° 37' 03" W., 200.25 feet; thence S. 89° 28' 48" W., 2108.09 feet to the West boundary of said Section 16; thence N. 00° 01' 40" W., 1248.36 feet along the West boundary of said Section 16 to the TRUE POINT OF BEGINNING. (Tax Lot 4175)

AND
CONTINUED

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

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

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

AND

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

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

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

CONTINUED

AND

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

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

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

SCHEDULE 1
TO WARRANTY DEED
dated May 31, 1998

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

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

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

1. Unpatented mining claims; reservations or exceptions in patents and state deeds or in acts authorizing the issuance thereto
2. Power Line Easement in favor of Idaho Power Company, a corporation, recorded September 27, 1957, in Book 171 of Deeds, page 139. (Blanket Easement)
3. Power Line Easement in favor of Idaho Power Company, a corporation, recorded October 15, 1962, in Book 176 of Deeds, page 462. (Blanket Easement)
4. Restrictions contained in that certain Warranty Deed, by and between Harvey Bickett and Lucile Bickett, husband and wife, grantors and the State of Idaho, by and through the Idaho Board of Highway Directors, grantee, recorded November 7, 1969, as Instrument No. 134079.
5. Terms and Conditions contained in that certain Order for Annexation into the Carey Rural Fire Protection District, executed by Blaine County Board of Commissioners, recorded July 27, 1993, as Instrument No. 355071.
6. The rights of the public over any portion of said land known as Price Lane.

BOISE:0090361 01

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

SCHEDULE A

Order No. 23686 Policy No. J 866935

Amount of Insurance \$1,850,000.00 Premium \$4,465.00

Date of Policy June 1, 1998 at 2:33 p.m.

1. Name of Insured:

THE THOMAS O'GARA FAMILY TRUST

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

THOMAS O'GARA, TRUSTEE OF THE THOMAS O'GARA FAMILY TRUST

4. The land referred to in this policy is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23886
LEGAL DESCRIPTION

EXHIBIT "A"

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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence N. 89° 27' 32" E., 664.32 feet along the North boundary of said Section 16 to the Northwest Corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 27' 32" E., 664.32 feet to the Northeast corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16; thence S. 00° 06' 47" E., 1303.01 feet to the Southeast corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16; thence S. 89° 33' 07" W., 666.17 feet to the Southwest corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16; thence N. 00° 01' 52" W., 1301.95 feet to the TRUE POINT OF BEGINNING. (Tax Lot 260)

AND

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

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

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

AND

CONTINUED

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23888
LEGAL DESCRIPTION - CONTINUED

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

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

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

AND

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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West ¼ corner of said Section 16; thence N. 89° 38' 40" E., 2672.09 feet to the Southwest corner of the SW¼NE¼ of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 00° 16' 34" W., 257.69 feet along the West boundary of the SW¼NE¼ of said Section 16 to a fence; thence S. 30° 44' 03" E., 286.48 feet along a fence; thence S. 33° 17' 23" E., 12.58 feet along a fence to the South boundary of the SW¼NE¼ of said Section 16; thence S. 89° 38' 40" W., 152.06 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2838)

AND

CONTINUED

Form No. 1402.92

(10/17/92)

ALTA Owner's Policy

ORDER NO. 23688

LEGAL DESCRIPTION - CONTINUED

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4 corner of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 00° 03' 03" E., 1300.89 feet to the Northwest corner of the SW 1/4 NW 1/4 of said Section 16; thence N. 89° 33' 07" E., 1332.34 feet to the Northeast corner of the SW 1/4 NW 1/4 of said Section 16; thence S. 00° 06' 47" E., 1303.01 feet to the Southeast corner of the SW 1/4 NW 1/4 of said Section 16; thence S. 89° 38' 40" W., 1336.05 feet to the TRUE POINT OF BEGINNING.

AND

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4 corner of said Section 16; thence N. 89° 38' 40" E., 2872.09 feet to the Northwest corner of the NW 1/4 SE 1/4 of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 38' 40" E., 152.06 feet along the North boundary of the NW 1/4 SE 1/4 of said Section 16 to a fence; thence S. 33° 17' 23" E., 24.93 feet along a fence; thence S. 52° 51' 23" E., 980.12 feet along a fence; thence S. 02° 58' 57" W., 391.78 feet along a fence; thence S. 44° 13' 05" E., 437.84 feet along a fence to the South boundary of the NW 1/4 SE 1/4 of said Section 16; thence S. 89° 37' 38" W., 1225.48 feet to the Southwest corner of the NW 1/4 SE 1/4 of said Section 16; thence N. 00° 16' 34" W., 1324.59 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2840)

AND

CONTINUED

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23686
LEGAL DESCRIPTION - CONTINUED

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West ¼ corner of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 38' 40" E., 2672.09 feet to the Northeast corner of the N½SW¼ of said Section 16; thence S. 00° 16' 34" E., 1324.59 feet to the Southeast corner of the N½SW¼ of said Section 16; thence S. 89° 35' 27" W., 2677.86 feet to the Southwest corner of the N½SW¼ of said Section 16; thence N. 00° 01' 40" W., 1327.11 feet along the West boundary of said Section 16 to the TRUE POINT OF BEGINNING.

AND

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West ¼ corner of said Section 16; thence S. 00° 01' 40" E., 1327.11 feet to the Northwest corner of the S½SW¼ of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 35' 27" E., 2677.86 feet to the Northeast corner of the S½SW¼ of said Section 16; thence N. 89° 37' 38" E., 2671.92 feet to the Northeast corner of the S½SE¼ of said Section 16; thence S. 00° 34' 24" E., 1245.18 feet along the East boundary of said Section 16 to the North boundary of Highway 20 as depicted on pages 23, 24 & 25 of the Idaho State Department of Transportation plans for Project No. S-2809(13) dated 1/4/74; thence along the North boundary of said Highway 20 the following 10 courses; thence S. 89° 50' 25" W., 353.27 feet; thence N. 87° 17' 50" W., 200.25 feet; thence S. 89° 50' 25" W., 100.00 feet; thence S. 86° 58' 40" W., 200.25 feet; thence S. 89° 50' 25" W., 564.49 feet; thence S. 89° 28' 48" W., 1335.83 feet; thence N. 87° 39' 27" W., 200.25 feet; thence S. 89° 28' 48" W., 100.00 feet; thence S. 86° 37' 03" W., 200.25 feet; thence S. 89° 28' 48" W., 2108.09 feet to the West boundary of said Section 16; thence

CONTINUED

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23688
LEGAL DESCRIPTION - CONTINUED

N. 00° 01' 40" W., 1248.36 feet along the West boundary of said Section 16 to the TRUE POINT OF BEGINNING. (Tax Lot 4175)

AND

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

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

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

AND

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

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

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

CONTINUED

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23686

LEGAL DESCRIPTION - CONTINUED

S. 00° 23' 24" E., 1304.47 feet to the Southeast corner of the NE¼NE¼ of said Section 20; thence
S. 89° 22' 49" W., 2001.20 feet to the Southwest corner of the E¼NW¼NE¼ of said Section 20; thence
N. 00° 16' 06" W., 1307.97 feet along the East boundary of the E¼NW¼NE¼ of said Section 20 to the South boundary of said Highway 20; thence
N. 89° 28' 48" E., 1998.42 feet along the South boundary of said Highway 20 to the TRUE POINT OF BEGINNING. (Tax Lot 4174)

AND

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

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

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

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

SCHEDULE B

Order No. 23686

Policy No. J 866953

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

PART I

SECTION 1

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims or easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents and state deeds or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material thereto or hereafter furnished, imposed by law and not shown by the public records.

SECTION 2

1. General taxes for the year 1998, a lien not yet due and payable.
2. Power Line Easement in favor of Idaho Power Company, a corporation, recorded September 27, 1957, in Book 171 of Deeds, page 139. (Blanket Easement)
3. Power Line Easement in favor of Idaho Power Company, a corporation, recorded October 15, 1962, in Book 176 of Deeds, page 462. (Blanket Easement)
4. Restrictions contained in that certain Warranty Deed, by and between Harvey Bickett and Lucile Bickett, husband and wife, grantors and the State of Idaho, by and through the Idaho Board of Highway Directors, grantee, recorded November 7, 1969, as Instrument No. 134079.

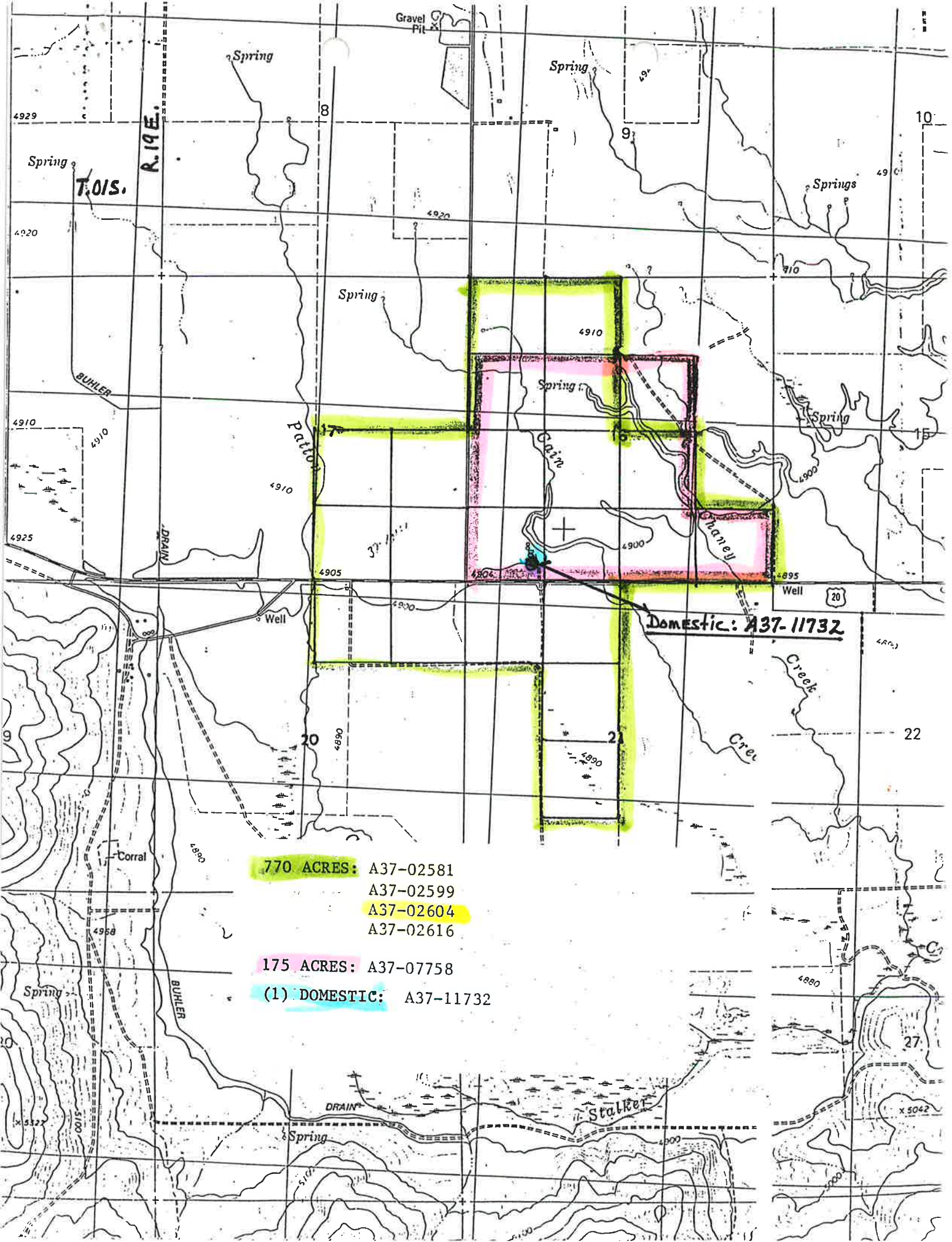
CONTINUED

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23686
OWNERS POLICY NO. J 866935
SCHEDULE B - SECTION 2 CONTINUED

5. Terms and Conditions contained in that certain Order for Annexation into the Carey Rural Fire Protection District, executed by Blaine County Board of Commissioners, recorded July 27, 1993, as Instrument No. 355071.
6. The rights of the public over any portion of said land known as Price Lane.
7. A Mortgage to secure an indebtedness in the principal sum of \$1,250,000.00, and any other amounts and/or obligations secured thereby, recorded June 1, 1998, as Instrument No. 414851.
Dated: May 31, 1998.
Mortgagor: Thomas O'Gara, Trustee of the Thomas O'Gara Family Trust.
Mortgagee: CS&B, LLP, an Idaho limited liability partnership.

END SCHEDULE B



23686

A02

WARRANTY DEED

COPY

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

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

Dated: May 31, 1998

CS&B,LLP, an Idaho limited liability partnership

Carol Diane Herrmann
Carol Diane Herrmann, partner

Harvey Myron Bickett
Harvey Myron Bickett, partner

Elizabeth Jane Bickett
Elizabeth Jane Bickett, partner

414850

Deed

BLAINE CO. REQUEST

OF: **SAWTOOTH TITLE**

'98 JUN 1 PM 2 32

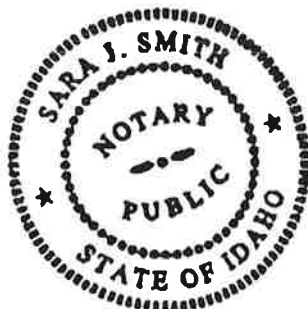
MARY GREEN, CLERK *ms*

FEES \$ 30.00

STATE OF IDAHO)
 County of Ada) ss.

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

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



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

STATE OF IDAHO)
 County of Ada) ss.

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

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

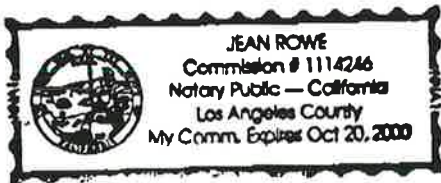


Connie J. Dart
 Notary Public
 Residing at: Baise Idaho
 My Commission Expires: 6-24-98

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

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

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



Jean Rowe
Notary Public 12701 De Foe Ave
Residing at: Sylmar CA 91342
My Commission Expires: 10/20/00

Boisc:0088368.01

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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence
N. 89° 27' 32" E., 664.32 feet along the North boundary of said Section 16 to the
Northwest Corner of the E½NW¼NW¼ of said Section 16 and the TRUE POINT OF
BEGINNING; thence
N. 89° 27' 32" E., 664.32 feet to the Northeast corner of the E½NW¼NW¼ of said
Section 16; thence
S. 00° 06' 47" E., 1303.01 feet to the Southeast corner of the E½NW¼NW¼ of said
Section 16; thence
S. 89° 33' 07" W., 666.17 feet to the Southwest corner of the E½NW¼NW¼ of said
Section 16; thence
N. 00° 01' 52" W., 1301.95 feet to the TRUE POINT OF BEGINNING. (Tax Lot 260)

AND

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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence
N. 89° 27' 32" E., 1328.64 feet along the North boundary of said Section 16 to the
Northwest corner of the NE¼NW¼ of said Section 16 and the TRUE POINT OF
BEGINNING; thence
N. 89° 27' 32" E., 163.14 feet along the North boundary of said Section 16; thence
S. 32° 21' 46" E., 1535.35 feet along a fence to the South boundary of the NE¼NW¼
of said Section 16; thence
S. 89° 33' 07" W., 982.43 feet to the Southeast corner of the NE¼NW¼ of said
Section 16; thence
N. 00° 06' 47" W., 1303.01 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2835)

AND

CONTINUED



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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence
S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4
corner of said Section 16; thence
N. 89° 38' 40" E., 1336.05 feet to the Southwest corner of the SE 1/4 NW 1/4 of said
Section 16 and the TRUE POINT OF BEGINNING; thence
N. 00° 06' 47" W., 1303.01 feet to the Northwest corner of the SE 1/4 NW 1/4 of said
Section 16; thence
N. 89° 33' 07" E., 982.43 feet along the North boundary of the SE 1/4 NW 1/4 of said
Section 16 to a fence; thence
S. 32° 21' 46" E., 649.03 feet along a fence; thence
S. 00° 32' 44" E., 491.73 feet along a fence; thence
S. 30° 44' 03" E., 5.57 feet along a fence to the east boundary of the SE 1/4 NW 1/4 of
said Section 16; thence
S. 00° 16' 34" E., 257.69 feet to the Southeast corner of the SE 1/4 NW 1/4 of said Section
16; thence
S. 89° 38' 40" W., 1336.05 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2837)

AND

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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence
S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4
corner of said Section 16; thence
N. 89° 38' 40" E., 2672.09 feet to the Southwest corner of the SW 1/4 NE 1/4 of said
Section 16 and the TRUE POINT OF BEGINNING; thence
N. 00° 16' 34" W., 257.69 feet along the West boundary of the SW 1/4 NE 1/4 of said
Section 16 to a fence; thence
S. 30° 44' 03" E., 286.46 feet along a fence; thence
S. 33° 17' 23" E., 12.58 feet along a fence to the South boundary of the SW 1/4 NE 1/4 of
said Section 16; thence
S. 89° 38' 40" W., 152.06 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2838)

AND

CONTINUED

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4 corner of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 00° 03' 03" E., 1300.89 feet to the Northwest corner of the SW 1/4 NW 1/4 of said Section 16; thence N. 89° 33' 07" E., 1332.34 feet to the Northeast corner of the SW 1/4 NW 1/4 of said Section 16; thence S. 00° 06' 47" E., 1303.01 feet to the Southeast corner of the SW 1/4 NW 1/4 of said Section 16; thence S. 89° 38' 40" W., 1336.05 feet to the TRUE POINT OF BEGINNING.

AND

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

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

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

AND

CONTINUED

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 Inch diameter rebar marking the West ¼ corner of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 38' 40" E., 2672.09 feet to the Northeast corner of the N½SW¼ of said Section 16; thence S. 00° 16' 34" E., 1324.59 feet to the Southeast corner of the N½SW¼ of said Section 16; thence S. 89° 35' 27" W., 2677.86 feet to the Southwest corner of the N½SW¼ of said Section 16; thence N. 00° 01' 40" W., 1327.11 feet along the West boundary of said Section 16 to the TRUE POINT OF BEGINNING.

AND

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 Inch diameter rebar marking the West ¼ corner of said Section 16; thence S. 00° 01' 40" E., 1327.11 feet to the Northwest corner of the S½SW¼ of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 35' 27" E., 2677.86 feet to the Northeast corner of the S½SW¼ of said Section 16; thence N. 89° 37' 38" E., 2671.92 feet to the Northeast corner of the S½SE¼ of said Section 16; thence S. 00° 34' 24" E., 1245.18 feet along the East boundary of said Section 16 to the North boundary of Highway 20 as depicted on pages 23, 24 & 25 of the Idaho State Department of Transportation plans for Project No. S-2809(13) dated 1/4/74; thence along the North boundary of said Highway 20 the following 10 courses; thence S. 89° 50' 25" W., 353.27 feet; thence N. 87° 17' 50" W., 200.25 feet; thence S. 89° 50' 25" W., 100.00 feet; thence S. 86° 58' 40" W., 200.25 feet; thence S. 89° 50' 25" W., 564.49 feet; thence S. 89° 28' 48" W., 1335.83 feet; thence N. 87° 39' 27" W., 200.25 feet; thence S. 89° 28' 48" W., 100.00 feet; thence S. 86° 37' 03" W., 200.25 feet; thence S. 89° 28' 48" W., 2108.09 feet to the West boundary of said Section 16; thence N. 00° 01' 40" W., 1248.36 feet along the West boundary of said Section 16 to the TRUE POINT OF BEGINNING. (Tax Lot 4175)

**AND
CONTINUED**

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

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

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

AND

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

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

COMMENCING at brass cap marking the North 1/4 corner of said Section 20; thence N. 89° 25' 19" E., 2664.51 feet to a brass cap marking the Northeast corner of said Section 20; thence S. 00° 23' 24" E., 21.25 feet along the East boundary of said Section 20 to the South boundary of Highway 20 as depicted on page 22 & 23 of the Idaho State Department of Transportation plans for Project No. S-2809(13) dated 1/4/74 and the TRUE POINT OF BEGINNING; thence S. 00° 23' 24" E., 1304.47 feet to the Southeast corner of the NE 1/4 NE 1/4 of said Section 20; thence S. 89° 22' 49" W., 2001.20 feet to the Southwest corner of the E 1/2 NW 1/4 NE 1/4 of said Section 20; thence N. 00° 16' 06" W., 1307.97 feet along the East boundary of the E 1/2 NW 1/4 NE 1/4 of said Section 20 to the South boundary of said Highway 20; thence N. 89° 28' 48" E., 1998.42 feet along the South boundary of said Highway 20 to the TRUE POINT OF BEGINNING. (Tax Lot 4174)

CONTINUED

AND

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

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

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

SCHEDULE 1
TO WARRANTY DEED
dated May 31, 1998

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

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

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

1. Unpatented mining claims; reservations or exceptions in patents and state deeds or in acts authorizing the issuance thereto
2. Power Line Easement in favor of Idaho Power Company, a corporation, recorded September 27, 1957, in Book 171 of Deeds, page 139. (Blanket Easement)
3. Power Line Easement in favor of Idaho Power Company, a corporation, recorded October 15, 1962, in Book 176 of Deeds, page 462. (Blanket Easement)
4. Restrictions contained in that certain Warranty Deed, by and between Harvey Bickett and Lucile Bickett, husband and wife, grantors and the State of Idaho, by and through the Idaho Board of Highway Directors, grantee, recorded November 7, 1969, as Instrument No. 134079.
5. Terms and Conditions contained in that certain Order of Annexation into the Carey Rural Fire Protection District, executed by Blaine County Board of Commissioners, recorded June 27, 1993, as Instrument No. 355071.
6. The rights of the public over any portion of said land known as Price Lane.

BOISE.0090861.01

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

SCHEDULE A

Order No.	23686	Policy No.	J 866935
Amount of Insurance	\$1,850,000.00	Premium	\$4,465.00
Date of Policy	June 1, 1998 at 2:33 p.m.		

1. Name of Insured:

THE THOMAS O'GARA FAMILY TRUST

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

THOMAS O'GARA, TRUSTEE OF THE THOMAS O'GARA FAMILY TRUST

4. The land referred to in this policy is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23686
LEGAL DESCRIPTION

EXHIBIT "A"

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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence
N. 89° 27' 32" E., 664.32 feet along the North boundary of said Section 16 to the
Northwest Corner of the E½NW¼NW¼ of said Section 16 and the TRUE POINT OF
BEGINNING; thence
N. 89° 27' 32" E., 664.32 feet to the Northeast corner of the E½NW¼NW¼ of said
Section 16; thence
S. 00° 06' 47" E., 1303.01 feet to the Southeast corner of the E½NW¼NW¼ of said
Section 16; thence
S. 89° 33' 07" W., 666.17 feet to the Southwest corner of the E½NW¼NW¼ of said
Section 16; thence
N. 00° 01' 52" W., 1301.95 feet to the TRUE POINT OF BEGINNING. (Tax Lot 260)

AND

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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence
N. 89° 27' 32" E., 1328.64 feet along the North boundary of said Section 16 to the
Northwest corner of the NE¼NW¼ of said Section 16 and the TRUE POINT OF
BEGINNING; thence
N. 89° 27' 32" E., 163.14 feet along the North boundary of said Section 16; thence
S. 32° 21' 46" E., 1535.35 feet along a fence to the South boundary of the NE¼NW¼
of said Section 16; thence
S. 89° 33' 07" W., 982.43 feet to the Southeast corner of the NE¼NW¼ of said
Section 16; thence
N. 00° 06' 47" W., 1303.01 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2835)

AND

CONTINUED

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23686
LEGAL DESCRIPTION - CONTINUED

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

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

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

AND

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

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

COMMENCING at brass cap marking the Northwest corner of said Section 16; thence
S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West ¼
corner of said Section 16; thence
N. 89° 38' 40" E., 2672.09 feet to the Southwest corner of the SW¼NE¼ of said
Section 16 and the TRUE POINT OF BEGINNING; thence
N. 00° 16' 34" W., 257.69 feet along the West boundary of the SW¼NE¼ of said
Section 16 to a fence; thence
S. 30° 44' 03" E., 286.48 feet along a fence; thence
S. 33° 17' 23" E., 12.58 feet along a fence to the South boundary of the SW¼NE¼ of
said Section 16; thence
S. 89° 38' 40" W., 152.06 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2838)

AND

CONTINUED

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23688

LEGAL DESCRIPTION - CONTINUED

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West ¼ corner of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 00° 03' 03" E., 1300.89 feet to the Northwest corner of the SW¼NW¼ of said Section 16; thence N. 89° 33' 07" E., 1332.34 feet to the Northeast corner of the SW¼NW¼ of said Section 16; thence S. 00° 06' 47" E., 1303.01 feet to the Southeast corner of the SW¼NW¼ of said Section 16; thence S. 89° 38' 40" W., 1336.05 feet to the TRUE POINT OF BEGINNING.

AND

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West ¼ corner of said Section 16; thence N. 89° 38' 40" E., 2872.09 feet to the Northwest corner of the NW¼SE¼ of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 38' 40" E., 152.06 feet along the North boundary of the NW¼SE¼ of said Section 16 to a fence; thence S. 33° 17' 23" E., 24.93 feet along a fence; thence S. 52° 51' 23" E., 980.12 feet along a fence; thence S. 02° 58' 57" W., 391.78 feet along a fence; thence S. 44° 13' 05" E., 437.64 feet along a fence to the South boundary of the NW¼SE¼ of said Section 16; thence S. 89° 37' 38" W., 1225.48 feet to the Southwest corner of the NW¼SE¼ of said Section 16; thence N. 00° 16' 34" W., 1324.59 feet to the TRUE POINT OF BEGINNING. (Tax Lot 2840)

AND

CONTINUED

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23686
LEGAL DESCRIPTION - CONTINUED

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4 corner of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 38' 40" E., 2672.09 feet to the Northeast corner of the N1/2SW1/4 of said Section 16; thence S. 00° 16' 34" E., 1324.59 feet to the Southeast corner of the N1/2SW1/4 of said Section 16; thence S. 89° 35' 27" W., 2677.86 feet to the Southwest corner of the N1/2SW1/4 of said Section 16; thence N. 00° 01' 40" W., 1327.11 feet along the West boundary of said Section 16 to the TRUE POINT OF BEGINNING.

AND

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

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

COMMENCING at brass cap marking the Northwest Corner of said Section 16; thence S. 00° 03' 03" W., 2601.77 feet to a 5/8 inch diameter rebar marking the West 1/4 corner of said Section 16; thence S. 00° 01' 40" E., 1327.11 feet to the Northwest corner of the S1/2SW1/4 of said Section 16 and the TRUE POINT OF BEGINNING; thence N. 89° 35' 27" E., 2677.86 feet to the Northeast corner of the S1/2SW1/4 of said Section 16; thence N. 89° 37' 38" E., 2671.92 feet to the Northeast corner of the S1/2SE1/4 of said Section 16; thence S. 00° 34' 24" E., 1245.18 feet along the East boundary of said Section 16 to the North boundary of Highway 20 as depicted on pages 23, 24 & 25 of the Idaho State Department of Transportation plans for Project No. S-2809(13) dated 1/4/74; thence along the North boundary of said Highway 20 the following 10 courses; thence S. 89° 50' 25" W., 353.27 feet; thence N. 87° 17' 50" W., 200.25 feet; thence S. 89° 50' 25" W., 100.00 feet; thence S. 86° 58' 40" W., 200.25 feet; thence S. 89° 50' 25" W., 564.49 feet; thence S. 89° 28' 48" W., 1335.83 feet; thence N. 87° 39' 27" W., 200.25 feet; thence S. 89° 28' 48" W., 100.00 feet; thence S. 86° 37' 03" W., 200.25 feet; thence S. 89° 28' 48" W., 2108.09 feet to the West boundary of said Section 16; thence

CONTINUED

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23688
LEGAL DESCRIPTION - CONTINUED

N. 00° 01' 40" W., 1248.36 feet along the West boundary of said Section 16 to the TRUE POINT OF BEGINNING. (Tax Lot 4175)

AND

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

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

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

AND

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

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

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

CONTINUED

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23686
LEGAL DESCRIPTION - CONTINUED

S. 00° 23' 24" E., 1304.47 feet to the Southeast corner of the NE¼NE¼ of said Section 20; thence
S. 89° 22' 49" W., 2001.20 feet to the Southwest corner of the E¼NW¼NE¼ of said Section 20; thence
N. 00° 16' 06" W., 1307.97 feet along the East boundary of the E¼NW¼NE¼ of said Section 20 to the South boundary of said Highway 20; thence
N. 89° 28' 48" E., 1998.42 feet along the South boundary of said Highway 20 to the TRUE POINT OF BEGINNING. (Tax Lot 4174)

AND

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

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

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

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

SCHEDULE B

Order No. 23686

Policy No. J 866953

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

PART I

SECTION 1

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims or easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents and state deeds or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material thereto or hereafter furnished, imposed by law and not shown by the public records.

SECTION 2

1. General taxes for the year 1998, a lien not yet due and payable.
2. Power Line Easement in favor of Idaho Power Company, a corporation, recorded September 27, 1957, in Book 171 of Deeds, page 139. (Blanket Easement)
3. Power Line Easement in favor of Idaho Power Company, a corporation, recorded October 15, 1962, in Book 176 of Deeds, page 462. (Blanket Easement)
4. Restrictions contained in that certain Warranty Deed, by and between Harvey Bickett and Lucile Bickett, husband and wife, grantors and the State of Idaho, by and through the Idaho Board of Highway Directors, grantee, recorded November 7, 1969, as Instrument No. 134079.

CONTINUED

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 23686
OWNERS POLICY NO. J 866935
SCHEDULE B - SECTION 2 CONTINUED

5. Terms and Conditions contained in that certain Order for Annexation into the Carey Rural Fire Protection District, executed by Blaine County Board of Commissioners, recorded July 27, 1993, as Instrument No. 355071.
6. The rights of the public over any portion of said land known as Price Lane.
7. A Mortgage to secure an indebtedness in the principal sum of \$1,250,000.00, and any other amounts and/or obligations secured thereby, recorded June 1, 1998, as Instrument No. 414851.
Dated: May 31, 1998.
Mortgagor: Thomas O'Gara, Trustee of the Thomas O'Gara Family Trust.
Mortgagee: CS&B, LLP, an Idaho limited liability partnership.

END SCHEDULE B

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: A37-02604
Date Received: 10/18/1988
Receipt No: S003040
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUL 29, 1958

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	17	NE	NW	SE		BLAINE

5. Description of diverting works:
ARTESIAN WELL, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			2.500		

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

8. Total consumptive use is 1925.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	16	NE	NW		IRR	33.0
			NW	NW		IRR	20.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	16	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	25.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0
							Section Acres	395.0
		17	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	160.0
		20	NE		NE		IRR	35.0
			NW		NE		IRR	20.0
							Section Acres	55.0
		21	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
							Section Acres	160.0
							Total Acres	770.0

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:

A37-02599, A37-02616, A37-02581, A37-07758.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 27512

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 Organizations:

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

H. B. Burchett
Signature of Authorized Agent
Pres Chems
Title and Organization
10/18/88
Date

State of Idaho)
County of Twin Falls) SS.

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

Roxanne Storey
Notary Public

Seal

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

52

15.
19E.

P_u = 770 Ac.

A37-02604

P/O well

Well I

Well II

Well III

Well IV

Well V

Well VI

12" PVC line

12" PVC line

15" PVC line

B 7.8

C 11.8

D 73.4

F 45.4

E 73.5

74.4

L 17.2

G 30.6

H 29.6

I 28.5

K 12.8

J 22.4

17 116

20 21

N 42.2

O 87.6

P 147.1

Q 7.9

R 36.4

104

36.3

FEB 22 1961



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

January 18, 2007

Kelly Christensen
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Re: Notice of Error Forms from Thomas M O'Gara Family Trust

Dear Kelly,

I've enclosed notice of error forms for twenty-two water rights owned by the Thomas M O'Gara Family Trust. Errors in water right recommendations include, but are not limited to, disallowed and forfeiture status of water rights. Individual explanations for why we disagree with the recommended water rights are included with each notice of error. We have included additional documentation for some water right errors to better explain our disagreement. These attached documents can be found after the notice of error forms. The first attached document is a map of the pond locations, including the quarter-quarter T1S R19E Sec. 9 SENE, to provide evidence for the request to add this quarter-quarter as a place of use for water rights #37-20636, 20638, 20640, 20642, 20644, 20646, 20648, 20650, and 20652.

The last three attached documents are in reference to the recommendation that water rights #37-20637 and 37-20638 be disallowed because they were recommended as water rights #37-20639 and 37-20640, respectively. We have enclosed the original license for water right #37-2476, the original decree for water right #37-803, and a notice of proposed transfer from the late 1980s for these two water rights. These documents clearly show two individual rights. In order for the Department of Water Resources to disallow the licensed water rights (37-20637 and 20638), the department must show indisputable evidence that the water rights (37-20639 and 37-26040) contain all of the water licensed and decreed from the original rights 37-2476 and 37-803. If you have any questions in regards to these notices of error, please feel free to contact me.

Sincerely,



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

enclosures: Notice of Errors Tom 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

Project No. 327-30-2006

IDWR Notice of Error Forms for Water Rights Owned by Thomas M O'Gara Family Trust

Prepared for:

Thomas M O'Gara Family Trust
C/O Brian Barsotti
P.O. Box 370
Ketchum, Idaho 83340

January 18, 2007

For information concerning this report, contact
Charles G. Brockway, Ph.D., P.E.
G. Erick Powell, Ph.D., E.I.T.



BROCKWAY
ENGINEERING
P.L.L.C.

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

2016 NORTH WASHINGTON, SUITE 4
TWIN FALLS, IDAHO 83301

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B. Map of Pond Location

C. Water Right #37-2476 License

D. Water Right #37-803 Decree

E. Notice of Proposed Change of Water Right Nos. 37-803, 37-2476

A. Notice of Error Forms

**Notice of Error
Reply**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-2223

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

FORFEITURE OF IRRIGATION PORTION OF RIGHT

- 2: Describe the changes you wish to make in the proposed recommendation:

IRRIGATION USE FROM 4/1 TO 11/1 OF 0.4 CFS
IRRIGATION PLACE OF USE T1S R19E S25 SWSW 20

- 3: Give a brief explanation as to why you disagree with these portions

This water right is a licensed right with a 1911 priority date. According to IDWR, the evidence for forfeiture was a verbal conversation about irrigation conditions from 1979 to 1988 between an IDWR agent and Guy Bonnavier, who works for O'Gara. In reference to the change of ownership documents, O'Gara purchased the property on July 28, 2005 from the Nature Conservancy. Eight months prior to that, The Nature Conservancy purchased the property on December 10, 2004 from the diCarpegna family. We consider it insufficient proof to base forfeiture of a licensed water right on information from a source that would have little to no knowledge of conditions on this property in the late seventies to early eighties. IDWR is required to provide indisputable evidence for forfeiture of a licensed water right.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/17/2007

Signature: 

Please print your name:

G. ERICK POWELL - LIMITED POWER OF ATTORNEY (LPA)

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

**Notice of Error
Reply**

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-2502

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

POINT OF DIVERSION

- 2: Describe the changes you wish to make in the proposed recommendation:

POINT OF DIVERSION: REMOVE THE FOLLOWING STATEMENT "WATER DIVERTED FROM HEADGATE #45 DELIVERED THROUGH DISTRICT CANAL."

- 3: Give a brief explanation as to why you disagree with these portions

POINT OF DIVERSION: THIS IS A GROUNDWATER RIGHT WITH THE POINT OF DIVERSION WITHIN THE PLACE OF USE BOUNDARY. THE GROUNDWATER IS NOT DELIVERED THROUGH THE DISTRICT CANAL.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/17/2007

Signature:



Please print your name:

G. Erick Powell - L.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-14285

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

ALL: DUE TO DISALLOWED STATUS

- 2: Describe the changes you wish to make in the proposed recommendation:

RESCIND DISALLOWED STATUS AND ALLOW AS CLAIMED

- 3: Give a brief explanation as to why you disagree with these portions

WATER FROM SPRINGS IRRIGATES LAND IN SECTION 15 TOWNSHIP 1 SOUTH RANGE 19 EAST. WATER FROM SPRINGS ALSO IS USED FOR STOCKWATER IN THE SAME LOCATION. DOCUMENTATION WILL BE FORTHCOMING.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/17/2007

Signature:



Please print your name:

G. ERICK POWELL - L.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-14286

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

ALL: DUE TO DISALLOWED STATUS

- 2: Describe the changes you wish to make in the proposed recommendation:

RESCIND DISALLOWED STATUS AND ALLOW AS CLAIMED

- 3: Give a brief explanation as to why you disagree with these portions

WATER FROM SPRINGS IRRIGATES LAND IN SECTIONS 10 AND 15 TOWNSHIP 1 SOUTH RANGE 19 EAST. WATER FROM SPRINGS ALSO IS USED FOR STOCKWATER IN THE SAME LOCATION. DOCUMENTATION WILL BE FORTHCOMING.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/17/2007

Signature: _____



Please print your name: _____

C. ERICK POWELL - L.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20635

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACE OF USE

2: Describe the changes you wish to make in the proposed recommendation:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 885.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NUMBERS: 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, AND 37-20651.

3: Give a brief explanation as to why you disagree with these portions

PLACE OF USE: TO REFLECT THE TRANSFER THAT WAS APPROVED ON 12/28/06 AND INCLUDE WR#37-20637.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/15/2007

Signature:



Please print your name:

G. Erick Powell - L.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20636

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACES OF USE

- 2: Describe the changes you wish to make in the proposed recommendation:

PLACES OF USE: ADD THE FOLLOWING QUARTER-QUARTER:
T1S R19E S9 SENE (SEE ATTACHED MAP)

- 3: Give a brief explanation as to why you disagree with these portions

PLACES OF USE: POND EXISTS IN THE QUARTER-QUARTER

☐ **I agree with this proposed recommendation, no changes to be made.**

Date: 1/17/2007

Signature: _____



Please print your name: _____

G. Erick Powell – Limited Power of Attorney

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20637

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

DISALLOWED STATUS

- 2: Describe the changes you wish to make in the proposed recommendation:

ALLOWED AS CLAIMED

- 3: Give a brief explanation as to why you disagree with these portions

WATER RIGHT 37-2476, THE PARENT WATER RIGHT FOR WR#37-20638 AND 37-20637, WAS LICENSED IN 1947. WATER RIGHT #37-803, THE PARENT WATER RIGHT FOR WR#37-20640 AND 37-20639, WAS DECREED WITH A PRIORITY DATE OF 1946. A TRANSFER WAS PROCESSED IN THE LATE EIGHTIES TO FURTHER DEFINE THE PLACE OF USE FOR BOTH WATER RIGHTS, HOWEVER BOTH RIGHTS WERE STILL AVAILABLE. THE LICENSE, DECREE, AND A NOTICE OF PROPOSED CHANGE OF WATER RIGHTS FOR THESE TWO PARENTS RIGHTS ARE ATTACHED.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/17/2007

Signature:

G. Erick Powell

Please print your name:

G. ERICK POWELL - L.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20638

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

DISALLOWED STATUS

- 2: Describe the changes you wish to make in the proposed recommendation:

ALLOWED AS CLAIMED

- 3: Give a brief explanation as to why you disagree with these portions

WATER RIGHT 37-2476, THE PARENT WATER RIGHT FOR WR#37-20638 AND 37-20637, WAS LICENSED IN 1947. WATER RIGHT #37-803, THE PARENT WATER RIGHT FOR WR#37-20640 AND 37-20639, WAS DECREED WITH A PRIORITY DATE OF 1946. A TRANSFER WAS PROCESSED IN THE LATE EIGHTIES TO FURTHER DEFINE THE PLACE OF USE FOR BOTH WATER RIGHTS, HOWEVER BOTH RIGHTS WERE STILL AVAILABLE. THE LICENSE, DECREE, AND A NOTICE OF PROPOSED CHANGE OF WATER RIGHTS FOR THESE TWO PARENTS RIGHTS ARE ATTACHED.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/17/2007

Signature:

C. E. Powell

Please print your name:

C. ERIC POWELL - C.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

**Notice of Error
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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20639

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACE OF USE

2: Describe the changes you wish to make in the proposed recommendation:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 885.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NUMBERS: 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, AND 37-20651.

3: Give a brief explanation as to why you disagree with these portions

PLACE OF USE: TO REFLECT THE TRANSFER THAT WAS APPROVED ON 12/28/06 AND INCLUDE WR#37-20637.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/15/2007

Signature:

G. Erik Powell

Please print your name:

G. ERIC POWELL - L.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20640

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACES OF USE

- 2: Describe the changes you wish to make in the proposed recommendation:

PLACES OF USE: ADD THE FOLLOWING QUARTER-QUARTER:
T1S R19E S9 SENE (SEE ATTACHED MAP)

- 3: Give a brief explanation as to why you disagree with these portions

PLACES OF USE: POND EXISTS IN THE QUARTER-QUARTER

☐ **I agree with this proposed recommendation, no changes to be made.**

Date: 1/17/2007

Signature: _____



Please print your name: _____

G. Erick Powell – Limited Power of Attorney

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20641

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACE OF USE

2: Describe the changes you wish to make in the proposed recommendation:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 885.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NUMBERS: 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, AND 37-20651.

3: Give a brief explanation as to why you disagree with these portions

PLACE OF USE: TO REFLECT THE TRANSFER THAT WAS APPROVED ON 12/28/06 AND INCLUDE WR#37-20637.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/15/2007

Signature:



Please print your name:

G. ERICK POWELL - L.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

**Notice of Error
Reply**

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20642

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACES OF USE

- 2: Describe the changes you wish to make in the proposed recommendation:

PLACES OF USE: ADD THE FOLLOWING QUARTER-QUARTER:
T1S R19E S9 SENE (SEE ATTACHED MAP)

- 3: Give a brief explanation as to why you disagree with these portions

PLACES OF USE: POND EXISTS IN THE QUARTER-QUARTER

☐ **I agree with this proposed recommendation, no changes to be made.**

Date: 1/17/2007

Signature:



Please print your name:

G. Erick Powell – Limited Power of Attorney

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

**Notice of Error
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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20643

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACE OF USE

2: Describe the changes you wish to make in the proposed recommendation:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 885.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NUMBERS: 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, AND 37-20651.

3: Give a brief explanation as to why you disagree with these portions

PLACE OF USE: TO REFLECT THE TRANSFER THAT WAS APPROVED ON 12/28/06 AND INCLUDE WR#37-20637.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/15/2007

Signature:

C. Ernie Powell

Please print your name:

C. ERNIE POWELL - C.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20644

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACES OF USE

- 2: Describe the changes you wish to make in the proposed recommendation:

PLACES OF USE: ADD THE FOLLOWING QUARTER-QUARTER:
T1S R19E S9 SENE (SEE ATTACHED MAP)

- 3: Give a brief explanation as to why you disagree with these portions

PLACES OF USE: POND EXISTS IN THE QUARTER-QUARTER

☐ **I agree with this proposed recommendation, no changes to be made.**

Date: 1/17/2007

Signature: _____



Please print your name: _____

G. Erick Powell – Limited Power of Attorney

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20645

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACE OF USE

2: Describe the changes you wish to make in the proposed recommendation:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 885.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NUMBERS: 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, AND 37-20651.

3: Give a brief explanation as to why you disagree with these portions

PLACE OF USE: TO REFLECT THE TRANSFER THAT WAS APPROVED ON 12/28/06 AND INCLUDE WR#37-20637.

☐ **I agree with this proposed recommendation, no changes to be made.**

Date: 1/15/2007

Signature: _____



Please print your name: _____

C. Erik Powell - L.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20646

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACES OF USE

- 2: Describe the changes you wish to make in the proposed recommendation:

PLACES OF USE: ADD THE FOLLOWING QUARTER-QUARTER:
T1S R19E S9 SENE (SEE ATTACHED MAP)

- 3: Give a brief explanation as to why you disagree with these portions

PLACES OF USE: POND EXISTS IN THE QUARTER-QUARTER

☐ **I agree with this proposed recommendation, no changes to be made.**

Date: 1/17/2007

Signature:



Please print your name:

G. Erick Powell – Limited Power of Attorney

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

Notice of Error

Reply

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20647

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACE OF USE

2: Describe the changes you wish to make in the proposed recommendation:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 885.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NUMBERS: 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, AND 37-20651.

3: Give a brief explanation as to why you disagree with these portions

PLACE OF USE: TO REFLECT THE TRANSFER THAT WAS APPROVED ON 12/28/06 AND INCLUDE WR#37-20637.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/15/2007

Signature: _____



Please print your name: _____

G. ERICK POWELL - L.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

**Notice of Error
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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20648

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACES OF USE

- 2: Describe the changes you wish to make in the proposed recommendation:

PLACES OF USE: ADD THE FOLLOWING QUARTER-QUARTER:
T1S R19E S9 SENE (SEE ATTACHED MAP)

- 3: Give a brief explanation as to why you disagree with these portions

PLACES OF USE: POND EXISTS IN THE QUARTER-QUARTER

☐ **I agree with this proposed recommendation, no changes to be made.**

Date: 1/17/2007

Signature: _____



Please print your name: _____

G. Erick Powell – Limited Power of Attorney

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

**Notice of Error
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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20649

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACE OF USE

2: Describe the changes you wish to make in the proposed recommendation:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 885.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NUMBERS: 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, AND 37-20651.

3: Give a brief explanation as to why you disagree with these portions

PLACE OF USE: TO REFLECT THE TRANSFER THAT WAS APPROVED ON 12/28/06 AND INCLUDE WR#37-20637.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/15/2007

Signature:

G. E. Powell

Please print your name:

G. E. POWELL - C.I.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

**Notice of Error
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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20650

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACES OF USE

- 2: Describe the changes you wish to make in the proposed recommendation:

PLACES OF USE: ADD THE FOLLOWING QUARTER-QUARTER:
T1S R19E S9 SENE (SEE ATTACHED MAP)

- 3: Give a brief explanation as to why you disagree with these portions

PLACES OF USE: POND EXISTS IN THE QUARTER-QUARTER

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/17/2007

Signature: _____



Please print your name: _____

G. Erick Powell – Limited Power of Attorney

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

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Reply**

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Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20651

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACE OF USE

2: Describe the changes you wish to make in the proposed recommendation:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 885.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NUMBERS: 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, AND 37-20651.

3: Give a brief explanation as to why you disagree with these portions

PLACE OF USE: TO REFLECT THE TRANSFER THAT WAS APPROVED ON 12/28/06 AND INCLUDE WR#37-20637.

☐ I agree with this proposed recommendation, no changes to be made.

Date: 1/15/2007

Signature:



Please print your name:

G. ERICK POWELL - L.P.A.

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

**Notice of Error
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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1/19/2007

Water right number: 37-20652

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLACES OF USE

- 2: Describe the changes you wish to make in the proposed recommendation:

PLACES OF USE: ADD THE FOLLOWING QUARTER-QUARTER:
T1S R19E S9 SENE (SEE ATTACHED MAP)

- 3: Give a brief explanation as to why you disagree with these portions

PLACES OF USE: POND EXISTS IN THE QUARTER-QUARTER

☐ **I agree with this proposed recommendation, no changes to be made.**

Date: 1/17/2007

Signature: _____

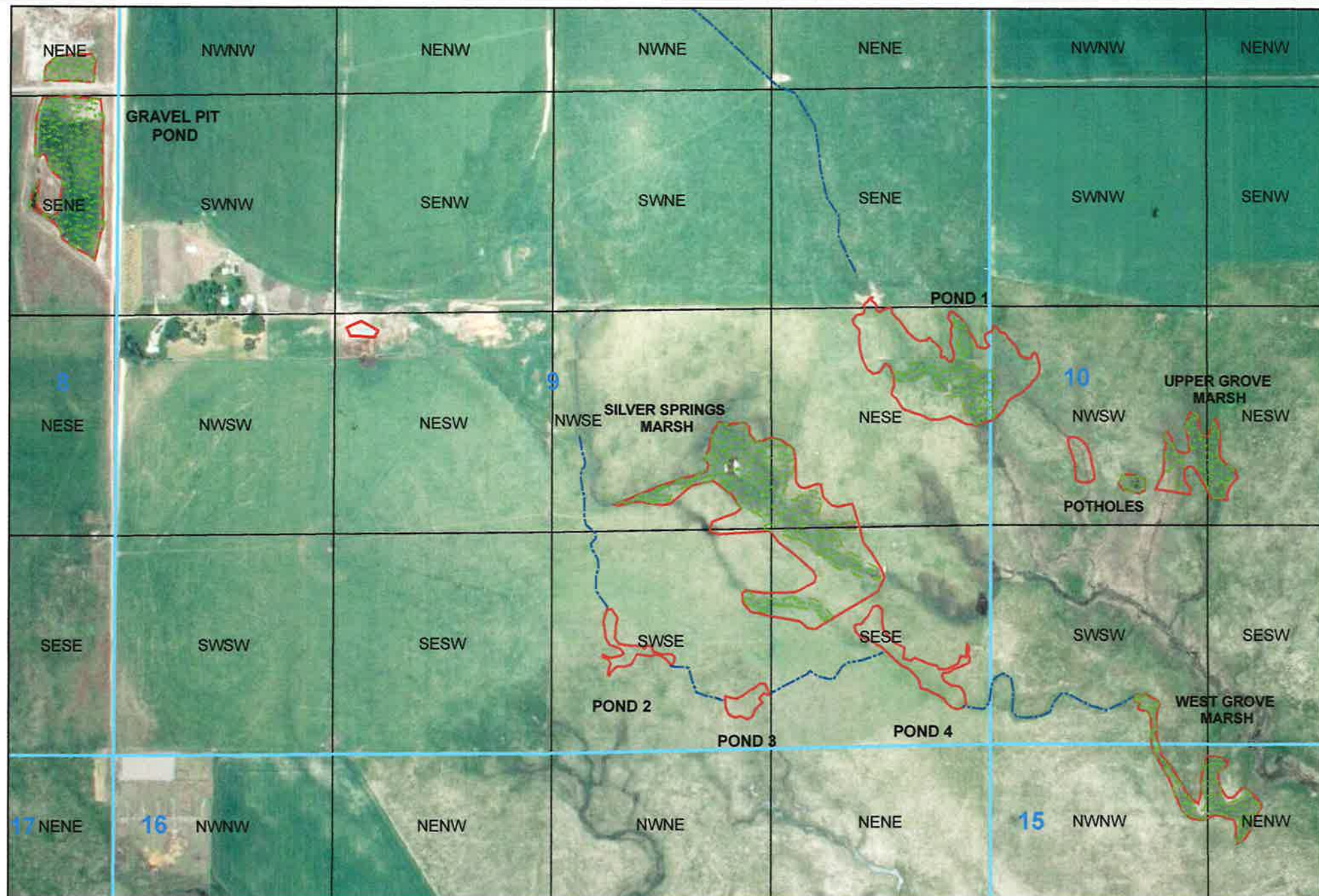


Please print your name: _____

G. Erick Powell – Limited Power of Attorney

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

B. Map of Pond Locations



BROCKWAY ENGINEERING, PLLC.
 ALR - NOV 1, 2005
 UPDATED GEP - JAN 17, 2007

O'GARA WATER RIGHT PRE/POST TRANSFER FSA 1995 AERIAL PHOTO

Legend

- ▭ PROJECT WATER FEATURES
- ▨ Pre-Project Marsh land
- NEW DITCHS
- Sections
- 101s19e



C. Water Right #37-2476 License

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

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

THIS IS TO CERTIFY, that CLARENCE E. ALLRED

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

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

(both dates inclusive)

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

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

Description and location of place of use:

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

Total number of acres irrigated 82.04

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

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

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

Director

D. Water Right #37-803 Decree

①
IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE.

CLOVER LAND AND LIVESTOCK COMPANY,
a corporation,

Plaintiff,

-VS-

C. E. ALLRED and JENNIE ALLRED,
husband and wife; MRS. WALTER BROWN,
a widow; ALVA RHODES and IDA RHODES,
husband and wife,

Defendants.

644
14B-5
37-A5-2
✓
DECREE

The above entitled case came on for hearing before D. H. Sutphen, Judge of the District Court of the Fourth Judicial District, in chambers at Gooding, Idaho, the 23rd day of February, 1951, upon the complaint of plaintiff and the cross-complaint of the defendants, plaintiff appearing by C. W. Gardner, its manager, and John H. Daly of the firm of Parry, Keenan, Robertson & Daly, its attorneys, and the defendants appearing in person and by Chas. C. Shaw of the firm of James, Shaw & James, their attorneys, and evidence having been offered and received on behalf of plaintiff and support of its complaint, and on behalf of defendants and in support of their cross-complaint and a stipulation of facts executed by all parties having been introduced in evidence, and the cause having been taken under advisement by the Court, and then by the Court set for further hearing April 30, 1951, and at which latter time before said Judge in chambers at Gooding, Idaho, the same parties appearing, excepting that the defendants Allred and Brown appeared by counsel only, and additional testimony having been taken and documentary evidence introduced and admitted, and all the evidence being by the Court understood and duly considered, and the Court having made and filed its findings of fact and conclusions of law constituting its decision herein, it is by the Court;

MICROFILMED

FEB 26 1988

Lot 2 of Section 7, Township 1 South, Range 20, East, Boise Meridian.

(2) Cont

NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, of Section 18, Township 1 South, Range 20 East, Boise Meridian.

the use of 5 cubic feet per second of time of underground waters diverted on:

A parcel of land in square form in the Northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, Township 1 South, Range 19 East, Boise Meridian, containing one-fourth (1/4) acre,

with priority of April 1, 1935; that the use of said quantity of water is necessary for the production of agricultural crops on said lands and for domestic purposes thereon.

37 0803

(3)

(4). That there is hereby adjudged and decreed to defendants and cross-complainants C. E. Allred and Jennie Allred, husband and wife, for the irrigation of and domestic purposes on those lands in Blaine County, Idaho, described as follows:

Lots 1, 2, 3 and 4, Section 4, and Lot 4, Section 3, all in Township 1 South, Range 19 E.B.M.

the use of 2.54 cubic feet per second of time of underground water diverted on Lot 4, Section 4, Township 1 South, Range 19 E.B.M. with priority of June 15, 1946; that the use of said quantity of water is necessary for the production of agricultural crops on said lands and for domestic purposes thereon.

37 0804

(5). That there is hereby adjudged and decreed to defendant and cross-complainant Mrs. Walter Brown for the irrigation of and domestic purposes on those lands in Blaine County, Idaho, described as follows:

Fr. Lot 2 being Tax No. 198; Fr. NW $\frac{1}{4}$ SE $\frac{1}{4}$ being Tax No. 2261; Lot 3; and NE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 3, Township 1 South, Range 19, E.B.M.

the use of 2.61 cubic feet per second of time of underground water diverted on Lot 3, Section 3, Township 1 South, Range 19 E.B.M. with priority of April 1, 1947; that the use of said quantity of water is necessary for the production of agricultural crops on said lands and for domestic purposes thereon.

E. Notice of Proposed Change of Water Right Nos. 37-803 and 37-2476

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NDS. 37-0803, 37-2476

Notice is hereby given that Kerr Pacific Corporation, c/o Gilbertson, Brownstein, Rask, Sweeney, Kerr & Co., 1200 SW Main Building of Portland, OR has applied to the Department of Water Resources for an addition of diversion points of groundwater rights.

The rights sought to be changed are evidenced by Decree and License and are recorded as follows:

Decree No. 37-0803 Decreed to C.E. Allred and Jennie Allred in case of Clover Land & Livestock Co. vs. Allred, Brown & Rhodes dated May 10, 1951 in 4th District Court, Blaine County.

Amount: 2.54 cfs

Priority: June 15, 1946

Point of Diversion: Lot 4, Sec. 4, T1S, R19E, Blaine County.

Used for irrigation of undetermined acres within Lot 4 (SW1/4NW1/4), Sec. 3; Lot 2 (SW1/4NE1/4), Lot 1 (SE1/4NE1/4), Lot 4 (SW1/4NW1/4), Lot 3 (SE1/4NW1/4), Sec. 4, T1S, R19E.

License No. 37-2476

Amount: 1.64 cfs

Priority: February 12, 1947

Point of Diversion: Lot 4, Sec. 4, T1S, R19E, Blaine County.

Used for irrigation of 82.04 acres within SW1/4NW1/4, Sec. 3; S1/2NE1/4, S1/2NW1/4, Sec. 4, T1S, R19E.

TO BE CHANGED AS FOLLOWS

Decree No. 37-0803: Amount, 2.54 cfs

License No. 37-2476: Amount, 1.64 cfs

Total Amount Being Transferred: 4.18 cfs

Point of Diversion: Lot 4, NW1/4SW1/4, (Two diversion points) Sec. 4, T1S, R19E, Blaine County; 1 1/2 mile West of Gannett.

Used for irrigation of 82.04 acres within SW1/4NW1/4, Sec. 3; S1/2NE1/4, S1/2NW1/4, Sec. 4, T1S, R19E.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, ID 83301 on or before November 23, 1987.

R. Keith Higginson, Director

Published in Wood River Journal on 11/04 & 11/11/87

MicroFILMED

FEB 26 1988

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
02 1A \$ 00.52
0004310838 NOV 21 20
MAILED FROM ZIP CODE 837

37-7758
37-2581
37-2599

37-2604
37-2616

THOMAS O GARA
PO BOX 2930
HAILEY ID 83333

NA

 REASON CHECKED
☒ Moved, Left No Address
☐ Unable To Forward
☐ Attempted - Not Known
☐ Unclaimed
☐ No Such Street ☐ Refused
☐ Insufficient Address ☐ No Such Number

Att. _____ Init. _____

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004389393
\$ 00.00
MAR 08
MAILED FROM ZIP CODE 8

RECEIVED

MAR 13 2007

DEPARTMENT OF
WATER RESOURCES

37-2581
37-2599
37-2604
37-2614
37-7758

REASON CHECKED

☐ Moved, Left No Address

☒ Unable To Forward

☐ Attempted - Not Known

☐ Unclaimed

☐ No Such Street

☐ Insufficient Address

☐ Refused

☐ No Such Number

Rt. _____ Init. _____

THOMAS O GARA
PO BOX 2930
HAILEY ID 83333

**Notice of Error
Reply**

RECEIVED
JAN 08 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/15/2006

Water right number: 37-2604

THOMAS M O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
P.O. BOX 370
KETCHUM, ID 83340

- 1: Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PERIOD OF USE
PLACES OF USE
MAP

- 2: Describe the changes you wish to make in the proposed recommendation:

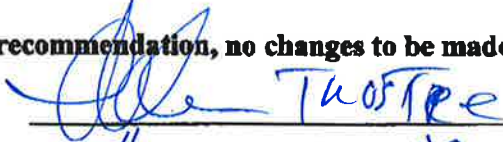
PERIOD OF USE: 4/1 THROUGH 11/1
PLACES OF USE: TOTAL 770 ACRES, SEE ATTACHED CLAIM
MAP DOES NOT CORRESPOND EXACTLY TO PLACE OF USE

- 3: Give a brief explanation as to why you disagree with these portions

PERIOD OF USE: HISTORICAL RECORDS, NEARBY RECOMMENDATIONS
PLACES OF USE: ENTIRE OWNED PROPERTY BOUNDARY, PPU
MAP BOUNDARIES SHOULD REPRESENT THE RECOMMENDATION

☐ I agree with this proposed recommendation, no changes to be made.

Date: 12/21/2006

Signature: 

Please print your name: THOMAS M. O'GARA TRUST

IDWR State Office, 322 E. Front Street, P.O. Box 83720, Boise, ID 83720-0098

State of Idaho **License and Certificate of Water Right**

RECEIVED
JAN 08 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Water License No. G-27512

Amount 2.5 c.f.s.

Water District No. _____

Priority July 29, 1958

THIS IS TO CERTIFY that H. B. BICKETT
of Gannett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 29, 19 58; that Permit No. G-27512
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.5 second feet, was issued thereunder on August 21, 19 62, showing that said works
were completed on the 21st day of April, 19 61; and that on the 21st
day of April, 19 61,

H. B. BICKETT

of Gannett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-27512 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7405, on the 21 day of August, 19 62;
The right hereby confirmed dates from July 29, 19 58;

The Point of Diversion is located

in the NW 1/4 SE 1/4, Sec. 17, Tp. 1 S, R. 19 E, B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
1 S	19 E	16	NE NW	40	33	
			NW NW	40	20	
			SW NW	40	40	
			SE NW	40	40	
			SW SE	160	160	
			NW SE	40	25	
			SW SE	40	39	
			SE SE	40	38	
		17	SE	160	160	
			NE NE	40	35	
		20	NW NE	40	20	
			NE NW	40	40	
		21	NW NW	40	40	
			SE NW	40	40	
			NE SW	40	40	
			Total number of acres to be irrigated:			

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

21st day of August, 19 62.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

(SEAL)

2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

12/21/2006

WATER RIGHT NO. 37-2604

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THOMAS M O GARA FAMILY TRUST C/O BRIAN BARSOTTI PO BOX 370 KETCHUM, ID 83340 (208)726-3030
Trustee	THOMAS O GARA PO BOX 2930 HAILEY, ID 83333
Original Owner	CHEMS PO BOX 237 GOODING, ID 83330 (208)934-4337

Priority Date: 07/29/1958

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	/	/	2.5 CFS	
Total Diversion			2.5 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENWSE	Sec. 17	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	16		NENW	33		NWNW	20		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NWSE	25		SWSE	39		SESE	38			
		17		NESE	40		NWSE	40		SWSE	40		SESE	40
		20		NENE	35		NWNE	20						

Water Right Report

		21		NENW	40		NWNW	40		SENW	40			
				NESW	40									

Total Acres: 770

Conditions of Approval:

1.	08/10/99, CHANGED OWNERSHIP: CHEMS TO O GARA FAMILY TRUST AS PER 1409(6), WARRANTY DEED, TITLE INS. REC'D 06/24/98. C.T.
----	--

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:

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

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/21/2006

WATER RIGHT NO. 37-2604

Owner Type	Name and Address
Current Owner	HARVEY B BICKETT GANNETT, ID 83329

Priority Date: 07/29/1958

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	/	/	2.5 CFS	
Total Diversion			2.5 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 17	Township 01S	Range 19E	BLAINE County
--------------	------	---------	--------------	-----------	---------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01S	19E	16		NENW	33		NWNW	20		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NWSE	25		SWSE	39		SESE	38			
				NESE	40		NWSE	40		SWSE	40		SESE	40
		17		NENE	35		NWNE	20						
				NENW	40		NWNW	40		SENW	40			
		20		NESW	40									
		21												

Total Acres: 770

Dates:

Licensed Date: 05/15/1979

Decreed Date:

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Water Right Report

Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal:
Owner Name Connector:
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

11/27/2006

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

RIGHT NUMBER: 37-2604

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

VERIFIED BY KKC

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.500 CFS

The rights listed below are limited to a total combined annual diversion volume of 2526 af. Combined Right Nos.: 37-2581, 37-2599, 37-2604, 37-2616, & 37-7758

PRIORITY DATE: 07/29/1958

POINT OF DIVERSION:

T01S R19E S17 NENWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.500 CFS 990.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S16	SWNE	0.70	T01S R19E S16	NENW	18.00
T01S R19E S16	NWNW	17.00	T01S R19E S16	SWNW	26.00
T01S R19E S16	SENE	38.00	T01S R19E S16	NESW	40.00
T01S R19E S16	NWSW	39.00	T01S R19E S16	SWSW	37.00
T01S R19E S16	SESW	39.00	T01S R19E S16	NWSE	24.00
T01S R19E S16	SWSE	38.00	T01S R19E S16	SESE	37.00
T01S R19E S17	NESE	41.00	T01S R19E S17	NWSE	36.00
T01S R19E S17	SWSE	39.00	T01S R19E S17	SESE	39.00
T01S R19E S20	NENE	31.00	T01S R19E S20	NWNE	20.00
T01S R19E S21	NENW	40.00	T01S R19E S21	NWNW	40.00
T01S R19E S21	SENE	41.00	T01S R19E S21	NESW	41.00

721.7 ACRES TOTAL

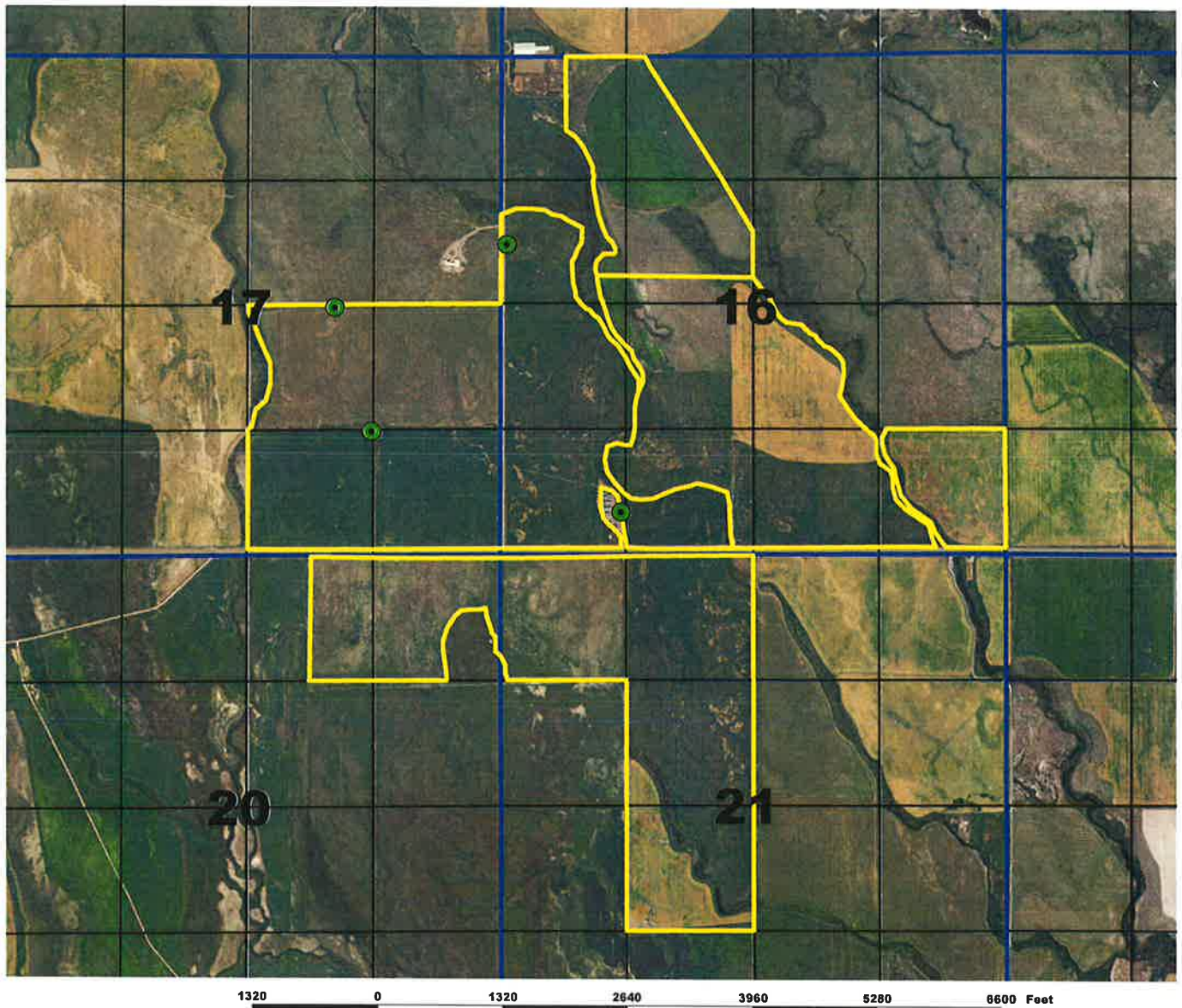
The rights listed below are limited to the irrigation of a combined total of 721.7 acres in a single irrigation season. Combined Right Nos.: 37-2581, 37-2599, 37-2604, 37-2616, & 37-7758

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

RECOMMENDED PLACE OF USE FOR 37-2581, 37-2599, 37-2604, & 37-2616



PLACE OF USE
TWP 1S, RNG 19E, SEC 16, 17, 20, & 22
Data entry on November 27, 2006

- RECOMMENDED POINT OF DIVERSION
 - RECOMMENDED PLACE OF USE
 - TOWNSHIP LINES
 - SECTION LINES
 - QUARTER/QUARTER LINES
 - ★ LOCATION IN BASIN
- GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



State of Idaho

License and Certificate of Water Right

Water License No. G-27512

Amount 2.5 c.f.s.

Water District No.

Priority July 29, 1958

THIS IS TO CERTIFY that H. B. BICKETT of Gannett, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 29, 1958; that Permit No. G-27512 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.5 second feet, was issued thereunder on August 21, 1962, showing that said works were completed on the 21st day of April, 1961; and that on the 21st day of April, 1961,

H. B. BICKETT

of Gannett, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-27512 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7405, on the 21 day of August, 1962; The right hereby confirmed dates from July 29, 1958;

The Point of Diversion is located

in the NW 1/4 SE 1/4, Sec. 17, Tp. 1 S, R. 19 E, B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S	19 E	16	NE NW	40	33
			NW NW	40	20
			SW NW	40	40
			SE NW	40	40
			SW SE	160	160
			NW SE	40	25
			SW SE	40	39
			SE SE	40	38
		17	SE SE	160	160
		20	NE NE	40	35
			NW NE	40	20
		21	NE NW	40	40
			NW NW	40	40
			SE NW	40	40
			NE SW	40	40
Total number of acres to be irrigated:					770

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

21st day of August, 1962.

/s/ RALPH W. THOMAS

Deputy

State Reclamation Engineer 2604

(SEAL)

AJ0749NP
No. A37-02604

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/10/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS O GARA FAMILY TRUST 222 WEST 4TH ST FT WORTH TX 76102	07/29/1958	IRRIGATION	00-00 00-00	2.500 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					2.500 CFS	1925.00 AFA

=====

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01S R19E S17 NENWSE

BLAINE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
01S	19E	16	:		:		33	20	40	40	40	40	40	40	:	25	39	38	395.0
01S	19E	17	:		:		:				:				:	40	40	40	160.0
01S	19E	20	:	35	:	20	:				:				:				55.0
01S	19E	21	:		:		40	40		40	40				:				160.0
TOTAL ACRES																		770.0	

POU County: BLAINE

Other Rights: A37-02599, A37-02616, A37-02581, A37-07758.

Remarks: GEN 08/10/99, CHANGED OWNERSHIP: CHEMS TO O GARA FAMILY TRUST AS PER
1409(6), WARRANTY DEED, TITLE INS. REC'D 06/24/98. C.T.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

September 7, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: OWNERSHIP CHANGE SRBA Claim(s) A37-02581, A37-02599,
A37-02604, A37-02616, A37-07758

Dear Claimant:

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

Sincerely,

Cheryl E. Timm
Records Clerk, SRBA

Enc.: Claim to a Water Right(S) referenced above



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

RECEIVED

JAN 28 2002

Department of Water Resources
Southern Region

DIRK KEMPTHORNE
GOVERNOR

December 27, 2001

KARL J. DREHER
DIRECTOR

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

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

Records updated 1-25-02.

Dear Water Right Holder:

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

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

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

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

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Claimant Signature

Telephone No.

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



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

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

John K. Simpson
jks@idahowaters.com

January 18, 2002

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

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

Dear Ms. Sherman:

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

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

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

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

Sincerely,

John K. Simpson /bh

John K. Simpson

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

last name
first name

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

RETURN TO SENDER

fee due 60¢

US POSTAL SERVICE
PS FORM 3547

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

RETURN TO SENDER

fee due 60¢

US POSTAL SERVICE
PS FORM 3547

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

ADDRESS SERVICE
REQUESTED



See
37-2511
2558
7231
7232
10455
10456
10457
11 732
KCS

ORG NAME
37-2581
2599
2604
2616
7158
KCS

BARSO13 833402010 1801 10 11/29/01
FORM 3547
BARSOTTI
PO BOX 370
KETCHUM ID 83340-0370

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

RECEIVED

JUL 25 2002

Department of Water Resources

July 5, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

THOMAS O GARA FAMILY TRUST

~~G/O BRIAN BARSOTTI~~

~~PO BOX 370~~

~~KETCHUM ID 83340-0370~~

c/o John Simpson

P.O. Box 2139

Boise ID 83701-2139

Re: Snake River Basin Adjudication (SRBA)

Notices of Claim to a Water Right #37-2517, 37-2558, 37-2581,

37-2599, 37-2604, 37-2616, 37-7231, 37-7232 and

Water Right #37-11732

Change of Address

records modified 7-25-02.

Dear Claimant:

Updated CID 13010.

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

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by July 23, 2002. Thank you for your help.

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

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

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS region

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

Claimant Signature

208-330-0700

Telephone No.

SCANNED

JUL 25 2002

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

RETURN TO SENDER

fee due 60¢

U.S. POSTAL SERVICE
PS FORM 3547

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

RETURN TO SENDER

fee due 60¢

U.S. POSTAL SERVICE
PS FORM 3547

Dept. of Water Resources
Adjudication Bureau
P.O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED



37-2517^{Rec}
-255^{8 Rec}
-723^{1 Rec}
-7232^{Rec}
-11732
PD 1-5-01
37-2604^{ch}
-2612
-2581^{ch}
-2599^{ch}
-2616^{ch}
~~7558~~

RECEIVED

JUL - 2 2002

Department of Water Resources

BAR8013 833404019 1801 11 06/27/02
FORM 3547
BARSOTTI
PO BOX 370
KETCHUM ID 83340-0370

THOMAS O GARA FAMILY TRUST
C/O BRIAN BARSOTTI ESO
PO BOX 10013
KETCHUM ID 83340

CID 208231, 25229