

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: A37-02609B
Date Received: 10/19/1988
Receipt No: S003062
Received By: Adm

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GUELFO DICARPEGNA
Address: 35 WEST 54TH STREET
NEW YORK, NY

10019

AND/OR

Name: RUFO DICARPEGNA
Address: 35 WEST 54TH STREET
NEW YORK, NY

10019

AND/OR

Name: ALLEGRA DICARPEGNA
Address: 35 WEST 54TH STREET
NEW YORK, NY

10019

2. Date of Priority: OCT 08, 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	22	SW	SE	SW		BLAINE
		27	NE	NE	SE	R	BLAINE

5. Description of diverting works:

WELL AND PUMP INTO CHANEY CK; REDIVERTED BY PUMP INTO MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.414		

7. Total Quantity Appropriated is:

1.414 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 283.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

A37-02609B

Page

1

Date: 12/22/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	27	SW		NE		IRR	30.0
			SE		NE		IRR	15.0
			NE		SE		IRR	35.0
			NW		SE		IRR	20.0
							Section Acres	100.0
							Total Acres	100.0

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:
A37-02618

14. Remarks:

THIS WELL IS SHARED BY 3 CLAIMANTS. WATER IS DIVERTED INTO CHANEY CR.(SWSESW, S.22) AND DIVERTED OUT FROM POINT OF RE-DIVERSION LISTED.

THIS AMEDEMMENT IS TO CORRECT THE AMOUNT OF WATER CLAIMED. 4.04 CFS IS THE TOTAL AMOUNT OF THE ORIGINAL RIGHT. THE AMOUNT CLAIMED BY RALF AND HARRIET STINSON (A37-02609A) SHOULD ALSO BE AMENDED AND REDUCED AS THEY HAVE ALSO CLAIMED THE ENTIRE AMOUNT OF THE ORIGINAL RIGHT (4.04 CFS).

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

TERRY G. HOGUE

JAMES P. SPECK

DOUGLAS J. AANESTAD

J. STEPHEN CRABTREE

TRACY DUNLAP

December 15, 1989

RECEIVED

DEC 18 1989

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Loren Holmes
Idaho State Department of Water Resources
2148 - 4th Avenue East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Re: Snake River Basin Adjudication
Claim No. A37-02609B - Guelfo DiCarpegna et al.
Amended Notice of Claim

Dear Loren:

Enclosed you will find an Amended Notice of Claim by Guelfo DiCarpegna et al. for Claim No. A37-02609B. The total number of irrigated acres remain the same, so no additional fee should be required. Please call me if you have any questions.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS/jal

Enclosure

cc: Mr. Guelfo DiCarpegna
Ms. Leslie Barclay

MICROFILMED
FEB 23 1993

DEC 18 1989

Department of Water Resource
Southern Region Office

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

CIVIL CASE NUMBER: 39356

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Ident Number A37-02609B

Date Received

Receipt Number

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

COPY

1. Name of Claimant(s): Guelfo DiCarpegna &/or Rufo DiCarpegna &/or
Allegra DiCarpegna
Phone: 1-212-541-5319
Mailing Address: 35 West 54th Street
New York, NY 10019

2. Date of Priority: October 8, 1958

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

4. a. Location of point of diversion is:

Township	Range	Section	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Lot	County
1: 1S	19E	22	SW	SE	SW		Blaine
2: 1S	19E	27	NE	NE	SE		Blaine

Additional points of diversion if any: None.

b. If instream flow, beginning point:

Township	Range	Section	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Lot	County
----------	-------	---------	---------------	---------------	---------------	-----	--------

Ending point:

Township	Range	Section	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Lot	County
----------	-------	---------	---------------	---------------	---------------	-----	--------

5. Description of existing diversion works: 1: Well and pump into Chaney Creek; 2: re-diversion by pump into mainline.

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FEB 23 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	1.414 cfs

7. Total Quantity Claimed: 1.414 cfs

8. Total consumptive use claimed is 283 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
1S	19E	27	SW	NE	I	30.0
1S	19E	27	SE	NE	I	15.0
1S	19E	27	NE	SE	I	35.0
1S	19E	27	NW	SE	I	20.0

Total number of irrigated acres: 100.0

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? A37-02618

14. Remarks: This amendment is to correct the amount of water claimed. 4.04 cfs is the TOTAL amount of the original right - 37-2609; the portion claimed by these Claimants is 1.414 cfs. The amount claimed by Ralf H. and Harriet H. Stinson to another portion of the original right (A37-02609A) should also be amended and reduced as they have also claimed the entire amount of the original right (4.04 cfs). The water is first diverted into Chaney Creek and then re-diverted by pump into mainline at the place of use.

Last Name: DiCarpegna

Ident No. A37-02609B

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FEB 23 1993

15. **Basis of Claim:** License
IDWR Water Right Number: 37-2609B
Court:
Case Number:
Decree Date:
Plaintiff v. Defendant:

16. **Signature(s)**

(a) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

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

Signature of Claimant(s)

GUELFO DICARPEGNA

Date 12/8/89

State of NY)
County of NY) ss.

Subscribed and sworn before me this 8 day of December, 1989.

Notary Public, State of New York
No. 41-481877G

Qualified in Queens County
Certificate Filed in New York County
Commission Expires 9/30/90

Notary Public

Residing at

Commission Expires 9/30/90

17. **Notice of Appearance:**

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: James P. Speck

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

Date: 12/13/89

Last Name: DiCarpegna
j:\dicpgna.clm
11/10/89

Ident No.: A37-02609B

MICROFILMED
FEB 23 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-02609B
Date Received: 10/19/1988
Receipt No: S003062
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GUELFO DICARPEGNA
Address: 35 WEST 54TH STREET
NEW YORK, NY 10019

AND/OR

Name: RUFO DICARPEGNA
Address: 35 WEST 54TH STREET
NEW YORK, NY 10019

AND/OR

Name: ALLEGRA DICARPEGNA
Address: 35 WEST 54TH STREET
NEW YORK, NY 10019

2. Date of Priority: OCT 08, 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	22	SW	SE	SW		BLAINE
		27	NE	NE	SE	R	BLAINE

5. Description of diverting works:
WELL AND PUMP, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.040		

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

8. Total consumptive use is 283.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-02609B

Page 1

Date: 10/02/89

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	27	SW		NE		IRR	30.0
			SE		NE		IRR	15.0
			NE		SE		IRR	35.0
			NW		SE		IRR	20.0
							Section Acres	100.0
							Total Acres	100.0

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:
A37-02618

14. Remarks:
THIS WELL IS SHARED BY 3 CLAIMANTS. WATER IS DIVERTED INTO
CHANEY CR.(SWSESW, S.22) AND DIVERTED OUT FROM POINT OF
RE-DIVERSION LISTED.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

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

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

4. Notice of Appearance:

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

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

Date: Sept. 15 1989 Sept. 20, 1989

DATE: Sept 15 1989

Guelfo DiCarpegna
Guelfo DiCarpegna

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FEB 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 2, 1989

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

Jim Speck
P O Box 987
Paul, ID 83347

Dear Claimant(s):

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

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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FEB 23 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-02609B
Date Received: 10/19/1988
Receipt No: S003062
Received By: JCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

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

2. Date of Priority: OCT 08, 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	22	SW	SE	SW		BLAINE
		27	NE	NE	SE	R	BLAINE

5. Description of diverting works:
WELL AND PUMP, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.040		

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

8. Total consumptive use is 283.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	27	SW		NE		IRR	30.0
			SE		NE		IRR	15.0
			NE		SE		IRR	35.0
			NW		SE		IRR	20.0
							Section Acres	100.0
							Total Acres	100.0

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:
A37-02618

14. Remarks:
THIS WELL IS SHARED BY 3 CLAIMANTS. WATER IS DIVERTED INTO
CHANEY CR.(SWSESW, S.22) AND DIVERTED OUT FROM POINT OF
RE-DIVERSION LISTED.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Rupert Gardner Date: 10-19-88

Date: _____

State of Idaho

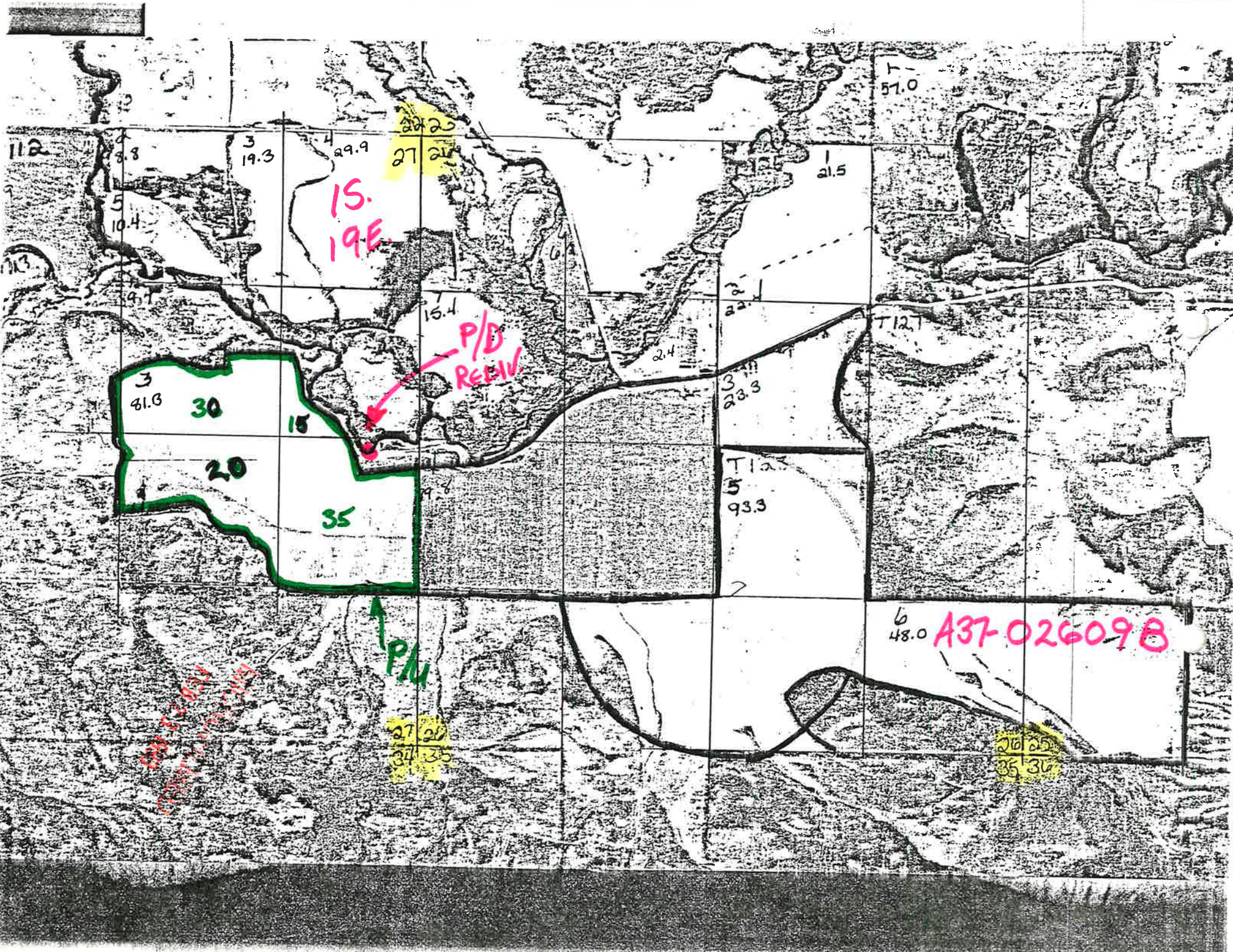
County of Twin Falls)
SS.

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

Roxanne Storey
Notary Public

Seal

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



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: A37-02609
Date Received: 12/22/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SPLIT RIGHT

Address:

XXX, ID

000

2. Date of Priority: OCT 08, 1958

3. Source: GROUNDWATER
SPLIT RIGHT

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	22	SE	SW			BLAINE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			4.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	22	SE	SW		IRR	30.0

Section Acres 30.0

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FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	27	NE		NE		IRR	30.0
			NW		NE		IRR	40.0
			SW		NE		IRR	30.0
			SE		NE		IRR	15.0
			NE		NW		IRR	40.0
			SE		NW		IRR	10.0
			NE		SE		IRR	40.0
			NW		SE		IRR	15.0
							Section Acres	220.0
							Total Acres	250.0

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:

14. Remarks:
SPLIT RIGHT.

15. Basis of Claim: LICENSE
Water Right Number: 27592

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

10/26/2006

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

RIGHT NUMBER: 37-2609B

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

ALLEGRA DICARPEGNA
35 W 54TH ST
NEW YORK NY 10019

GUELFO DICARPEGNA
35 W 54TH ST
NEW YORK NY 10019

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.410 CFS
265.300 AFY

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

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

PRIORITY DATE: 10/08/1958

POINT OF DIVERSION: T01S R19E S22 SWSESW Within BLAINE County

T01S R19E S22 SWSESW Injection Within BLAINE County

T01S R19E S27 NENESE Rediversion Within BLAINE County

Water diverted under this right is injected into Silver Creek at the point of injection described above and rediverted from Silver Creek at the point of rediversion described above.

The amount of water diverted from Silver Creek shall be reduced when necessary to prevent injury to appropriators of water from Silver Creek downstream from the point of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.410 CFS 265.30 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R19E S27	SWNE	15.00	T01S R19E S27	SENE	5.80
T01S R19E S27	NESE	34.00	T01S R19E S27	NWSE	21.00
75.8 ACRES TOTAL					

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

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

10/26/2006

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

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

The remainder of this right was forfeited for non-use from 1974 to 1987.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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



Idaho Department of Water Resources

SRBA Recommendation:

37-2609B

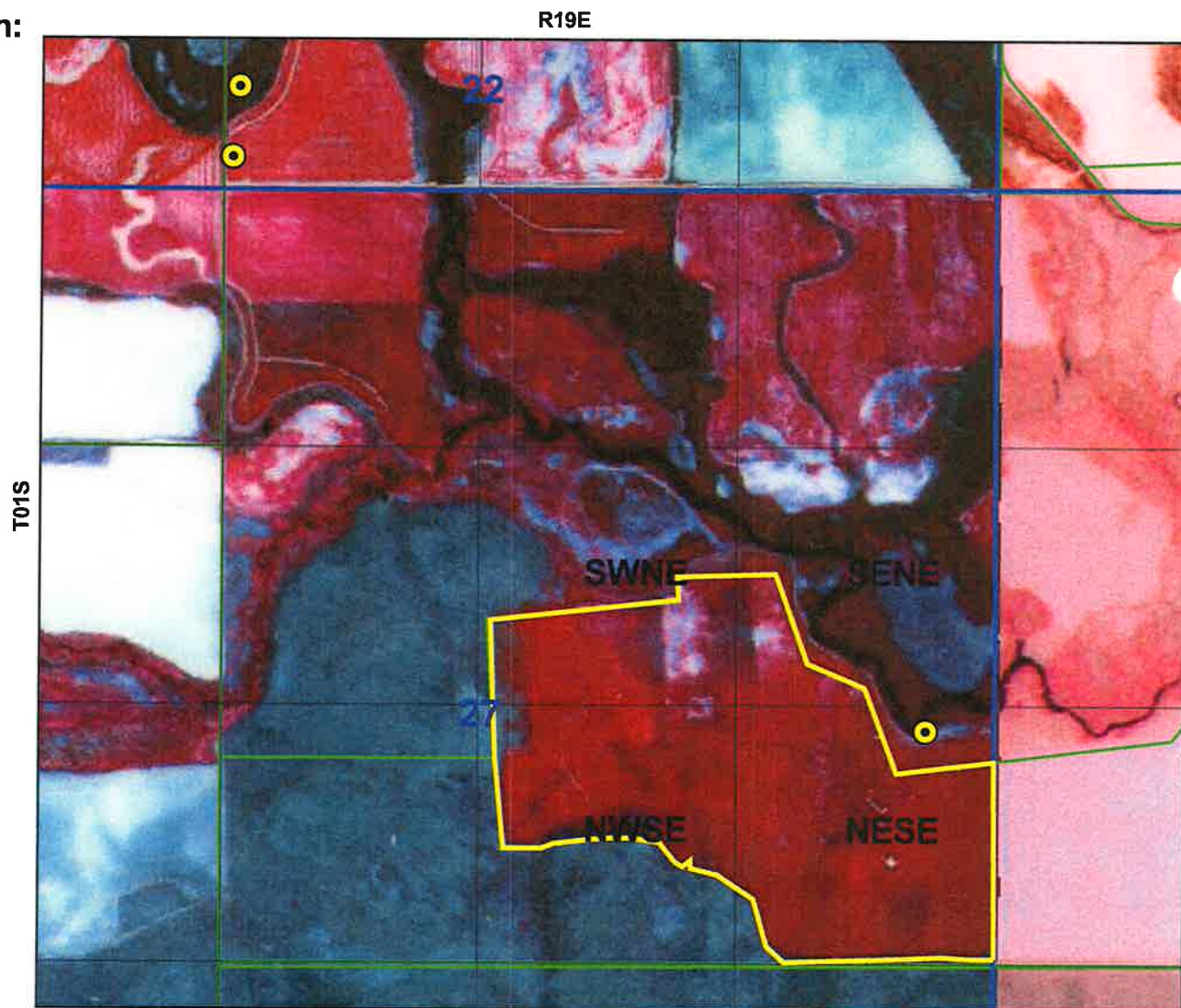
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.4 0.8 Miles

Prepared by S. Keen
On Wednesday, October 18, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendation:

37-2609B

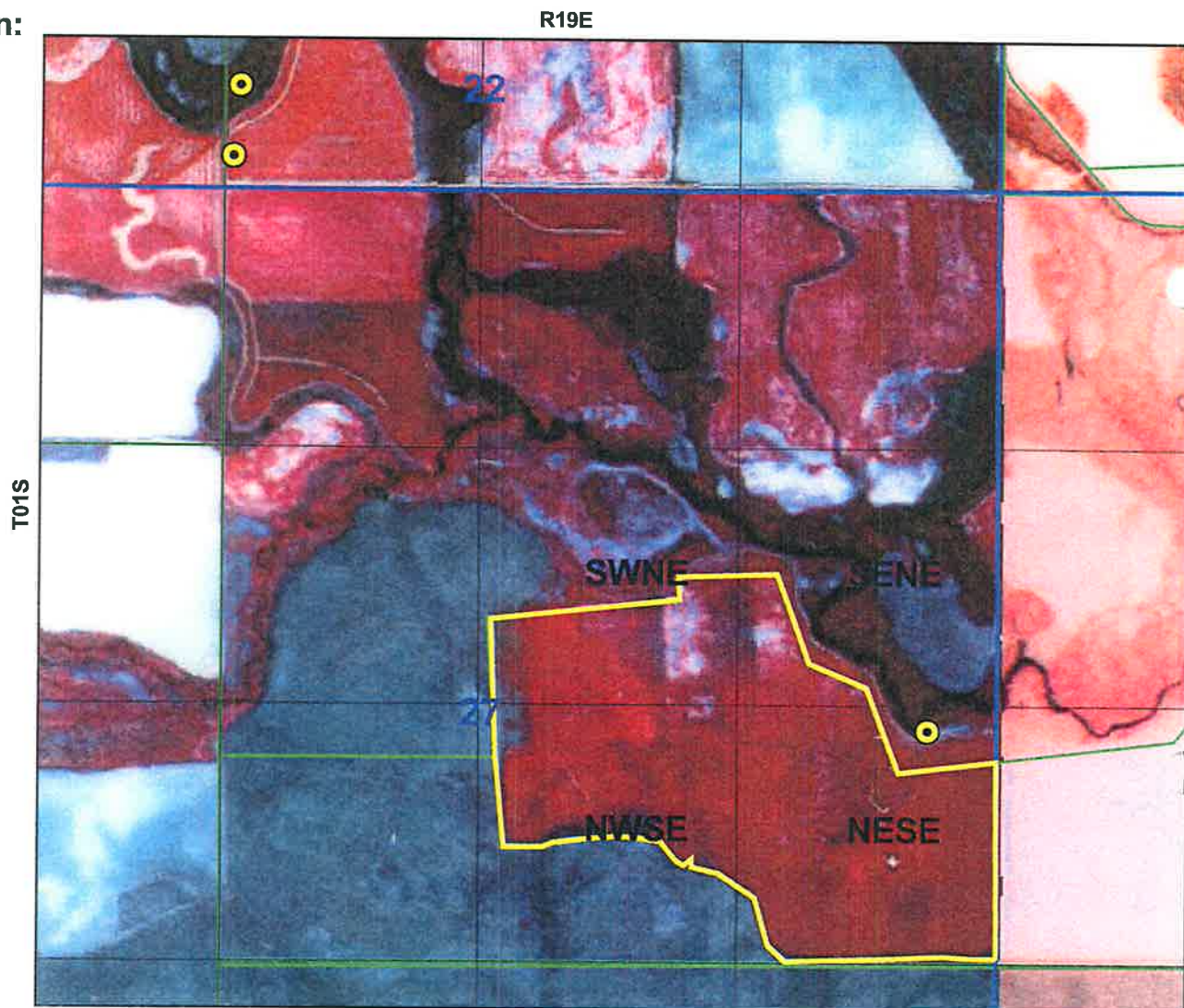
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by S. Keen
On Wednesday, October 18, 2006
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 27, 2006

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

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

Dear Claimant:

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

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

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

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

ss:region
Enclosure:

Notice of Change in Water Right Ownership Form

SCANNED

OCT 27 2006

10/26/2006

S. Keen

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Combined Use Limits for 37-2609B, 37-2618,
and 37-7800

37-2609B + 37-2618

Acres: The entire POU for 37-2609B is
contained within the POU for 37-2618.
 $\therefore$ the combined limit = the 162.8 acres
recommended for 37-2618

$$\text{Vol: } 162.8 \text{ acres} \times 3.5 \text{ AF/acre} = 569.8 \text{ AF}$$

$$\begin{aligned} \text{Rate: } 1.41 \text{ cfs} + 2.39 \text{ cfs} &= 3.80 \text{ cfs} \\ 3.80 \text{ cfs} \div 162.8 \text{ acres} &= 0.0233 \text{ cfs/acre} \\ 0.02 \text{ cfs/acre} \times 162.8 \text{ acres} &= 3.26 \text{ cfs} \end{aligned}$$

37-2618 + 37-7800 + 37-2609B

$$\begin{aligned} \text{Acres: } 33\text{-acre overlap in NESW of Section 26} \\ 162.8 + 212 - 33 &= 341.8 \text{ acres} \end{aligned}$$

$$\begin{aligned} \text{Vol: } 162.8 \times 3.5 &= 569.8 \text{ AF} \\ (212 - 33) \times 3.0 &= 537.0 \text{ AF} \\ &= 1106.8 \text{ AF} \end{aligned}$$

$$\begin{aligned} \text{Rate: } 3.26 \text{ cfs} + 3.75 \text{ cfs} &= 7.01 \text{ cfs} \\ 7.01 \text{ cfs} / 341.8 \text{ acres} &= 0.021 \text{ cfs/acre} \\ 0.02 \text{ cfs} \times 341.8 \text{ acres} &= 6.84 \text{ cfs} \end{aligned}$$

OVER

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37-2618 + 37-7800

Acres = 341.8

Vol = 1106.8

Rate: $2.39 \text{ cfs} + 3.75 \text{ cfs} = 6.14 \text{ cfs}$

$6.14 \text{ cfs} / 341.8 \text{ acres} = 0.018 \text{ cfs/acre}$

No combined limit

Other Notes:

Erin Retelle's memo for 37-2223 depicts a well in the NESW of Sec. 26 near the center of the current pivot. The well is not claimed on either 37-2618 or 37-7800, or on any other claim. I could not find a well log for it. Erin's camera did not work that day, so there is no photo of it. I wondered if it could have been a booster pump, not a well pump. If it is a well it will have to be added by transfer unless the claimant can show that it existed in 1987. That is unlikely because the field exam for 37-7800 was in 1986.

MEMORANDUM

DATE: October 18, 2006

TO: SRBA Claim File 37-2609B

FROM: Shelley W. Keen *SWK*

RE: Recommended Place of Use

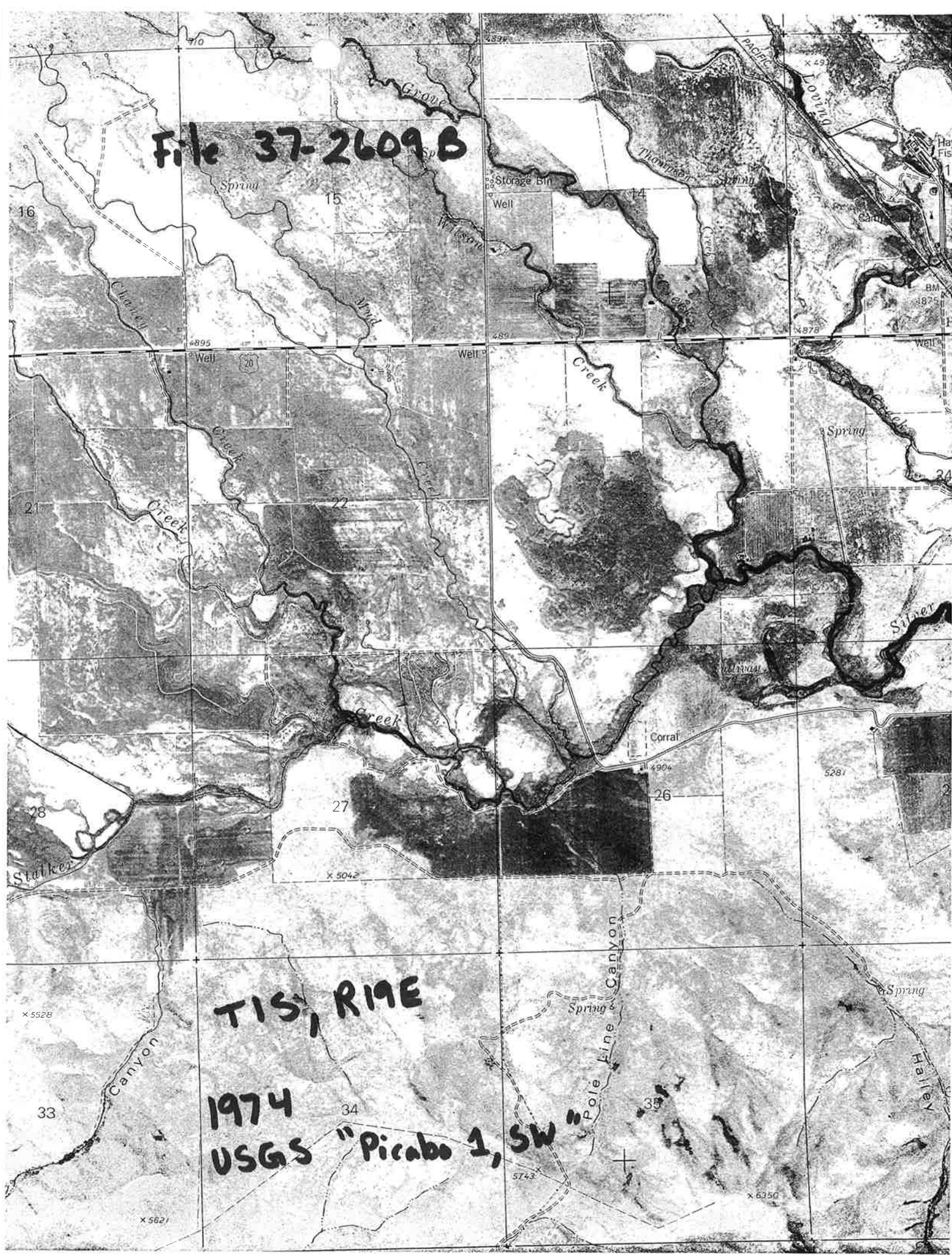
The right holder claimed an irrigated place of use of 100 acres on Claim 37-2609B. My recommendation of only 75.8 acres is based on two factors. First, some of the lands historically irrigated along the northern edge of the claimed place of use in the S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 are now owned by The Nature Conservancy and should be addressed on its claim, 37-2609C. I am recommending only those irrigated acres within the claimant's property boundary. Second, both the 1974 USGS "Picabo 1 SW" orthophoto quadrangle and the 1987 NAPP aerial photography show fewer acres irrigated along the southern edge of the claimed place of use than authorized on the 1964 license. If those lands ever were irrigated, the irrigation was discontinued by 1974 and not resumed by 1987. My recommendation of 75.8 acres is for the land irrigated from 1974 to 1987 that is within the claimant's property boundaries and has not been partially forfeited.

File 37-2609 B

TIS, RME

1974
USGS

"Picabo 1, SW"



SOUTHERN REGION CLAIMS IN STAX AS OF 2/25/91

(This List FAXed to Region with copy to Anna Baumhoff 2/25/91)

BLAINE CO....
BLAINE COUNTY: BALDWIN, CLYDE, A37-00433A
DURKHEIMER, ALAN, A37-12829
Woodbury, Lyle D.
All signed/notarized, d-e not completed.
A37-00198A, A37-00197D, A37-11910, A37-01135, A37-01026A
The Nature Conservancy
All signed/notarized; no d-e
Two unnumbered claims plus A37-00351B, A37-00352A, A37-
12410 through A37-12413, A37- 02580, *Split* A37-02609, A37-02609C
Fassett, Helen M.
All signed/notarized, d-e not completed. Problems per note
from Carter Fritschle attached.
A37-08278, A37-0425D, A37-04151, A37-12363, A37-12366 and
A37-12367
Sorenson, Milton J. - A37-12439
Gibson, Jean/Lindstrom, Mary/Babin, Doris/Mathews, Donna
A37-10023 data entered w/o rec't #; some consumptive use
probs.
Bitton, Jeff/Debra
One claim only; checklist not complete; need add'l \$10.00;
based on decree.

GOODING COUNTY:

Idaho State Bank
A37-00856, A37-02780, A37-02778, A37-07754, A37-11480. A
real mess. Don Shaff has done some work on these four
claims, for Bray Lake Ranch. His notes are all attached,
with the comment, "Quick Review".

TWIN FALLS CO....
STANLEY/ORR, A47-11863

MICROFILMED
FEB 23 1993