

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: A37-07663
Date Received: 9/26/1988
Receipt No: S002516
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK PIERRET 208-788-2732
Address: P.O. BOX O
SHOSHONE, ID 83352

2. Date of Priority: AUG 25, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	15	SW	SE			BLAINE

5. Description of diverting works:
WELL, PUMP, SPRINKLERS & TANKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		3.00
STOCKWATER	01/01	12/31	0.020		0.20
DOMESTIC	01/01	12/31	0.060		1.20

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) 4.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOMES, S/20 BEEF CATTLE, 5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	15	SW	SE		IRR	1.0

Section Acres 1.0

A37-07663

Page 1

Date: 09/26/88

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FEB 24 1993

Total Acres	1.0
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12. Do you own the property listed above as place of use? YES

14. Remarks:

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): Frank Tseret Date: 7/26/88
Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 26th day

of Sept 19 88

Lon White
Notary Public

Seal

Residing at TF

My Commission Expires 5/95

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FEB 24 1993

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
EFTREY BOWLES
02 1A \$ 00.87⁰
0004310839 NOV 30 2006
MAILED FROM ZIP CODE 83702

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO DELIVER
RETURNED TO SENDER

BK 13

37-7643

FRANK PIERRET
PO BOX 0
SHOSHONE ID 83352

RECEIVED
DEC 04 2006
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
	37-7663				
37-8116					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

 B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

FRANK PIETRETE

SHASONE, ID 83352

-  4. New Owner/Claimant(s)

Thomas M. O'Leary Family Trust
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

-  New Mailing Address

112 Price Lane

-  City, State and ZIP Code

Belleuve ID 83313

-  New Telephone Number

208 788-3098

-  5. Date you acquired the property

11/12/1998

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DEC 13 2006

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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

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

* 7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

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DEC 13 2006

Order No. 26788

400 J

WARRANTY DEED

FOR VALUE RECEIVED

FRANK G. PIERRET, TRUSTEE FOR THE DIAMOND TRUST, A REVOCABLE TRUST AGREEMENT DATED JANUARY 7, 1997

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

II.

THOMAS O'GARA FAMILY TRUST DATED JULY 8, 1992, THOMAS M. O'GARA, TRUSTEE

GRANTEE(s) whose address is: C/O BOX 18913, Kalamazoo, MI 49001

the following described real property in Elaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

- 20008

Deed
QUEST
SANTOOTH TITLE

98 NOV 12 PM 3 39

L. B. B. MPP

FEES: 6.00

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 8, 1998

Frank G. Pierret, Trustee
FRANK G. PIERRET, TRUSTEE

State of Idaho

County of Elaine

On this 12th day of November in the year 1998 before me, the undersigned, personally appeared FRANK G. PIERRET, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the DIAMOND TRUST, A REVOCABLE TRUST AGREEMENT DATED JANUARY 7, 1997, and acknowledged to me that he/they executed the same as such trustee(s).

WITNESS my hand and official seal.

Maia & Mark
Notary Public
Commission Expires 2/1/2000

EXHIBIT "A"

TOWNSHIP 1 SOUTH, RANGE 10 EAST, SAGEBIRDIAN, BLAINE COUNTY, MONT.

SECTION 10: A parcel of land situated within said Section 10, more particularly described as follows:

BEGINNING at the West 1/4 corner of said Section 10, a GLO brass cap; thence
 N. 89° 27' 20" W., 1327.70 feet to the North 1/4 corner, a 60" bar; thence
 N. 89° 27' 20" E., 2042.57 feet to the North 1/4 C-C corner, a 60" bar; thence
 N. 89° 27' 00" E., 1328.60 feet to the NE 1/4 corner, a 60" bar; thence
 S. 89° 49' 00" E., 1328.60 feet to the East 1/4 C-C corner, a 60" bar; thence
 S. 89° 49' 40" E., along the East line of the WASTE of said Section 10, a distance
 of 2854.62 feet to a point on the North right-of-way line of U.S. Highway 20; thence
 S. 89° 27' 00" W., along said right-of-way line a distance of 1328.25 feet to a point
 on the West line of said WASTE; thence
 N. 89° 07' 20" W., 2042.57 feet to the center 1/4 corner, a 60" bar; thence
 S. 89° 27' 00" W., 2042.57 feet to the REAL POINT OF BEGINNING.

**TOGETHER WITH ALL WATER RIGHTS APPURTENANT TO THE
 REAL PROPERTY, INCLUDING, BUT NOT LIMITED TO THE
 FOLLOWING DESCRIBED RIGHTS:**

Stream	Number	Priority	CFS	Acres	Source
1. Lincon	27-07063/ A27-07063	8/25/1977	0.10	1	Groundwater
2. Lincon	27-08116	6/6/1983	0.080	1.6	Groundwater

THE ABOVE DESCRIBED WATER RIGHTS 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
 FALL DISTRICT COURT CASE NO. 20576 ("the SRBA"). SELLER
 WARRANTS THAT NONE OF THE ABOVE RIGHTS ARE SUBJECT TO
 FORFEITURE.

FP

**State of Idaho
Department of Water Resources**

WATER RIGHT LICENSE

License of Water Right No. 37-7663 Priority August 25, 1977 Amount 0.10 cfs

THIS IS TO CERTIFY, that Frank Pierret
of Shoshone, Idaho, has complied with the terms and conditions of Permit
No. 37-7663 issued pursuant to Application for Permit dated August 25, 1977,
and has submitted proof to the Department of Water Resources on September 21, 1982,
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 0.10 cfs of water from a groundwater 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
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.02</u> cfs and	<u>3.0</u> acre feet
Stockwater	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>0.2</u> acre feet
Domestic (2 Units)	from <u>January 1</u> to <u>December 31</u> <i>(both dates inclusive)</i>	at <u>0.06</u> cfs and	<u>1.2</u> acre feet

Subject, however, to the condition that no more than 0.10 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
4.4 acre feet per year, said waters to be diverted within the SW 1/4 Section 15,
Twp 1S, Rge 19E in the County of Blaine

Description and location of place of use:

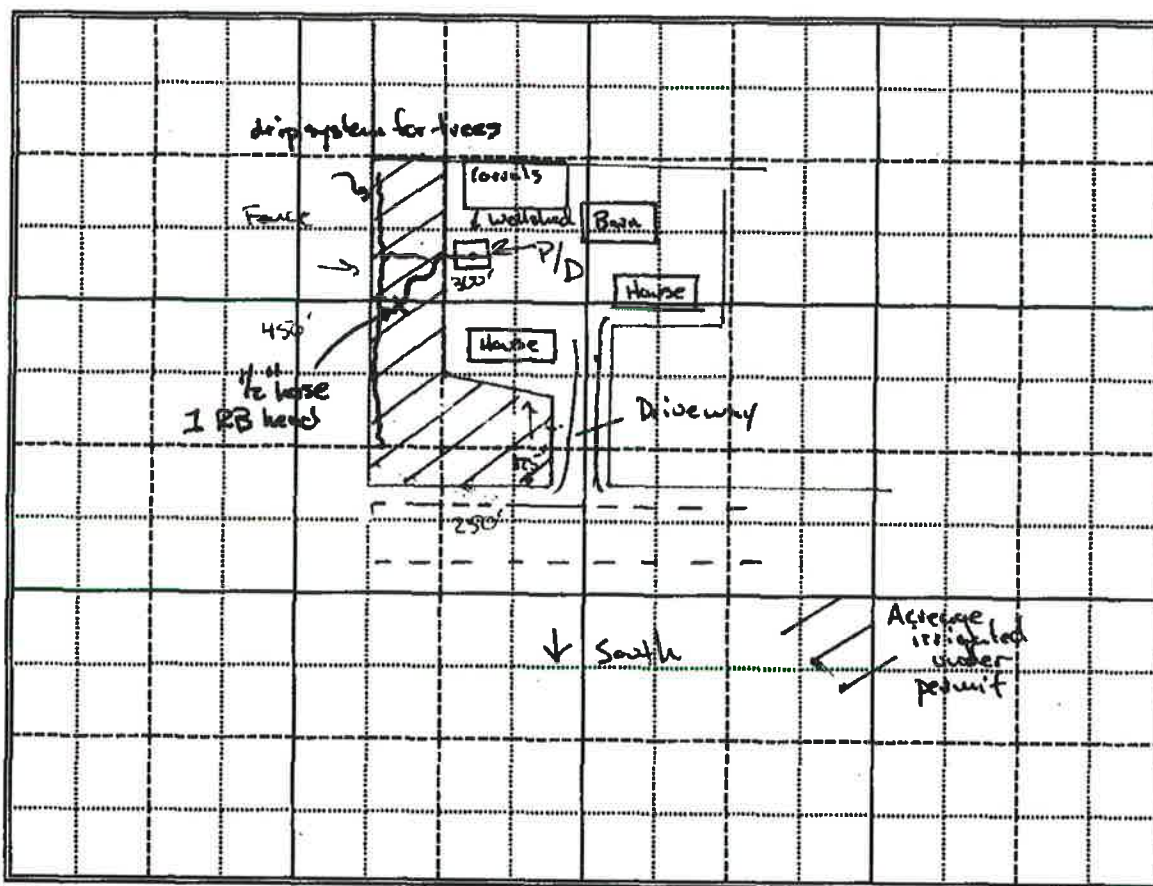
Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	19E	15															1		1

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Total number of acres irrigated 1

DEC 16 1986

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1 in = 100'

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	STA-RT	1.5	K71		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: No measurements were taken.

NOV 07 1994

OF IDAHO
TMENT OF WATER RESOURCES
more Street, Suite 200
s, Idaho 83301-3380

SERVICE REQUESTED



- ☒ Not Deliverable As Addressed
Unable To Forward
- ☐ Insufficient Address
☐ Moved, Left No Address
☐ Unclaimed ☐ Refused
☐ Attempted-Not Known
☐ No Such Street ☐ Number
☐ Vacant ☐ Illegible
☐ No Mail Receptacle
☐ Box Closed-No Order
☐ Returned For Better Address
☐ Postage Due _____

Southern

37-7063
37-8116

788-2732

PIERRET
PO BOX 0
SHOSHONE ID 83352

★ ★ PITNEY BOWES
★ ★
U.S. POSTAGE
1790 PB3524253
3361 \$00.370 SEP 10 2004
2364 MAILED FROM ZIP CODE 83301

RECEIVED
SEP 16 2004
Department of Water Resources
Southern Region

