

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 37-20635
Date Received:
Receipt No:
Received By:

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

1. Name of Claimant(s)

THOMAS M O GARA FAMILY TRUST Phone: (208)726-3030
C/O BRIAN BARSOTTI
PO BOX 370
KETCHUM ID USA 83340

2. Date of Priority: 03/08/1977

3. Source: GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	19E	4	NW NW SW	BLAINE	
01S	19E	4	SW NW 4	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	04/01	11/01	8.88	2419.5

7. Total Quantity Appropriated is:
8.88 C.F.S. and/or 2419.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
01S	19E	3	SW NW 4	IRRIGATION	16
				Section Acres	16
01S	19E	4	SW NE 2	IRRIGATION	16

SE	NE	1	IRRIGATION	16
SW	NW	4	IRRIGATION	17
SE	NW	3	IRRIGATION	17
NE	SW		IRRIGATION	40
NW	SW		IRRIGATION	39
SW	SW		IRRIGATION	39
SE	SW		IRRIGATION	40
SE	SE		IRRIGATION	40

Section Acres 264

01S 19E 9

NE	NE		IRRIGATION	40
NW	NE		IRRIGATION	40
SW	NE		IRRIGATION	40
SE	NE		IRRIGATION	40
NE	NW		IRRIGATION	40
NW	NW		IRRIGATION	39
SW	NW		IRRIGATION	27
SE	NW		IRRIGATION	40
NE	SW		IRRIGATION	40
NW	SW		IRRIGATION	34
SW	SW		IRRIGATION	39
SE	SW		IRRIGATION	40
NE	SE		IRRIGATION	40
NW	SE		IRRIGATION	40
SW	SE		IRRIGATION	40
SE	SE		IRRIGATION	7.6

Section Acres 586.6

01S 19E 16

NW	NW		IRRIGATION	19
----	----	--	------------	----

Section Acres 19

Total Acres 885.6

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

This right is limited to the irrigation of 806.5 acres within the place of use described above in a single irrigation season.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: License

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 37-7569
Date Received: 12/21/1988
Receipt No: C004292
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

THE THOMAS M O GARA FAMILY TRUST Phone: (208)726-3030
C/O BRIAN BARSOTTI
PO BOX 370
KETCHUM ID 83340

2. Date of Priority: 03/08/1977

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

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

5. Description of diverting works:

WELL, 24" DIA., 200 HP PUMP, TWO 250 HP PUMPS, DITCH, MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	9.2	

7. Total Quantity Appropriated is:
9.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	3	SW NW	4	IRRIGATION	16
					Section Acres	16
01S	19E	4	SE NW	3	IRRIGATION	17
			SW NE	2	IRRIGATION	16
			SE NE	1	IRRIGATION	16
			SW NW	4	IRRIGATION	17
			NE SW		IRRIGATION	40
			NW SW		IRRIGATION	39
			SW SW		IRRIGATION	39
			SE SW		IRRIGATION	40
			SE SE		IRRIGATION	40
					Section Acres	264
01S	19E	9	SE SE		IRRIGATION	40
			NW SE		IRRIGATION	40
			NE NE		IRRIGATION	40
			NW NE		IRRIGATION	40
			SW NE		IRRIGATION	40
			SE NE		IRRIGATION	40
			NE NW		IRRIGATION	40
			NW NW		IRRIGATION	39
			SW NW		IRRIGATION	27
			SE NW		IRRIGATION	40
			NE SW		IRRIGATION	40
			NW SW		IRRIGATION	34
			SW SW		IRRIGATION	39
			SE SW		IRRIGATION	40
			NE SE		IRRIGATION	40
			SW SE		IRRIGATION	40
					Section Acres	619
01S	19E	16	NW NW		IRRIGATION	19
					Section Acres	19
					Total Acres	918

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:

OTHER RTS. CONTD. 37-00113C, 37-00803

CHANGE OF OWNERSHIP 11/13/93 BY JG.

2/8/02 tf; claim amended. POU changed to PPU. Added POD. This claim is limited to the irrigation of 836 acres within the 918 acre place of use.

15. Basis of Claim: License

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

RECEIVED

FEB 01 2002

Department of Water Resources
Southern RegionNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

* AMENDED CLAIM

A37-07569

Please type or print clearly

1. Name of Claimant (s) THE THOMAS M. O'CARA FAMILY TRUST c/o BRIAN BARSKOFF Phone (208) 726-3030

Mailing Address

ATTORNEY AT LAWP.O. Box 370 KETCHUM, ID

Zip

833402. Date of Priority (Only one (1) per claim) 03/08/19773. Source of water supply (a) GROUNDWATERwhich is tributary to (b) N/A4. a. Location of existing point of diversion is: Township 01S Range 19E Section 4,1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of BLAINEAdditional points of diversion if any: TO 1S R 19E SEC 4 SW NW LOT 4

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.2 - GROUNDWATER WELLS

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04-01 to 11-01 amount 9.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 9.20 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2090.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
01S	19E	3							04-16										16.0
01S	19E	4			02-16	01-16			04-17	03-17	40	39	39	40				40	264.00
01S	19E	9	40	40	40	40	40	39	27	40	40	34	39	40	40	40	40	40	619.0
01S	19E	16						19											19.0

* LIMITED TO 836 AC WITHIN 918.0 AC PPW Total number of acres irrigated 918.0 AC PPW

11. In which county (ies) are lands listed above as place of use located? BLAINE

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
SEE ATTACHED LIST or None ()

14. Remarks:
AMENDED CLAIM

Last Name _____ Ident No. _____

Scale: 2 inches equals 1 mile

A 16x16 grid of squares, each containing a crosshair pattern. The grid is divided into four 8x8 quadrants. The top-left and bottom-right quadrants are white, while the top-right and bottom-left quadrants are light blue. The crosshair pattern in each square consists of a vertical line, a horizontal line, and two diagonal lines meeting at the center. Some squares in the top-right and bottom-left quadrants have colored crosshairs (green or red) instead of black.

Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number A37-07569
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature]

Date 1/30/02

Date _____

LIMITED
* POWER OF ATTORNEY ATTACHED

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

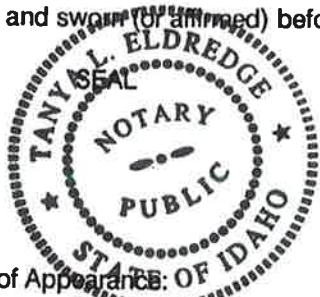
Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th day of January 2002



Notary Public Tanya L. Eldredge

Residing at Twin Falls

My Commission Expires 12-18-06

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf 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 me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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: **A37-07569**

Date Received: 12/21/1988

Receipt No: C004292

Received By: _____

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

1. Name: THE THOMAS M O GARA FAMILY TRUST 208-726-3030
Address: C/O BRIAN BARSOTTI
ATTORNEY AT LAW
PO BOX 10013
KETCHUM ID 88340

2. Date of Priority: MAR 8, 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	4	NW	NW	SW		BLAINE

5. Description of diverting works:
WELL, 24" DIA., 200 HP PUMP, TWO 250 HP PUMPS, DITCH, MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	9.200		2508.00

7. Total Quantity Appropriated is:
9.200 C.F.S. (and/or) 2508.00 A.F.A.

8. Total consumptive use is 2090.0 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	4	NE	SW		IRR	40.0
			NW	SW		IRR	39.0
			SW	SW		IRR	39.0

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OCT 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	4	SE	SW		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				198.0
		9	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	39.0
			SW	NW		IRR	27.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	34.0
			SW	SW		IRR	39.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				619.0
		16	NW	NW		IRR	19.0
			Section Acres				19.0
			Total Acres				836.0

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:

37-00682, 37-00683, 37-00684, 37-00355, 37-00803, 37-00577BZ

14. Remarks:

OTHER RTS. CONTD. 37-00113C, 37-00803

CHANGE OF OWNERSHIP 11/13/93 BY JG.

15. Basis of Claim: LICENSE

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OCT 25 1994

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 25 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

OCT 01 1993

Department of Water Resources
Southern Region Office

DATE OF CLOSING: N/A

LEGAL DESCRIPTION OF PROPERTY: SEE CLAIMS LISTED
Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A37-00803: A37-02476: A37-07569: A37-12400: A37-12401: A37-12402: A37-00355: A37-00682: A37-00683: A37-00684: A37-00113C: A37-00577BZ: A37-12403
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): KERR PACIFIC CORPORATION, an Oregon corporation
c/o Andrew P. Kerr, Attorney at Law
1200 S.W. Main Bldg., Portland, Oregon 97205
- ☐ New Owner/Claimant (Purchaser): THE THOMAS M. O'GARA FAMILY TRUST
- ☐ New Mailing Address: c/o Brian Barsotti, Attorney at Law
P O Box 10013
Ketchum, Idaho 83340
- ☐ New Telephone Number: (208) 726-3030
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
- ☐ Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- OR
- ☐ Signature of New Owner/Claimant(s): Brian Barsotti, Attorney at Law Date 9/28/93
Thomas M. O'Gara Family Trust Date 9/28/93
- ☒ Signature of Former Owner/Claimant(s): Kerr Pacific Corp Date 9/17/93
by Jan M. Wain, Asst Secretary Date 9/17/93
(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1/14/94 By: 16

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

OCT 25 1994

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

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: A37-07569
Date Received: 10/27/1988
Receipt No: C004292
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: MAR 08, 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	4	NW	NW	SW		BLAINE

5. Description of diverting works:
WELL, 24" DIA., 200 HP PUMP, TWO 250 HP PUMPS, DITCH, MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	9.200		2508.00

7. Total Quantity Appropriated is:
9.200 C.F.S. (and/or) 2508.00 A.F.A.

8. Total consumptive use is 2090.0 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	4	NE	SW		IRR	40.0
			NW	SW		IRR	39.0

A37-07569

Page 1

Date: 01/16/89

MICROFILMED
FEB 24 1989

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	4	SW	SW		IRR	39.0
			SE	SW		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		198.0
		9	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	39.0
			SW	NW		IRR	27.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	34.0
			SW	SW		IRR	39.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		619.0
		16	NW	NW		IRR	19.0
					Section Acres		19.0
					Total Acres		836.0

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:

37-00682, 37-00683, 37-00684, 37-00355, 37-00803, 37-00577BZ

14. Remarks:

OTHER RTS. CONTD. 37-00113A.

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 Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
FEB 24 1993

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name

Print Name

acting as attorney at law on behalf 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 me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
FEB 24 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: 39356
Ident Number A37-07569
Date Received 10-27-88
Receipt Number C004292

RECEIVED

OCT 27 1988

Department of Land & Water Resources
Southeast Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): Kerr Pacific Corp.
Phone: (503) 221-1772
Mailing Address: c/o Andrew P. Kerr
Gilbertson, Brownstein, Rask, Sweeney, Kerr &
Grimm
1200 S.W. Main Bldg.
Portland, OR 97205
2. Date of Priority: March 8, 1977
3. Source of water supply (a) Groundwater
which is tributary to (b)
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
1S	19E	4	NW	NW	SW		Blaine

Additional points of diversion if any: None.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
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MICROFILMED
FEB 24 1993

5. Description of existing diversion works: One (1) 24 inch diameter well with 200 HP pump to a head ditch; two (2) 250 HP pumps from the head ditch to buried mainline, 3 pivots with handlines for the corners, and wheelines for irrigation.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	9.2 cfs/2508 AFA

7. Total Quantity Claimed: 9.2 cfs/ 2508 AFA

8. Total consumptive use claimed is 2090 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	4	NE	SW	I	40
1S	19E	4	NW	SW	I	39
1S	19E	4	SW	SW	I	39
1S	19E	4	SE	SW	I	40
1S	19E	4	SE	SE	I	40
1S	19E	9	NE	NE	I	40
1S	19E	9	NW	NE	I	40
1S	19E	9	SW	NE	I	40
1S	19E	9	SE	NE	I	40
1S	19E	9	NE	NW	I	40
1S	19E	9	NW	NW	I	39
1S	19E	9	SW	NW	I	27
1S	19E	9	SE	NW	I	40
1S	19E	9	NE	SW	I	40
1S	19E	9	NW	SW	I	34
1S	19E	9	SW	SW	I	39
1S	19E	9	SE	SW	I	40
1S	19E	9	NE	SE	I	40
1S	19E	9	NW	SE	I	40
1S	19E	9	SW	SE	I	40
1S	19E	9	SE	SE	I	40
1S	19E	16	NW	NW	I	19

Total number of irrigated acres: 836

Last Name: Kerr Pacific Corp.

Ident No. _____

MICROFILMED
FEB 24 1993

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-0682, 37-0683, 37-0684, 37-0355, 37-0803, 37-2476, 37-0577BA, 37-0113A.

14. Remarks: Claimant holds record title to the property listed above as place of use subject to an unrecorded, escrowed contract of sale to J. H. Walton, Jr. and Caorlyn K. Walton, c/o Leggat, McCall Companies, Ten Post Office Square, Boston, MA 02109. The groundwater rights are supplemental to the surface rights identified in para. 13, above. However, water from all of these rights is collected and commingled in the ditch described in para. 5, above, and pressurized into the irrigation system.

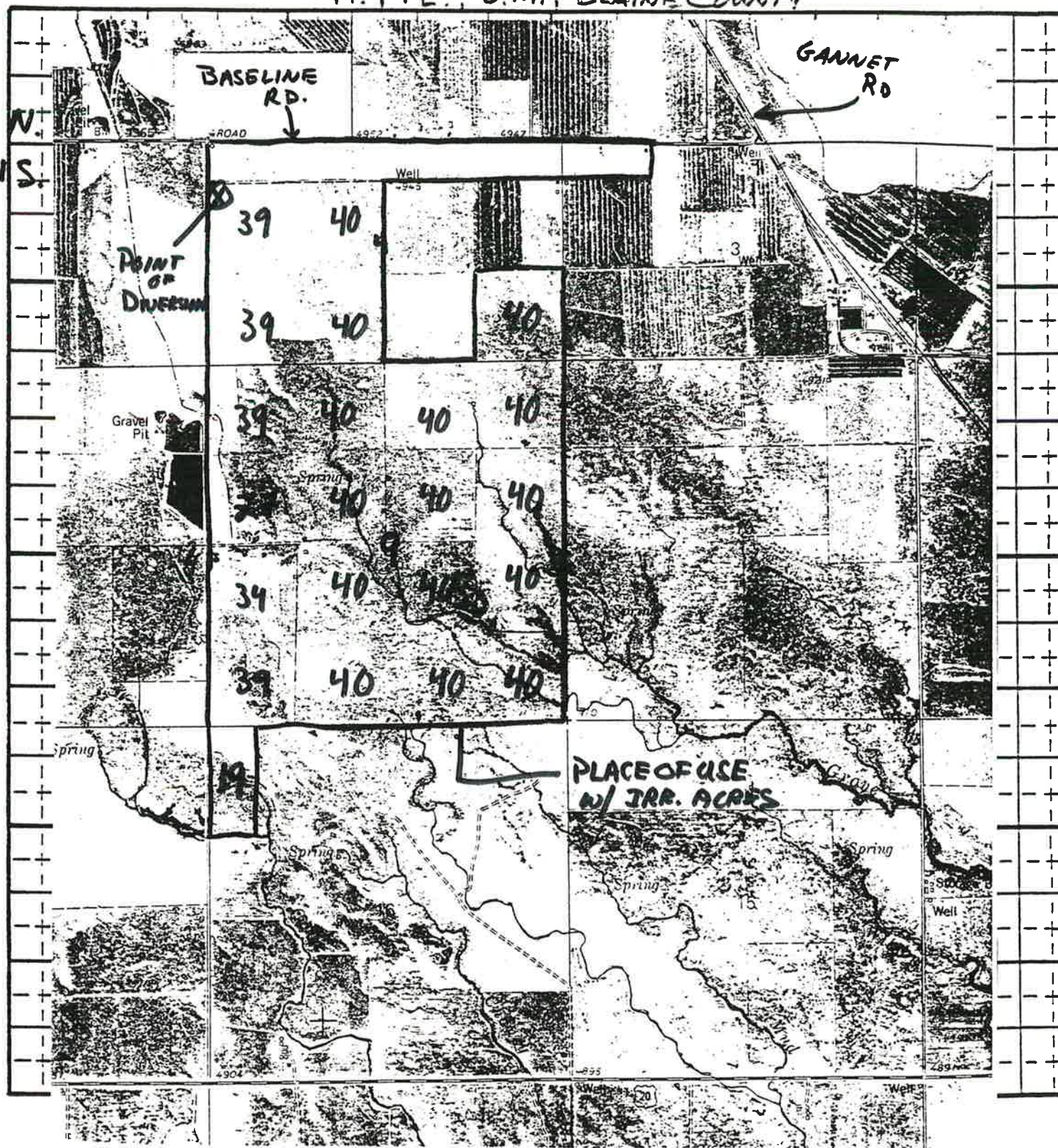
Last Name: Kerr Pacific Corp.

Ident No. _____

MICROFILMED
FEB 24 1993

Scale: 2 inches equals 1 mile

T. I W.	
T. I S.	



KERR PACIFIC CORP

Ident No.

MICROFILMED
Copies: White-State, Yellow-Claimant
FEB 24 1993

15. Basis of Claim: License
IDWR Water Right Number: 37-7569
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 0

[For Organizations] I do solemnly swear or affirm that I am President of Kerr Pacific Corp., that I have signed the foregoing document in the space below as President of Kerr Pacific Corp. and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent E. Randolph Felber

Title of Organization Kerr Pacific Corp. Date 10-21-88

State of Oregon)
County of Multnomah) ss.

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

Notary Public Janet M. Engelman
Residing at Portland, Oregon
Commission Expires 5/22/89

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: 10/27/88

Last Name: Kerr Pacific Corp.

Ident No.: _____

MICROFILMED
FEB 24 1993

01/08/2007

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

RIGHT NUMBER: 37-20635

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: 8.880 CFS
2,419.500 AFY

PRIORITY DATE: 03/08/1977

POINT OF DIVERSION:

T01S R19E S4 SWNW Lot 4 Within BLAINE County

T01S R19E S4 NWNWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	8.880 CFS 2,419.50 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S03 Lot 4 SWNW	14.00	T01S R19E S04 Lot 2 SWNE	16.00
T01S R19E S04 Lot 1 SENE	15.00	T01S R19E S04 Lot 4 SWNW	18.00
T01S R19E S04 Lot 3 SENW	17.00	T01S R19E S04 NESW	40.00
T01S R19E S04 NWSW	40.00	T01S R19E S04 SWSW	38.00
T01S R19E S04 SESW	40.00	T01S R19E S04 SESE	40.00
T01S R19E S09 NENE	40.00	T01S R19E S09 NWNE	40.00
T01S R19E S09 SWNE	40.00	T01S R19E S09 SENE	40.00
T01S R19E S09 NENW	40.00	T01S R19E S09 NWNW	40.00
T01S R19E S09 SWNW	34.00	T01S R19E S09 SENW	40.00
T01S R19E S09 NESW	39.00	T01S R19E S09 NWSW	39.00
T01S R19E S09 SWSW	40.00	T01S R19E S09 SESW	40.00
T01S R19E S09 NESE	29.00	T01S R19E S09 NWSE	34.00
T01S R19E S09 SWSE	36.00	T01S R19E S09 SESE	14.00
T01S R19E S16 NWNW	22.00		

885 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 885 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 37-20635, 37-20639, 37-20641,
37-20643, 37-20645, 37-20647, 37-20649, and 37-20651.

This right is limited to the irrigation of 806.5 acres within the place of use
described above in a single irrigation season.

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

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

The map displays an aerial view of a landscape with a blue grid overlay. The grid is labeled with coordinates: 01N18E, 02N19E, 02N20, 01N19E, 01N20, 01S18E, and 01S19E. A yellow line represents the proposed project alignment, starting from the bottom center and moving upwards. A red arrow points to a location labeled 'Wells'. Three yellow circles are marked along the alignment, with red arrows pointing to them labeled 'District Canal Pod', 'Bypass Canal Pod', and 'Rediversion point'. A scale bar at the bottom indicates distances of 1320, 0, 1320, 2640, and 3960 feet.

- | | | | |
|---|---------------------------------------|---|--------------------------|
|  | RECOMMENDED POINT OF DIVERSION |  | LOCATION IN BASIN |
|  | RECOMMENDED PLACE OF USE | | |
|  | TOWNSHIP LINES | | |
|  | SECTION LINES | | |
|  | QUARTER/QUARTER LINES | | |
- GIS PLACE OF USE PRE
1987/1988 NAPP AERIAL
DATA ENTRY BY KELLY

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

11/28/2006

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

RIGHT NUMBER: 37-7569

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: 9.200 CFS

PRIORITY DATE: 03/08/1977

POINT OF DIVERSION:

T01S R19E S4 SWNW Lot 4 Within BLAINE County

T01S R19E S4 NWNWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	9.200 CFS 2,508.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S03 Lot 4 SWNW	16.00	T01S R19E S04 Lot 2 SWNE	16.00
T01S R19E S04 Lot 1 SENE	16.00	T01S R19E S04 Lot 4 SWNW	17.00
T01S R19E S04 Lot 3 SENW	17.00	T01S R19E S04 NESW	40.00
T01S R19E S04 NWSW	39.00	T01S R19E S04 SWSW	39.00
T01S R19E S04 SESW	40.00	T01S R19E S04 SESE	40.00
T01S R19E S09 NENE	40.00	T01S R19E S09 NWNE	40.00
T01S R19E S09 SWNE	40.00	T01S R19E S09 SENE	40.00
T01S R19E S09 NENW	40.00	T01S R19E S09 NWNW	39.00
T01S R19E S09 SWNW	27.00	T01S R19E S09 SENW	40.00
T01S R19E S09 NESW	40.00	T01S R19E S09 NWSW	34.00
T01S R19E S09 SWSW	39.00	T01S R19E S09 SESW	40.00
T01S R19E S09 NESE	40.00	T01S R19E S09 NWSE	41.00
T01S R19E S09 SWSE	40.00	T01S R19E S09 SESE	39.00
T01S R19E S16 NWNW	19.00		

918 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 836 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

The rights listed below are limited to the irrigation of a combined total of 918
acres in a single irrigation season. Combined Right Nos.: 37-113C,
37-577BZ, 37-682, 37-683, 37-684, 37-355, 37-803, and 37-7569.

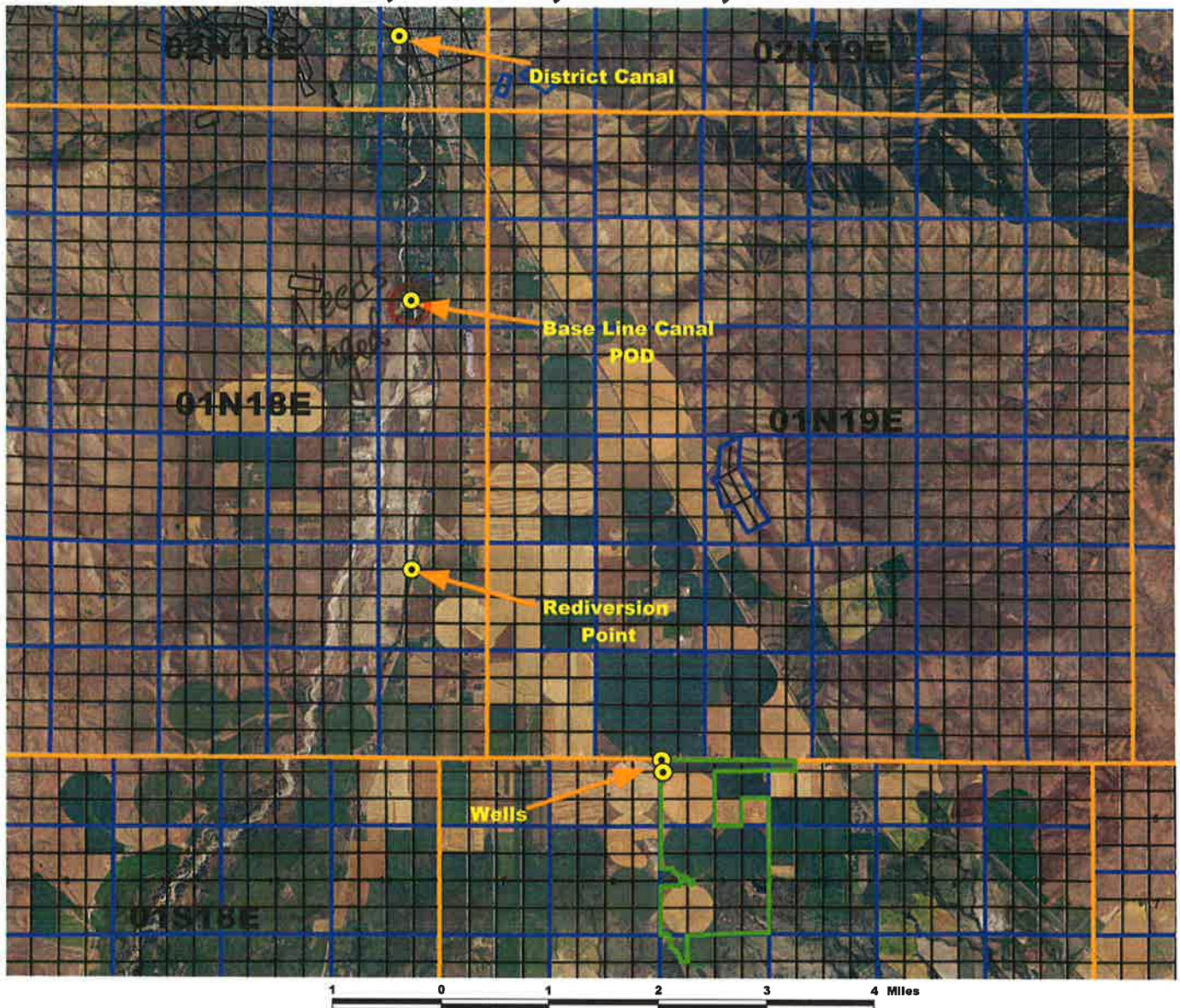
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

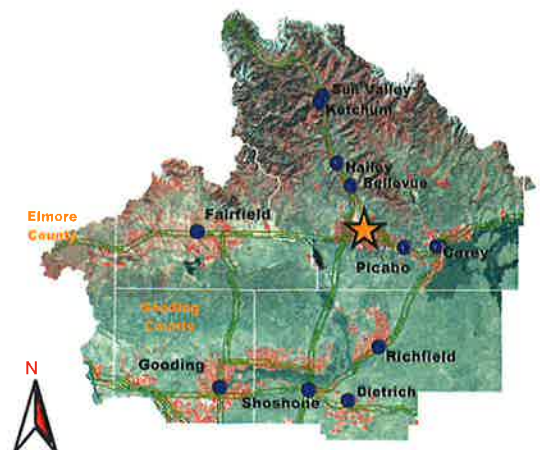
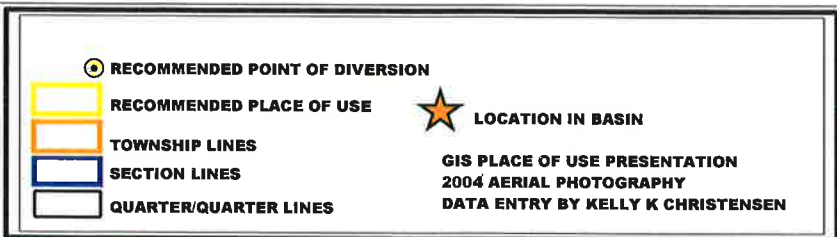
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 37-113C, 37-577BZ, 37-682, 37-683, 37-684, 37-355, 37-803, & 37-7569



PLACE OF USE
TWP 1S, RNG 19E, SEC 3, 4, 9, & 16
Data entry on November 28, 2006



Adjudication Recommendation Report 37-7569 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	KERR PACIFIC CORP C/O ANDREW P KERR GILBERTSON BROWNSTEIN RASK 1200 SW MAIN BLDG PORTLAND, OR 97205 (503)221-1772
Current Owner	THE THOMAS M O GARA F FAMILY TRUST C/O BRIAN BARSOTTI PO BOX 370 KETCHUM, ID 83340 (208)726-3030
Attorney	JOHN K SIMPSON BARKER RSHOLT & SIMPSON PO BOX 2139 BOISE, ID 837012139

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	9.200 CFS	
	<u>Total Diversion:</u>	9.200 CFS	2,508.00 AF

GROUND WATER BLAINE County	NW1/4NW1/4SW1/4	Sec. 4,	Twp 01S,	Rge 19E, B.M.
GROUND WATER BLAINE County	L4 SW1/4NW1/4	Sec. 4,	Twp 01S,	Rge 19E, B.M.

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	19E	3							16.0										16.0
								L 4											
01S	19E	4			16.0	16.0			17.0	17.0	40.0	39.0	39.0	40.0				40.0	264.0
					L 2	L 1			L 4	L 3									
01S	19E	9	40.0	40.0	40.0	40.0	40.0	39.0	27.0	40.0	40.0	34.0	39.0	40.0	40.0	40.0	40.0	40.0	619.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-7569 V1

01S 19E 16	19.0	19.0
------------	------	------

Total Acres: 918

Conditions of Approval:Remarks:

1. General OTHER RTS. CONTD. 37-00113C, 37-00803 *****
CHANGE OF OWNERSHIP 11/13/93 BY JG.
2. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 836 ACRES WITHIN THE PLACE OF USE
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. GIVENS 1/13/1994 OWNERSHIP CHANGE
Comment: CHANGE OF OWNERSHIP RECEIVED 10/01/93 FORMER OWNER KERR PACIFIC CORP. NEW
OWNER THE THOMAS M. OGARA FAMILY TRUST. COPY OF REAL ESTATE INSTALLMENT SALE CONTRACT
(IN FILE NO. A37-00803) AND FORMER OWNER SIGNED FORM.
2. tfawcett 2/8/2002 amended claim
Comment: POU changed to a PPU. Added a pod.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

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

DATE: 01/13/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THE THOMAS M O GARA FAMILY TRUST C/O BRIAN BARSOTTI ATTORNEY AT LAW PO BOX 10013 KETCHUM ID 88340 (208) 726-3030	03/08/1977	IRRIGATION	04-01 11-01	9.20 CFS	2508.0 AFA
TOTAL DIVERSION:					9.20 CFS	2508.0 AFA
CONSUMPTIVE USE:						2090.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T01S R19E S04

NWNWSW

BLAINE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
01S	19E 4	:						:						:				198.0
01S	19E 9	:	40		40		40	:	40		39		27	:	40		40	619.0
01S	19E 16	:						:			19			:				19.0
TOTAL ACRES																		836.0

POU County: BLAINE

Other Rights: 37-00682, 37-00683, 37-00684, 37-00355, 37-00803, 37-00577BZ

Remarks: OTHER RTS. CONTD. 37-00113C, 37-00803

CHANGE OF OWNERSHIP 11/13/93 BY JG.

Dates: Exam Made Date: Verified Date:

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

MICROFILMED
OCT 25 1994

Water Right Number - R37-07569

Prefix Translation: RESEARCH

Old (D) Number -

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

*** A - ATTORNEY ***

ROSHOLT

JOHN A

1 - ROSHOLT ROBERTSON & TUCKER

2 - PO BOX 1906

3 -

City- TWIN FALLS

State- ID Zip- 833031906

Phone - 208-734-0700

*** C - CURRENT OWNER ***

THOMAS M O GARA FAMILY TRUST

THE

1 - C/O BRIAN BARSOTTI

2 - ATTORNEY AT LAW

3 - PO BOX 10013

City- KETCHUM

State- ID Zip- 88340

Phone - 208-726-3030

*** O - ORIGINAL OWNER ***

KERR PACIFIC CORP.

1 - C/O ANDREW P. KERR

2 - GILBERTSON, BROWNSTEIN, RASK,

3 - 1200 S.W. MAIN BLDG.

City- PORTLAND

State- OR Zip- 97205

Phone - 503-221-1772

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/08/1977 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
01S 19E 4 NW NW SW (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 9.200 2508.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
9.200 2508.00 2090.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
01S 19E 4 NE SW 40.0 01 IRRIGATION (13) BLAINE
01S 19E 4 NW SW 39.0 01 IRRIGATION (13) BLAINE
01S 19E 4 SW SW 39.0 01 IRRIGATION (13) BLAINE
01S 19E 4 SE SW 40.0 01 IRRIGATION (13) BLAINE
01S 19E 4 SE SE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 NE NE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 NW NE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 SW NE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 SE NE 40.0 01 IRRIGATION (13) BLAINEMICROFILMED
OCT 25 1994

Water right number - R37-07569

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
01S	19E	9	NE NW		40.0	01	IRRIGATION	(13) BLAINE
01S	19E	9	NW NW		39.0	01	IRRIGATION	(13) BLAINE
01S	19E	9	SW NW		27.0	01	IRRIGATION	(13) BLAINE
01S	19E	9	SE NW		40.0	01	IRRIGATION	(13) BLAINE
01S	19E	9	NE SW		40.0	01	IRRIGATION	(13) BLAINE
01S	19E	9	NW SW		34.0	01	IRRIGATION	(13) BLAINE
01S	19E	9	SW SW		39.0	01	IRRIGATION	(13) BLAINE
01S	19E	9	SE SW		40.0	01	IRRIGATION	(13) BLAINE
01S	19E	9	NE SE		40.0	01	IRRIGATION	(13) BLAINE
01S	19E	9	NW SE		40.0	01	IRRIGATION	(13) BLAINE
01S	19E	9	SW SE		40.0	01	IRRIGATION	(13) BLAINE
01S	19E	9	SE SE		40.0	01	IRRIGATION	(13) BLAINE
01S	19E	16	NW NW		19.0	01	IRRIGATION	(13) BLAINE

Total Acres: 836.0

+ - - Diversion Means - WELL, 24" DIA., 200 HP PUMP, TWO 250 HP PUMPS, DITCH, MAINLINE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 37-00682, 37-00683, 37-00684, 37-00355, 37-00803, 37-00577BZ

+ - - - - - Remarks - - - - -
OTHER RTS. CONTD. 37-00113C, 37-00803

CHANGE OF OWNERSHIP 11/13/93 BY JG.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

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

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

OCT 25 1994 MICROFILMED

Water right number - R37-07569

Prefix Translation: RESEARCH

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/21/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C004292	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 25 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

14-JAN-1994

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

ATTN: CRYSTAL VINCENT

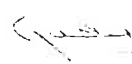
RE: ADJUDICATION CLAIM(S) A37-00803, A37-02476, A37-07569, A37-12400
A37-12401, A37-12402, A37-00355, A37-00682, A37-00683, A37-00684
A37-00113C, A37-00577BZ, A37-12403 OWNERSHIP CHANGE IN THE NAME
OF KERR PACIFIC CORP. to THE THOMAS M. O'GARA FAMILY TRUST

Dear Mr. Rosholt:

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

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

Sincerely,


Judy Givens
Adjudication Secretary

/jg

Enclosures:

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

MICROFILMED

OCT 25 1994

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

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc

KERR PACIFIC CORP.							
		C	A37-00803	06/15/1946	GROUNDWATER	2.540	01 IRR
		C	A37-02476	02/12/1947	GROUNDWATER	1.640	01 IRR
		C	A37-07569	03/08/1977	GROUNDWATER	9.200	01 IRR
		C	A37-12400	12/31/1960	GROUNDWATER	0.040	43 DOMEST
		C	A37-12401	12/31/1973	GROUNDWATER	0.040	43 DOMEST
		C	A37-12402	12/31/1938	GROUNDWATER	0.130	43 DOMEST
							04 STOCK
		C	A37-00355	05/17/1883	BIG WOOD RI	5.600	01 IRR
		C	A37-00682	04/17/1883	BIG WOOD RI	0.500	01 IRR
		C	A37-00683	06/20/1884	BIG WOOD RI	4.500	01 IRR
		C	A37-00684	06/02/1890	BIG WOOD RI	1.000	01 IRR
		C	A37-00113C	07/10/1884	BIG WOOD RI	1.000	01 IRR
		C	A37-00577BZ	03/24/1883	BIG WOOD RI	0.690	01 IRR
		C	A37-12403	12/31/1950	GROUNDWATER	0.070	04 STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

OCT 25 1994

BRIAN BARSOTTI

ATTORNEY AT LAW

GREYHAWK ALPINE CENTER

WARM SPRINGS VILLAGE

P. O. BOX 10013

KETCHUM, IDAHO 83340

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

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

ADMITTED TO THE PRACTICE
OF LAW IN IDAHO AND
CALIFORNIA

January 4, 1994

RECEIVED

JAN 05 1994

Department of Water Resources
Southern Region Office

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

Dear Crystal:

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

Thank you for your assistance.

Very truly yours,



Brian J. Barsotti

BB/k
Enc.

MICROFILMED

OCT 25 1994

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

Name(s) of Claimant (please print):

THE THOMAS M. O'GARA FAMILY TRUST

I/we acknowledge (check one):

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

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

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

PO BOX 1906, TWIN FALLS ID 83303-1906

(208/734-0700)

OTHER MATTERS = BRIAN BARSOTTI, ATTORNEY AT LAW

PO BOX 10013, KETCHUM ID 83340

(208/726-3030)

Attorney's Phone _____

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

A37-00803: A37-02476: A37-07569: A37-12400: A37-12401: A37-12402
A37-00355: A37-00682: A37-00683: A37-00684: A37-00113C: A37-00577B2
A37-12403

For Individuals:

Authorized signature(s) Date 12/27/93

[Signature] Trustee of THE THOMAS M. O'GARA Trust

For Organizations:

I am _____ of _____, and I

Title

Organization

have signed the foregoing document in the space below as

of _____

Title

Organization

Signature of Authorized Agent _____

Title _____

Date _____

Organization _____

IDWR Use:

Date Received _____

Data Entry _____

Revised Date 4-03-92

RECEIVED

JAN 05 1994

Department of Water Resources
Southern Region Office

MICROFILMED

OCT 25 1994

BRIAN BARSOTTI

ATTORNEY AT LAW

GREYHAWK ALPINE CENTER

WARM SPRINGS VILLAGE

P. O. BOX 10013

KETCHUM, IDAHO 83340

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

OF COUNSEL TO
ROARK, DONOVAN, PRAGGASTIS,
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Enc.

MICROFILMED
OCT 25 1994

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

PO BOX 1906, TWIN FALLS ID 83303-1906

(208/734-0700)

OTHER MATTERS = BRIAN BARSOTTI, ATTORNEY AT LAW

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A37-12403

For Individuals:

Authorized signature(s) Date 12/27/93

[Signature] Truster of the Thomas M. O'Gara Trust

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I am _____ of _____, and I

Title

Organization

have signed the foregoing document in the space below as

of _____

Title

Organization

Signature of Authorized Agent _____

Title _____

Date _____

Organization _____

IDWR Use:

Date Received _____

Data Entry _____

Revised Date 4-03-92

RECEIVED

JAN 05 1994

Department of Water Resources
Southern Region Office

MICROFILMED

OCT 25 1993

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

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

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

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

DATE:

12/22/93

TO:

July Givens

FROM:

Crystal Vercut

RE:

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

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

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

ADDITIONAL MESSAGE:

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

MICROFILMED

OCT 25 1994

COPY

ASSIGNMENT OF RIGHT TO PURCHASE PROPERTY

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

R E C I T A L S :

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

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

TERMS AND CONDITIONS

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

MICROFILMED
OCT 25 1994

Water Right Number - 37-07569

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***

KERR LAND & LIVESTOCK CO.

1 - RT. 3

2 -

3 -

City- BUHL

State- ID Zip- 83316

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/08/1977 17 L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
01S 19E 4 NW SW (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 9.200 2508.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
9.200 2508.00 11.050+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 19E 4 NE SW 40.0 01 IRRIGATION (13) BLAINE
01S 19E 4 NW SW 39.0 01 IRRIGATION (13) BLAINE
01S 19E 4 SW SW 39.0 01 IRRIGATION (13) BLAINE
01S 19E 4 SE SW 40.0 01 IRRIGATION (13) BLAINE
01S 19E 4 SE SE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 NE NE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 NW NE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 SW NE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 SE NE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 NE NW 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 NW NW 39.0 01 IRRIGATION (13) BLAINE
01S 19E 9 SW NW 27.0 01 IRRIGATION (13) BLAINE
01S 19E 9 SE NW 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 NE SW 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 NW SW 34.0 01 IRRIGATION (13) BLAINE
01S 19E 9 SW SW 39.0 01 IRRIGATION (13) BLAINE
01S 19E 9 SE SW 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 NE SE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 NW SE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 SW SE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 9 SE SE 40.0 01 IRRIGATION (13) BLAINE
01S 19E 16 NW NW 19.0 01 IRRIGATION (13) BLAINE

FEB 24 1993

MICROFILMED

Water right number - 37-07569

Adj. flag translation: Standard Water Right Number

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres: 836.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks
No Remarks found.

Conditions of Approval
R29 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

+ - - Microfilm Rolls -

+ - - Audit Fields - 09/21/87

05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 04/01/1982	Field Exam Made - 06/17/1984	Field Exam Fee -
Approved/Denied - 04/26/1977	Protested Date - 00/00/0000	Swan Falls - Z
Proof Made Date - 11/30/1977	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 07/08/1987	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 06/11/1987	Appl Received - 03/08/1977	Transfer/Amended -
Decree Date - 00/00/0000		

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FEB 24 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME: Kern Pacific

CLAIM : NT. NO.

A37-07569DATE RECEIVED 10-27-88CK # C004292

AMOUNT \$

1. Is the name and address complete with zip code?

YES

NO

2. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

License - pull over.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

N/A

Is the consumptive use correct?

N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

15. Is the basis of the claim indicated?

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct?

Exempt

If this claim is based on an existing water right, has the identification number been entered?

N/A

Should this claim be receipted and data entered?

Claim checked by: har

Comments:

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FEB 24 1993