

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 37-20643
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 83340

2. Date of Priority: 03/24/1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	SW NW	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	0.67	

7. Total Quantity Appropriated is:
0.67 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	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 33.3 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: Decreed

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 37-577BZ
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: 03/24/1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	SW NW	BLAINE	

5. Description of diverting works:

DISTRICT 45 CANAL DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.69	

7. Total Quantity Appropriated is:
0.69 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	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
			SW	NW		IRRIGATION	27
			SE	NW		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	40
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	39
			NE	SW		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. 37-07569 ***DWR NOTE*** CLAIM RE-ENTERED ON DATA BASE 11-07-89; SCC

*** OWNERSHIP CHANGE 1/14/94 BY JG.

2/8/02 TF; Claim amended. POD corrected to more accurately reflect the actual delivery system. Barsotti mailing address also updated. This claim is limited to the irrigation of 34.5 acres within the 918.0 acre place of use described above.

15. Basis of Claim: Decreed

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

Date Received

Receipt Number

RECEIVED

FEB 01 2002

Department of Water Resources
Southern Region

NOTICE OF CLAIM * AMENDED CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
A37-00577BZ

Please type or print clearly

1. Name of Claimant (s) THE THOMAS M. O'GARA FAMILY TRUST c/o BRIAN BARSTIE Phone (208) 726-3030
ATTORNEY AT LAW
Mailing Address P.O. Box 376 KETCHUM, ID Zip 83340

2. Date of Priority (Only one (1) per claim) 03/24/1883

3. Source of water supply (a) BIG WOOD RIVER
which is tributary to (b) MAKAD RIVER

4. a. Location of existing point of diversion is: Township 02N Range 18E Section 36
1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of BLAINE

Additional points of diversion if any: N/A

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. DISTRICT 45 CANAL DIVERSION

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 0.69 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.69 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2295 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	264.0
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 34.5 ACRES WITHIN 918AC PPA. Total number of acres irrigated 918.0 AC PPA

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 ()

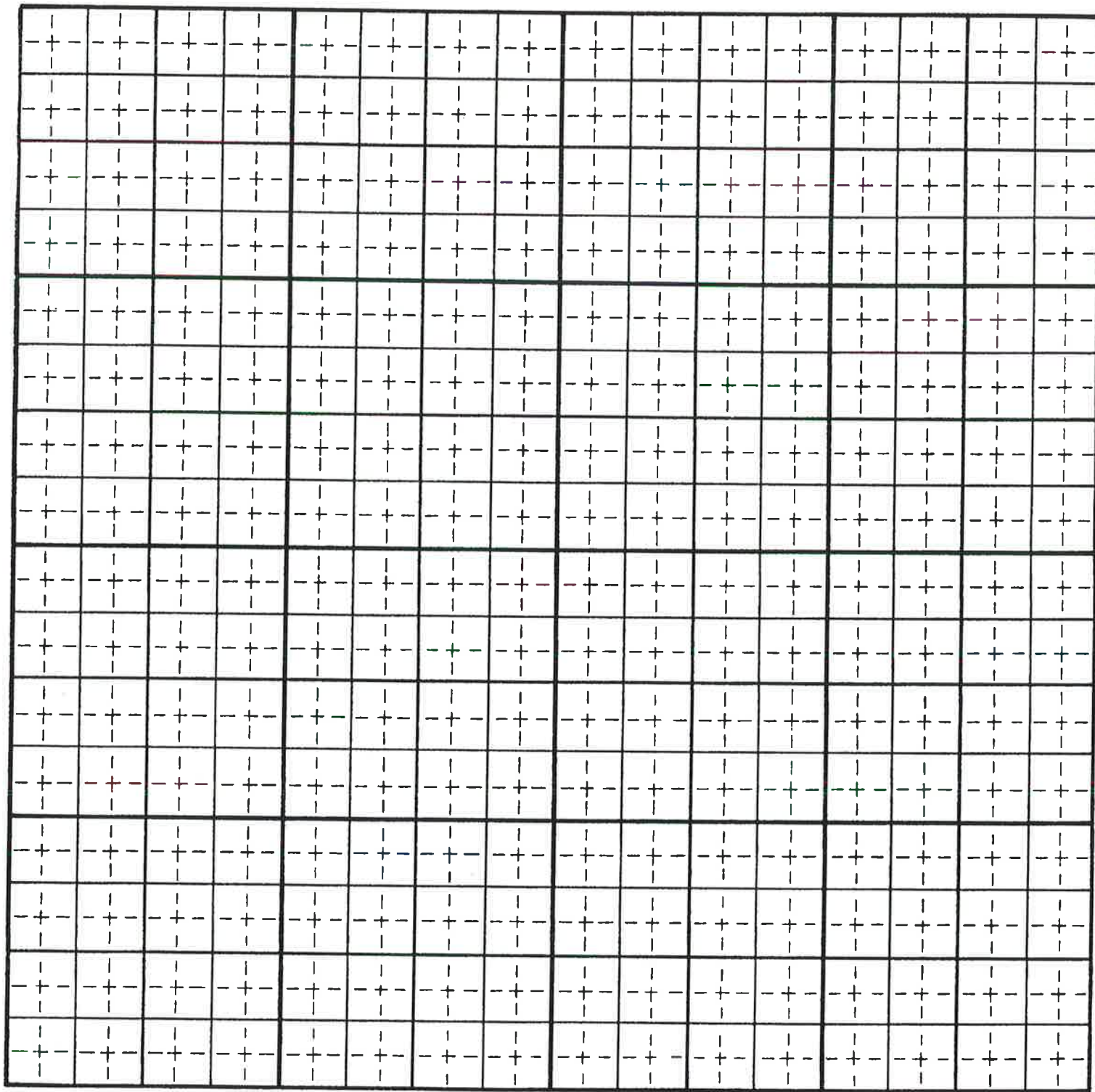
14. Remarks:

AMENDED CLAIM

Last Name _____ Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number A37-005776Z
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) _____

Date 1/30/02

Date _____

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 _____

Title _____

of _____

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 19 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: **A37-00577BZ**

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 83340

2. Date of Priority: MAR 24, 1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	18E	20	SW		NW		BLAINE

5. Description of diverting works:
DISTRICT 45 CANAL, DITCH, 2 250-HP PUMPS, 3 PIVOTS, HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.690		

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

8. Total consumptive use is 2295.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	3	SW	NW	4	IRR	16.0

MICROFILMED

NOV 22 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
					Section Acres	16.0	
		4	SW	NE	2	IRR	16.0
			SE	NE	1	IRR	16.0
			SW	NW	4	IRR	17.0
			SE	NW	3	IRR	17.0
			NE	SW		IRR	40.0
			NW	SW		IRR	39.0
			SW	SW		IRR	39.0
			SE	SW		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres	264.0	
		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	918.0	

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:

37-00803, 37-00113C, 37-02476, 37-02305, 37-00682, 37-00683

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NOV 22 1996

14. Remarks:

OTHER RTS. CONTD. 37-07569

DWR NOTE

CLAIM RE-ENTERED ON DATA BASE 11-07-89; SCC

OWNERSHIP CHANGE 1/14/94 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree 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 _____ 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.

MICROFILMED

NOV 22 1996

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



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) A37-00803: A37-02476: A37-07569: A37-12400: A37-12401: A37-12402:
Assigned by IDWR: 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 9/17/93
Thomas M. O'Gara Family Trust Date 9/17/93
- ☒ 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: 11/14/94 By: JK

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED
NOV 22 1996

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: A37-00577BZ

Date Received: 10/27/1988

Receipt No: C004292

Received By: De: SCC

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.S. MAIN BLDG.
PORTLAND, OR 97205

2. Date of Priority: MAR 24, 1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	20	SW	NW			BLAINE

5. Description of diverting works:
DISTRICT 45 CANAL, DITCH, 2 250-HP PUMPS, 3 PIVOTS, HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.690		

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

8. Total consumptive use is 2295.0 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	3	SW	NW	4	IRR	16.0

Section Acres 16.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	4	SW		NE	2	IRR	16.0
			SE		NE	1	IRR	16.0
			SW		NW	4	IRR	17.0
			SE		NW	3	IRR	17.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	39.0
			SE		SW		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 264.0

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 918.0

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:

37-00803, 37-00113C, 37-02476, 37-02305, 37-00682, 37-00683

14. Remarks:

OTHER RTS. CONTD. 37-07569
A37-00577BZ

Page

2

Date: 11/07/89

MICROFILMED
FEB 23 1993

14. Remarks: Continued

DWR NOTE

CLAIM RE-ENTERED ON DATA BASE 11-07-89; SCC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree 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 _____ 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
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: A37-00577BZ
Date Received: 10/27/1988
Receipt No: C004292
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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Address: C/O ANDREW P. KERR
GILBERTSON, BROWNSTEIN, RASK,
1200 S.W. MAIN BLDG.
PORTLAND, OR 97205

2. Date of Priority: MAR 24, 1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	20	SW	NW			BLAINE

5. Description of diverting works:
DISTRICT 45 CANAL, DITCH, 2 250-HP PUMPS, 3 PIVOTS, HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.690		

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

8. Total consumptive use is 2295.0 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	3	SW	NW	4	IRR	16.0
Section Acres							16.0

A37-00577BZ

Page 1

Date: 01/16/89

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	4	SW		NE	2	IRR	16.0
			SE		NE	1	IRR	16.0
			SW		NW	4	IRR	17.0
			SE		NW	3	IRR	17.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	39.0
			SE		SW		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 264.0

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 918.0

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:

37-00803, 37-00113C, 37-02476, 37-02305, 37-00682, 37-00683

14. Remarks:

OTHER RTS. CONTD. 37-07569.

A37-00577BZ-

Page

2

Date: 01/16/89

MICROFILMED
FEB 23 1993

14. Remarks: Continued

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree 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 _____ 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
FEB 23 1993

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
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 _____

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 A37-00577BZ
Date Received 10-27-88
Receipt Number 0004292

RECEIVED

OCT 27 1988

Department of Water Resources
Southern 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 24, 1883
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River
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>
3N	18E	20		SW	NW		Blaine

Additional points of diversion if any:

- 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>
-----------------	--------------	----------------	---------------------------------	---------------------------------	---------------------------------	------------	---------------

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>
-----------------	--------------	----------------	---------------------------------	---------------------------------	---------------------------------	------------	---------------

MICROFILMED
FEB 23 1993

5. Description of existing diversion works: District 45 Canal. Water is taken from Canal to a head ditch and pumped by 2 250 HP pumps through buried mainline to 3 pivots with handlines for the corners and wheellines.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	0.69 cfs

7. Total Quantity Claimed: 0.69 cfs

8. Total consumptive use claimed is 2295 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	3	SW	NW(Lot 4)	I	16
1S	19E	4	SW	NE(Lot 2)	I	16
1S	19E	4	SE	NE(Lot 1)	I	16
1S	19E	4	SW	NW(Lot 4)	I	17
1S	19E	4	SE	NW(Lot 3)	I	17
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

Last Name: Kerr Pacific Corp.

Ident No. _____

MICROFILMED
FEB 23 1993

<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	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: 918

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 described above? 37-0803, 37-0113E, 37-2476, 37-2305, 37-0682, 37-0683, 37-0684, 37-7569.

14. Remarks: After Transfer 45, 37-0577BA represented all of the original right (37-0577) which remained in the District 45 Canal. The amount claimed represents the amount which has historically been delivered to the lands now owned by Claimant according to the watermaster's records. The lands in Section 3 described in paragraph 10, above, for the place of use were a portion of those lands identified in the Department's records as irrigated by 37-0577BA. This claim and all of the surface rights identified in para. 13, above, are commingled and used together on the entire ranch through the same irrigation system. Place of use is claimed pursuant to Idaho Code §42-1416 to the extent it differs from the decree. Claimant owns the property listed above as place of use subject to an unrecorded contract of sale to J. H. Walton, Jr. and Caorlyn K. Walton, c/o Leggat, McCall Companies, Ten Post Office Square, Boston, MA 02109.

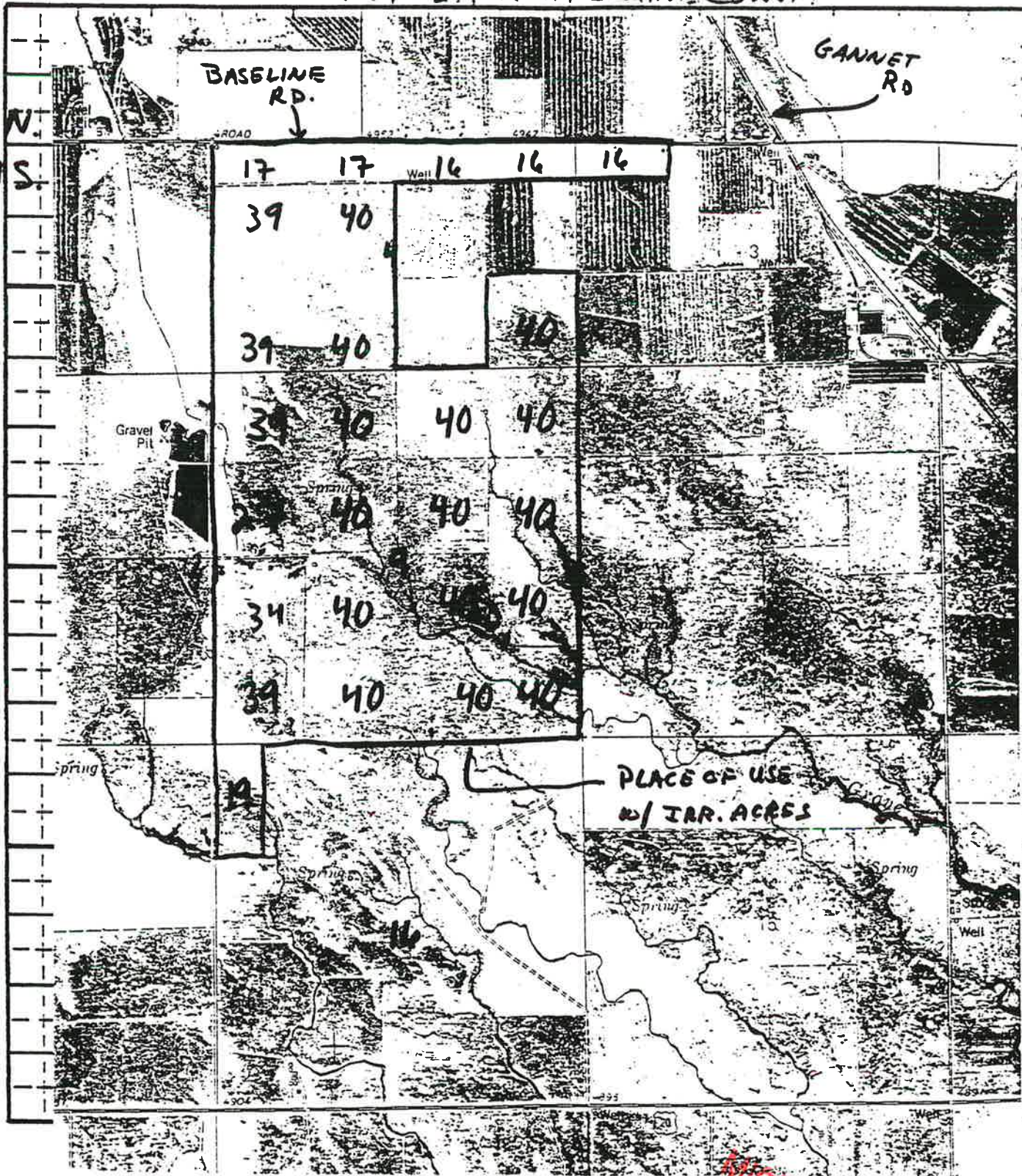
Last Name: Kerr Pacific Corp.

Ident No. _____

MICROFILMED
FEB 23 1993

Scale: 2 inches equals 1 mile

T. 1	W.
T. 2	S.



Last Name KERR PACIFIC CERD Ident No.

MICROFILMED
FEB 23 1993
Copies: White-Suare Yell

15. Basis of Claim: Decree
IDWR Water Right Number: 37-0577BA
Court: Blaine County
Case Number:
Decree Date: June 27, 1925
Plaintiff v. Defendant:
Albrethsen v. Wood River Land Co.

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 Fellbe

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 Garet M. Engelgau
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: 10/24/88

Last Name: Kerr Pacific Corp. Ident No.: _____

MICROFILMED
FEB 23 1993

01/08/2007

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

RIGHT NUMBER: 37-20643

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

VERIFIED BY KKC

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.670 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 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	0.670 CFS

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.

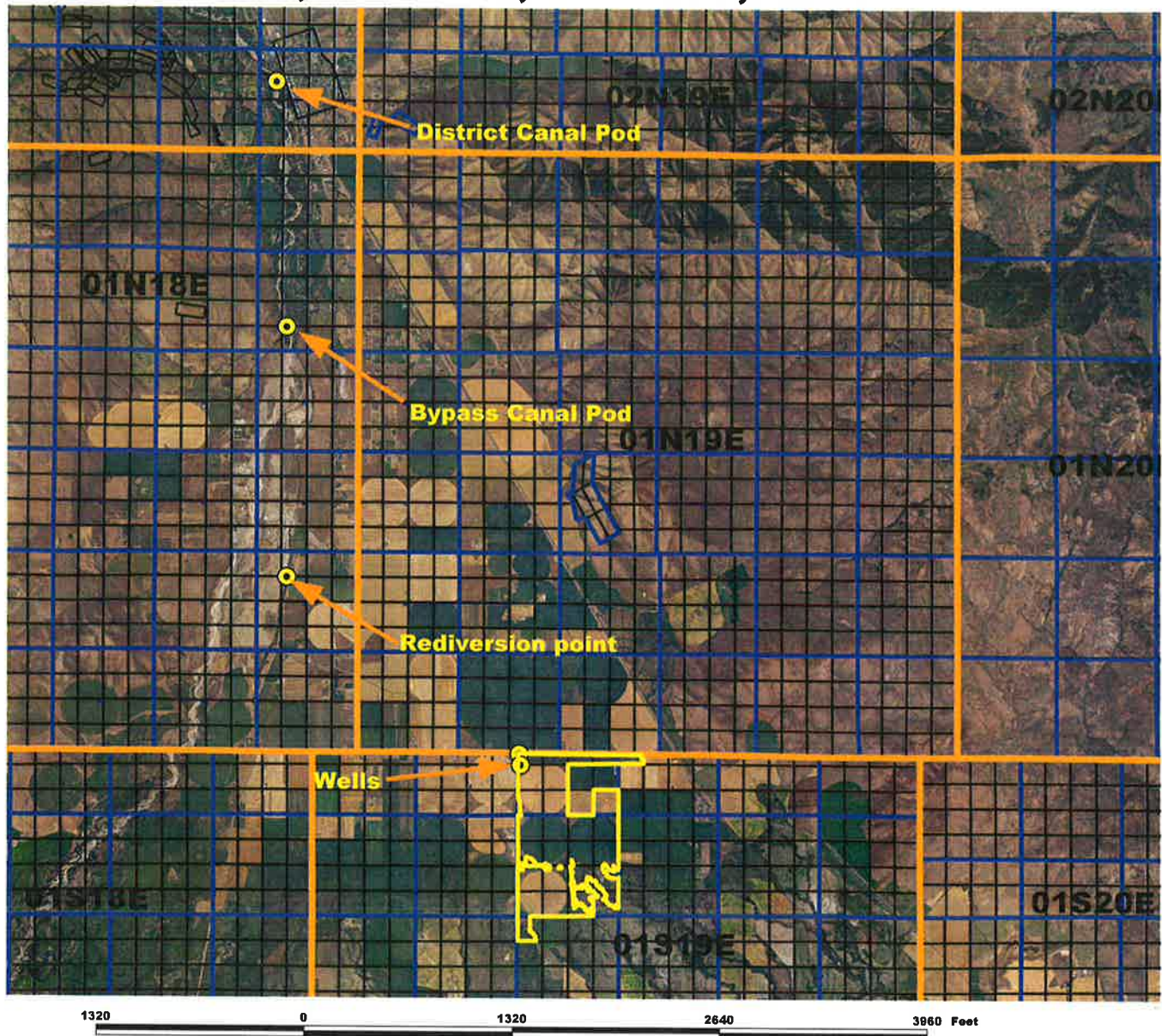
This right is limited to the irrigation of 33.3 acres within the place of use
described above in a single irrigation season.

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.

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
37-20635, 37-20639, 37-20641, 37-20643,
7-20645, 37-20647, 37-20649, & 37-20651.**



PLACE OF USE

TWP 1S, RNG 19E, SEC 3, 4, 9, & 16

Data entry on January 8, 2007

- RECOMMENDED POINT OF DIVERSION**
- RECOMMENDED PLACE OF USE**
- TOWNSHIP LINES**
- SECTION LINES**
- QUARTER/QUARTER LINES**
- LOCATION IN BASIN**

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



11/27/2006

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

RIGHT NUMBER: 37-577BZ

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

VERIFIED BY *KKC*

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.690 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.690 CFS

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 34.5 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.

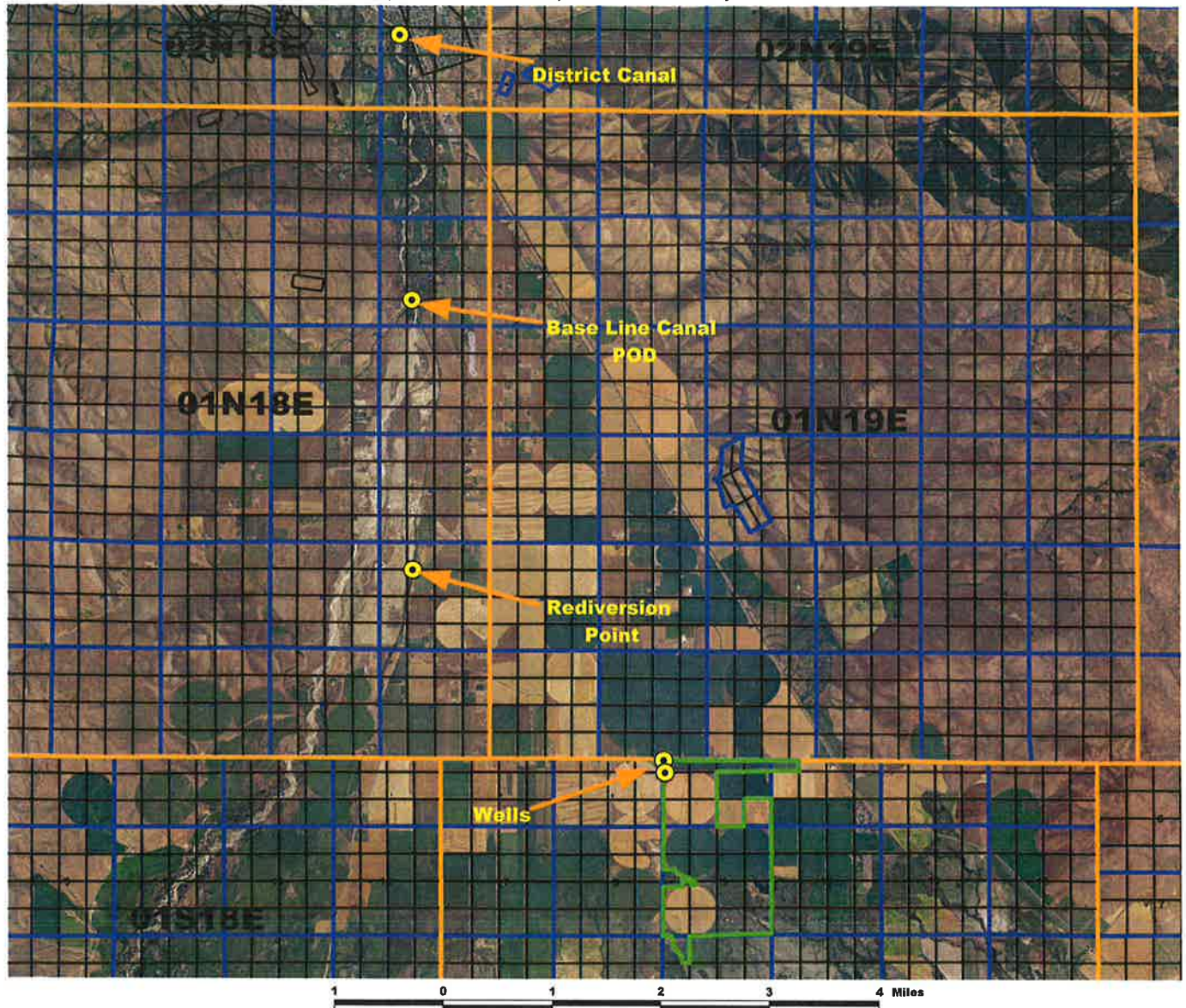
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Decreed

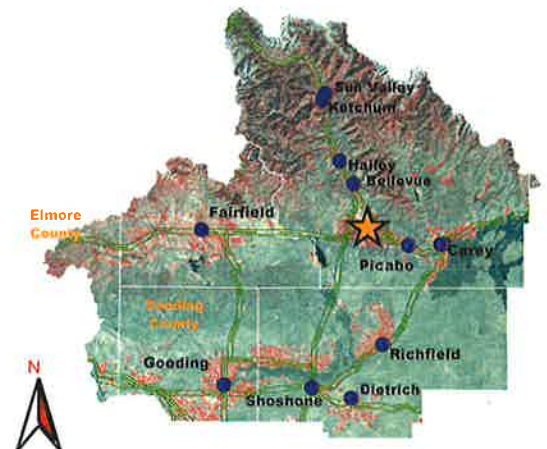
Idaho Department of Water Resources

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

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



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-577BZ V1

WATER RIGHT NUMBER: 37-577BZ V1

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

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.690 CFS	
	<u>Total Diversion:</u>	0.690 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SW1/4NW1/4	Sec. 36, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of UseConditions of Approval:Remarks:

1. General OTHER RTS. CONTD. 37-07569 ***DWR NOTE*** CLAIM RE-ENTERED ON DATA BASE 11-07-89; SCC ***** OWNERSHIP CHANGE 1/14/94 BY JG.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 34.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-577BZ V1

Comments:

1. GIVENS 1/14/1994 OWNERSHIP CHANGE

Comment: CHANGE OF OWNERSHIP RECEIVED 10/01/93 ORIGINAL OWNER KERR PACIFIC CORP. NEW OWNER THE THOMAS M. OGARA FAMILY TRUST. COPY OF REAL ESTATE INSTALLMENT SALE CONTRACT (COPY IN FILE NO. A37-00803) AND SIGNATURE OF ORIGINAL OWNER.

2. tfawcett 2/8/2002 amended claim

Comment: claim amended to correct POD in order to more accurately reflect actual delivery system.

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

SD-0601-2 Last Name: KERR

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	KERR LAND & LIVESTOCK CO.						
-		O	A37-07569	03/08/1977	GROUNDWATER	9.200	01 IRR
-	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

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

SD-0601-2 Last Name: KERR

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	KERR PACIFIC CORP.						
-		C	A37-12403	12/31/1950	GROUNDWATER	0.070	04 STOCK
-							
-							
-							
-							

MICROFILMED
NOV 22 1986

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
NOV 22 1996

MICROFILMED
NOV 22 1996

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) 344-0034

DATE:

TO:

FROM:

RE:

NUMBER OF PAGES INCLUDING THIS ONE:

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US BACK AS
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CALL AT (208) 734-0700, AND RETURN THIS FACSIMILE TO US BY MAIL AT THE ABOVE ADDRESS.
WE APPRECIATE YOUR COOPERATION.

ADDITIONAL MESSAGE:

MICROFILMED
NOV 22 1996

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

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 RAPSOTTI, 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

Truster 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 _____

RECEIVED

JAN 05 1994

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NOV 22 1996

Revised Date 4-03-92

Department of Water Resources
Southern Region Office



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

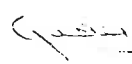
RE: ADJUDICATION CLAIM(S) A37-00803, A37-02476, A37-07569, A37-12400
A37-12401, A37-12402, A37-00355, A37-00682, A37-00683, A37-00684
A37-00113C, A37-00577BZ, A37-12403 OWNERSHIP CHANGE IN THE NAME
OF KERR PACIFIC CORP. to THE THOMAS M. O'GARA FAMILY TRUST

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

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NOV 22 1996

Water Right Number - R37-00577BZ

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- 83340
Phone - 208-726-3030

*** O - ORIGINAL OWNER ***
KERR PACIFIC CORP.

1 - C/O ANDREW P. KERR
2 - GILBERTSON, BROWNSTEIN, RASK
3 - 1200 S.S. MAIN BLDG.
City- PORTLAND State- OR Zip- 97205
Phone - 503-221-1772

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/24/1883 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
03N 18E 20 SW NW (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.690

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.690 2295.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 19E 3 SW NW 4 16.0 01 IRRIGATION (13) BLAINE
01S 19E 4 SW NE 2 16.0 01 IRRIGATION (13) BLAINE
01S 19E 4 SE NE 1 16.0 01 IRRIGATION (13) BLAINE
01S 19E 4 SW NW 4 17.0 01 IRRIGATION (13) BLAINE
01S 19E 4 SE NW 3 17.0 01 IRRIGATION (13) BLAINE
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

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NOV 22 1996

Water right number - R37-005778Z

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
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

Total Acres: 918.0

- - Diversion Means - DISTRICT 45 CANAL, DITCH, 2 250-HP PUMPS, 3 PIVOTS, HANDLINES

- - Non-Irrigation Use -

- - Other Rights for Same Use - 37-00803, 37-00113C, 37-02476, 37-02305, 37-00682, 37-00683

- - - - - Remarks - - - - -

OTHER RTS. CONTD. 37-07569
 DWR NOTE
 CLAIM RE-ENTERED ON DATA BASE 11-07-89; SCC

 OWNERSHIP CHANGE 1/14/94 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

MICROFILMED
NOV 22 1996

Prefix Translation: RESEARCH

CHANGE OF OWNERSHIP RECEIVED 10/01/93 ORIGINAL OWNER KERR PACIFIC CORP. NEW OWNER THE THOMAS M. O'GARA FAMILY TRUST. COPY OF REAL ESTATE INSTALLMENT SALE CONTRACT (COPY IN FILE NO. A37-00803) AND SIGNATURE OF ORIGINAL OWNER.

01/14/94 GIVENS

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	-

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NOV 22 1996

AJ0749NP
No. R37-00577BZ

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

DATE: 01/14/94
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 83340 (208) 726-3030	03/24/1883	IRRIGATION	04-01 11-01	0.69 CFS	
TOTAL DIVERSION:					0.69 CFS	
CONSUMPTIVE USE:						2295.0 AFA

Water Source: BIG WOOD RIVER

Tributary to: MALAD RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T03N R18E S20

SWNW

BLAINE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE											
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESE	NWSE	SWSE	SESE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
01S	19E	3	:											04-16												:	16.0
01S	19E	4	:					02-16	01-16					04-17	03-17			40	39	39	40				40	:	264.0
01S	19E	9	:		40		40		40		40		40	39	27	40		40	34	39	40		40	40	40	:	619.0
01S	19E	16	:									19														:	19.0
																							TOTAL ACRES			918.0	

POU County: BLAINE

Other Rights: 37-00803, 37-00113C, 37-02476, 37-02305, 37-00682, 37-00683

Remarks: OTHER RTS. CONTD. 37-07569

DWR NOTE

CLAIM RE-ENTERED ON DATA BASE 11-07-89; SCC

OWNERSHIP CHANGE 1/14/94 BY JG.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

NOV 22 1996
MICROFILMED

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

portion.

CLAIMANT'S NAME

Keri Paay

CLAIM

ENT. NO.

A37-00577

DATE RECEIVED

10-27-88

CK

004292

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.

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:

MICROFILMED
FEB 23 1993

Comments: