

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 37-20646
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: 05/17/1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
01N	18E	25	NW	SE	NW	BLAINE	R
01N	18E	12	SW	SE	SW	BLAINE	

5. Description of diverting works:

Baseline Canal 55-C

Bypass

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
WILDLIFE STORAGE		01/01	12/31	
28.3				
DIVERSION TO STORAGE		04/15	10/31	0.2

7. Total Quantity Appropriated is:
0.2 C.F.S. and/or 28.3 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	8	SE	NE		WILDLIFE STORAGE	
			NE	NE		WILDLIFE STORAGE	
01S	19E	9	SE	SE		WILDLIFE STORAGE	
			SW	SE		WILDLIFE STORAGE	
			NW	SE		WILDLIFE STORAGE	
			NE	SE		WILDLIFE STORAGE	
			NE	SW		WILDLIFE STORAGE	
			SE	NE		WILDLIFE STORAGE	
01S	19E	10	SW	SW		WILDLIFE STORAGE	
			NW	SW		WILDLIFE STORAGE	
			NE	SW		WILDLIFE STORAGE	
01S	19E	15	NW	NW		WILDLIFE STORAGE	
			NE	NW		WILDLIFE STORAGE	

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:

Rights 37-20646, 37-20648, 37-20650, and 37-20652 when combined shall not exceed a total annual maximum diversion volume of 45.8 af at the field headgate.

Rights 37-20636, 37-20646, 37-20648, 37-20650, and 37-20652 when combined shall not exceed a total annual maximum diversion volume of 73.8 af at the field headgate.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Water authorized for wildlife storage under Transfer 69756 in the amount of 81.0 af shall be used to mitigate for evaporation losses associated with wildlife storage ponds authorized under rights 37-20653 and 37-20654.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

01/09/2007

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

RIGHT NUMBER: 37-20646

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: 0.200 CFS
28.300 AFY

Rights 37-20646, 37-20648, 37-20650, and 37-20652 when combined shall not exceed a total annual maximum diversion volume of 45.8 af at the field headgate.

Rights 37-20636, 37-20646, 37-20648, 37-20650, and 37-20652 when combined shall not exceed a total annual maximum diversion volume of 73.8 af at the field headgate.

Water authorized for wildlife storage under Transfer 69756 in the amount of 81.0 af shall be used to mitigate for evaporation losses associated with wildlife storage ponds authorized under rights 37-20653 and 37-20654.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

PRIORITY DATE: 05/17/1983

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01N R18E S25 NWSESW Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DIVERSION TO STORAGE	04/15 10/31	0.200 CFS
WILDLIFE STORAGE	01/01 12/31	28.30 AFY

PLACE OF USE: WILDLIFE STORAGE in BLAINE County

T01S R19E S08	NENE	T01S R19E S08	SENE
T01S R19E S09	NESW	T01S R19E S09	NESE
T01S R19E S09	NWSE	T01S R19E S09	SWSE
T01S R19E S09	SESE	T01S R19E S10	NESW
T01S R19E S10	NWSW	T01S R19E S10	SWSW
T01S R19E S15	NENW	T01S R19E S15	NWNW

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

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

**RECOMMENDED PLACE OF USE FOR
37-20636, 37-20640, 37-20642, 37-20644,
7-20646, 37-20648, 37-20650, & 37-20652.**



Data entry on January 9, 2007

