

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 37-20647
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: 04/17/1883

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	12	SE	SW		BLAINE	
01N	18E	25	SW	SW		BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.48	

7. Total Quantity Appropriated is:
0.48 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 270.1 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 37-682
Date Received: 12/21/1988
Receipt No: C004292
Received By:

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

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: 04/17/1883

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
01N	18E	12	SE SW	BLAINE	
01N	18E	25	SW SW	BLAINE	

5. Description of diverting works:

BASELINE BYPASS CANAL DIVERSION AND BASELINE CANAL DIVERISON

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	04/01 11/01	0.5	

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

8. Total consumptive use:

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	NW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	39
			SW	NW		IRRIGATION	27
			SE	NW		IRRIGATION	40
			NW	SW		IRRIGATION	34
			SE	SW		IRRIGATION	40
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
			NE	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			NE	SW		IRRIGATION	40
			SW	SW		IRRIGATION	39
						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, 37-00577BZ, 37-00684
CHANGE OF OWNERSHIP 1/14/94 BY JG.
2/11/02 tf; claim amended to correct POD. This claim is limited to the irrigation of
280 within the 918 place of use.

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: **A37-00682**
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: APR 17, 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
01N	18E	12	SW	SW			BLAINE
		25	NE	NW			BLAINE

5. Description of diverting works:
BYPASS CANAL, HEADGATE 55-C & BASELINE CANAL, DITCH, 2 250HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

7. Total Quantity Appropriated is:
0.500 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

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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, 37-00355, 37-00683

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14. Remarks:

OTHER RTS. CONTD. 37-07569, 37-00577BZ, 37-00684

CHANGE OF OWNERSHIP 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.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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Form 42-1409(7)



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 9/17/93
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: 1/14/94 By: SW

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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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: A37-00682

Date Received: 10/27/1988

Receipt No: C004292

Received By: *rat*

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: APR 17, 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
01N	18E	12		SW	SW		BLAINE
		25		NE	NW		BLAINE

5. Description of diverting works:
BYPASS CANAL, HEADGATE 55-C & BASELINE CANAL, DITCH, 2 250HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

7. Total Quantity Appropriated is:
0.500 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

A37-00682

Page 1

Date: 01/16/89

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FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	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
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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, 37-00355, 37-00683

14. Remarks:

OTHER RTS. CONTD. 37-07569.
A37-00682

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Date: 01/16/89

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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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____ Title

_____, 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)
County of) SS.
_____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A37-00682
Date Received 10-27-88
Receipt Number CE04292 *gag*

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: April 17, 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>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
1N	18E	12		SW	SW		Blaine
1N	18E	25		NE	NW		Blaine

Additional points of diversion if any: See above

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: Bypass Canal; Headgate No. 55-C & Baseline Canal from Bypass 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 wheelines.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	0.5 cfs

7. Total Quantity Claimed: 0.5 cfs

8. Total consumptive use claimed is 2295 acre feet per annum.

9. Non-irrigation uses: None

Last Name: Kerr Pacific Corp.

Ident No. _____

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FEB 23 1993

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</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
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? 37-0355, 37-0683, 37-0684, 37-7569, 37-0577BA, 37-0113A, 37-2476, 37-0803.

14. Remarks: 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. 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.

Last Name: Kerr Pacific Corp.

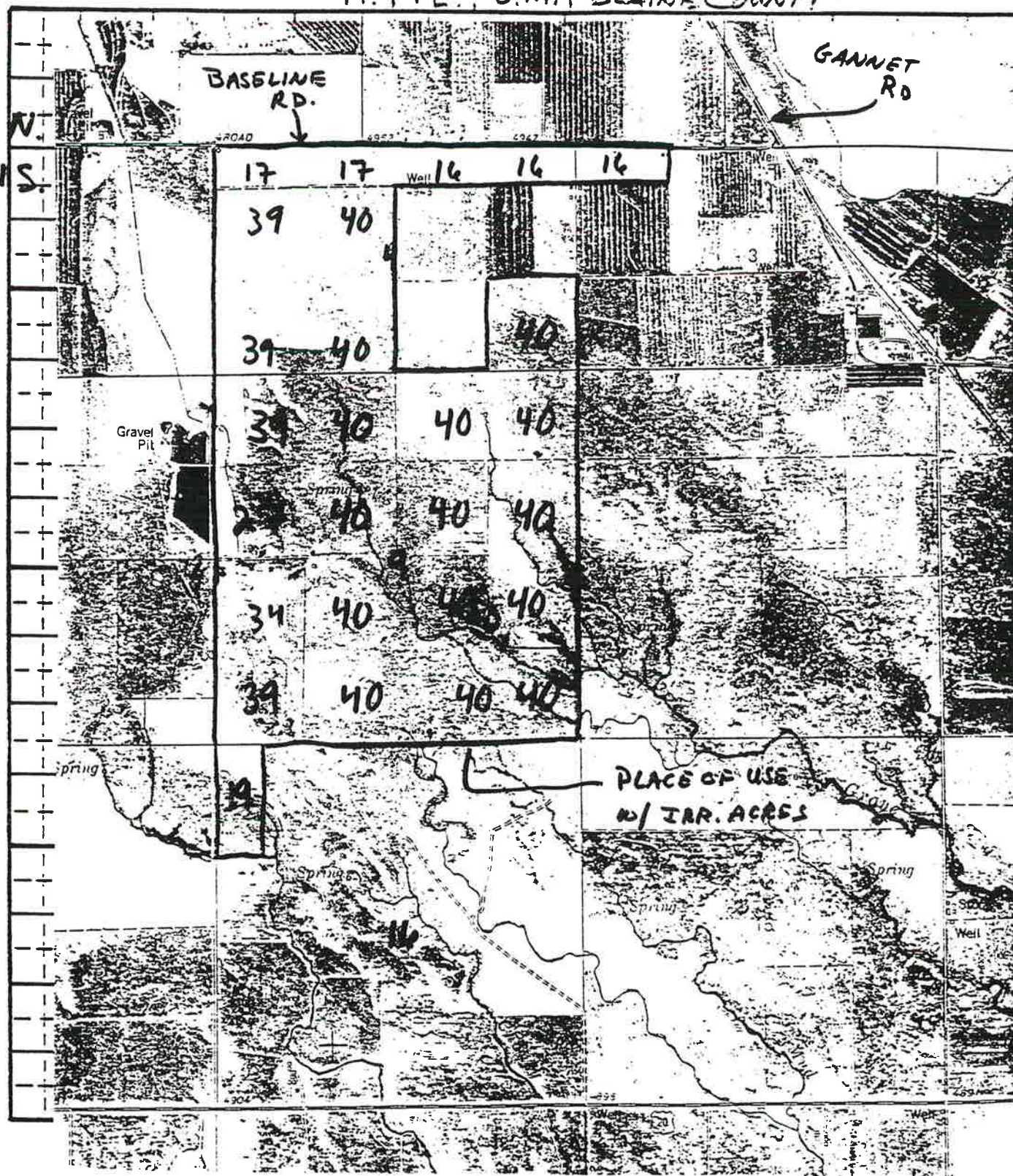
Ident No. _____

MICROFILMED

FEB 23 1993

Scale: 2 inches equals 1 mile

T. 1 W.	
T. 1 S.	



Last Name KEAR Pacific Crest Ident No. _____

Copies White State Yellow
MICROFILMED
FEB 23 1993

15. Basis of Claim: Decree
IDWR Water Right Number: 37-0682
Court: Lincoln County
Case Number:
Decree Date: December 13, 1909
Plaintiff v. Defendant:
S. C. Frost, et al. v. Alturus Water Company, et al.

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 Jellie

Title of Organization Kerr Pacific Corp.

Date 10-21-88

State of Oregon)

) ss.

County of Multnomah)

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

Notary Public Janet M. Engelgau

Residing at Northland, 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: 10/29/88

Last Name: Kerr Pacific Corp.

Ident No.: _____

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 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
A37-00682

Please type or print clearly

1. Name of Claimant (s) THE THOMAS M. O'GARA FAMILY TRUST 96 BRIAN BARSCITE Phone (208) 726-3030Mailing Address P.O. Box 370 KETCHUM, ID Zip 833402. Date of Priority (Only one (1) per claim) 04/17/19833. Source of water supply (a) BIG WOOD RIVER
which is tributary to (b) MALAD RIVER4. a. Location of existing point of diversion is: Township 01N Range 18E Section 12,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of BLAINEAdditional points of diversion if any: TO 1N R18E SEC 25 SW 1/4 SW 1/4

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,
_____ 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.BASELINE BYPASS CANAL DIVERSION + BASELINE 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 0.50 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.50 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2295.0 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	264.0
01S	19E	9	40	40	40	40	40	39	27	40	40	39	39	40	40	40	40	40	619.0
01S	19E	16						19											19.0

* LIMITED TO 280 AC WITHIN 918 AC PPU Total number of acres irrigated 918.0 ac PPU

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 SHEET

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

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

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 A37-00682

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 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 _____

01/08/2007

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

RIGHT NUMBER: 37-20647

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: 0.480 CFS

PRIORITY DATE: 04/17/1883

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01N R18E S25 NWSESW Rediversion Within BLAINE County

This right is measured and administered at the point of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.480 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

This right is limited to the irrigation of 270.1 acres within the place of use described above in a single irrigation season.

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.

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

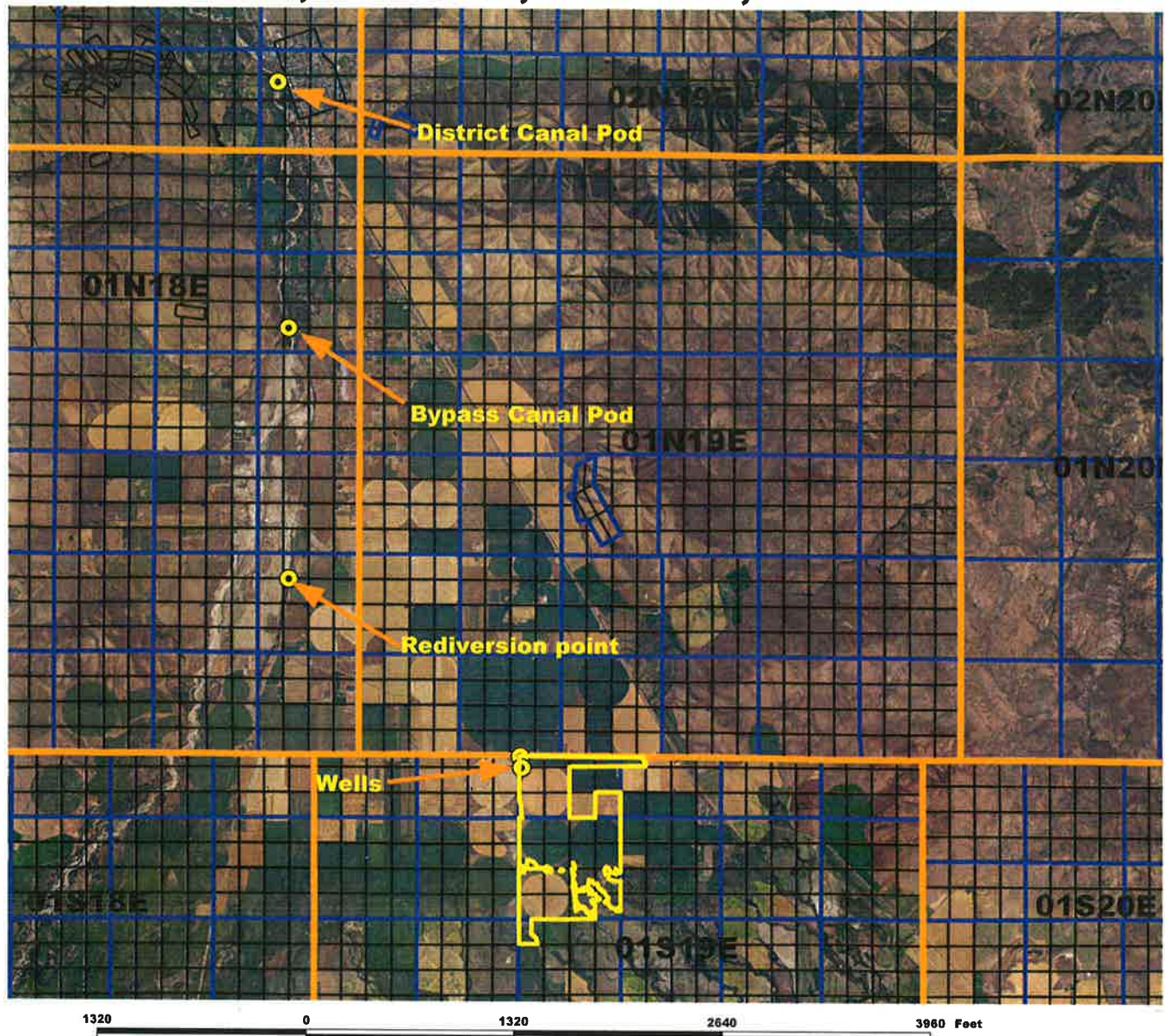
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from Base Line Canal Co.

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

Basin 37



11/27/2006

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

RIGHT NUMBER: 37-682

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: 0.500 CFS

PRIORITY DATE: 04/17/1883

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County
T01N R18E S25 NWSESW Rediversion Within BLAINE County
This right is measured and administered at the point of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.500 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 280 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.

The rights listed below are limited to the irrigation of a combined total of
280 acres in a single irrigation season. Combined Right Nos.: 37-682,
37-683, and 37-684.

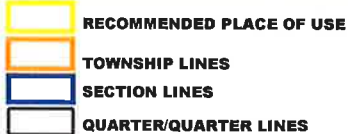
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from Base Line Canal Co.

Idaho Department of Water Resources



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

Data entry on November 28, 2006

**GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN**



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

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

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OCT 24 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

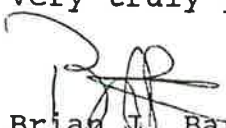
Att: Crystal
John Rosholt
Rosholt, Robertson & Tucker
P O Box 1906
Twin Falls, Idaho 83303-1906

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 24 1994

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 2199
BOISE, IDAHO 83701-2199
TELEPHONE (208) 336-0700
FAX (208) 344-0034

DATE:

TO:

FROM:

RE:

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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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 24 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 BARSOITTI, 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: A37-00577BZ
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 _____

RECEIVED

JAN 6 1994 MICROFILMED

Revised Date 4-03-92

Department of Water Resources
Southern Region Office

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.

IN WITNESS WHEREOF, the parties have executed this Assignment as of the dates set forth below.

Dated: 2/1/90

"O'Gara"

THE THOMAS M. O'GARA FAMILY TRUST

By [Signature]

Thomas M. O'Gara, Trustee

Dated: 1/31/90

"Smith"

[Signature]
Gregory C. Smith

realest\ogara.asn

Water Right Number - R37-00682

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
Phone - 208-734-0700

State- ID Zip- 833031906

*** 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
Phone - 208-726-3030

State- ID Zip- 83340

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

1 - C/O ANDREW P. KERR
2 - GILBERTSON, BROWNSTEIN, RASK,
3 - 1200 S.W. MAIN BLDG.

City- PORTLAND
Phone - 503-221-1772

State- OR Zip- 97205

+ - - Priority Date - - + + - - - Region - - + + - - - Stage - - + + - - - Status - - - +
04/17/1883 ERROR IN REGION J - BENEFICIAL USE

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

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
01N	18E	12	SW SW			(13) BLAINE	
		25	NE NW			(13) BLAINE	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		0.500	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.500 2295.0

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

MICROFILMED
OCT 24 1994

Water right number - R37-00682

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
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

Total Acres: 918.0

+ - - Diversion Means - BYPASS CANAL, HEADGATE 55-C & BASELINE CANAL, DITCH, 2 250HP PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 37-00803, 37-00113C, 37-02476, 37-02305, 37-00355, 37-00683

----- Remarks -----
OTHER RTS. CONTD. 37-07569, 37-00577BZ, 37-00684

CHANGE OF OWNERSHIP 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

----- Comments -----
Date: 01/14/1994 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 A37-00803) SUBMITTED WITH ORIGINAL OWNER SIGNING FORM.

OCT 24 1994
MICROFILMED

Water right number - R37-00682

Prefix Translation: RESEARCH

+ - - Audit Fields - - +

01/14/94 GIVENS

+ - - - - - 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	- AND	Presumption Flag	- D
				Notice of Error Flag	-

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OCT 24 1994

AJ0749NP
No. R37-00682

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	04/17/1883	IRRIGATION	04-01 11-01	0.50 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.50 CFS	2295.0 AFA

Water Source: BIG WOOD RIVER

Tributary to: MALAD RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T01N R18E S12
S25

SWSW
NENW

BLAINE County
BLAINE County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE							
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE		SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
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
TOTAL ACRES																								918.0			

POU County: BLAINE

Other Rights: 37-00803, 37-00113C, 37-02476, 37-02305, 37-00355, 37-00683

Remarks: OTHER RTS. CONTD. 37-07569, 37-00577BZ, 37-00684

CHANGE OF OWNERSHIP 1/14/94 BY JG.

Dates: Exam Made Date: Verified Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag: D

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OCT 24 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,

A handwritten signature in ink, appearing to read 'Judy Givens'.

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 24 1994

Water Right Number - 37-00682

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
WELSH

BRIDGET

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/17/1883 17 D - DECREED+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)01N 18E 12 SW SW (13) BLAINE
01N 18E 25 NE NW R (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

0.500

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.500+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

01S	19E	9	NE NE			01	IRRIGATION	(13) BLAINE
01S	19E	9	NW NE			01	IRRIGATION	(13) BLAINE
01S	19E	9	NE NW			01	IRRIGATION	(13) BLAINE
01S	19E	9	NW NW			01	IRRIGATION	(13) BLAINE
01S	19E	9	SW NW			01	IRRIGATION	(13) BLAINE
01S	19E	9	SE NW			01	IRRIGATION	(13) BLAINE
01S	19E	9	NW SW			01	IRRIGATION	(13) BLAINE

Total Acres:

+ - - Diversion Means - HEADGATE & BYPASS CANAL; BASELINE #55C HEADGATE FROM CANAL

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

FEB 23 1993

MICROFILMED

Water right number - 37-00682

Adj. flag translation: Standard Water Right Number

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

+ - - - - Decree Plaintiff - - - +
S. C. FROST, ET. AL.

+ - - - - Decree Defendant - - - +
ALTURAS WATER COMPANY, ET. AL.

+ - Decree Date - +
12/13/1909

+ - - Microfilm Rolls -

+ - - Audit Fields - 12/09/85

05/28/88 CONVERT

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

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 00/00/0000
Decree Date - 12/13/1909

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 12/09/1985
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District - 37
Transfer/Amended -

FEB 23 1993

MICROFILMED

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

all

CLAIMANT'S NAME Kern Pacific Corp.

CLAIM IDENT. NO.

A37-00682

DATE RECEIVED 10-27-88CK # C004292AMOUNT \$

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.

Secret

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?

Is the consumptive use correct?

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.

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.)

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?

Should this claim be receipted and data entered?

Claim checked by: dalComments: notice of appearance.

MICROFILMED

FEB 23 1993

Adjudication Recommendation Report 37-682 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

MALAD RIVER

Annual Volume

Total Diversion: 0.500 CFS

BIG WOOD RIVER BLAINE County	SE1/4SW1/4	Sec. 12, Twp 01N, Rge 18E, B.M.
BIG WOOD RIVER BLAINE County	SW1/4SW1/4	Sec. 25, Twp 01N, Rge 18E, 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 37-682 V1

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

Total Acres: 918

Conditions of Approval:Remarks:

1. General OTHER RTS. CONTD. 37-07569, 37-00577BZ, 37-00684
 ***** CHANGE OF OWNERSHIP 1/14/94
 BY JG.
2. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2 80 ACRES WITHIN THE PLACE OF USE
 - Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. GIVENS 1/14/1994 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 A37-00803) SUBMITTED WITH ORIGINAL OWNER SIGNING FORM.
2. tfawcett 2/11/2002 amended claim
 Comment: claim amended to correct 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