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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 03 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
37-8116	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Frank G. Pierret
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Thomas M. O'Gara Family Trust
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
c/o Brian Barsotti P.O. Box 370
 Mailing address
Ketchum ID 83340
 City State ZIP
 Telephone _____ Email _____

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 11/09/1988.

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: _____
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 11/3/11 Receipt No. 5032210 Receipt Amt. \$ 2500

Approved by _____ Processed by _____ Date _____

new owner.

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- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
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- Filing fee (see instructions for further explanation):
 - o \$25 per *undivided* water right.
 - o \$100 per *split* water right.
 - o No fee is required for pending adjudication claims.

7. Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

10-31-11

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by _____

Date _____

Receipt No. _____

Receipt Amt. _____

Approved by _____

Processed by _____

Date _____

Form 42-248/42-1409(6) Rev. 07/10

WARRANTY DEED

FOR VALUE RECEIVED

FRANK G. PIERRET, TRUSTEE FOR THE DIAMOND TRUST, A REVOCABLE TRUST AGREEMENT DATED JANUARY 7, 1987

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

THOMAS O'GARA FAMILY TRUST DATED JULY 8, 1982, THOMAS M. O'GARA, TRUSTEE

GRANTEE(s) whose address is: C/O BOX 10013, Ketchum, ID 83340

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

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

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

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

Dated: November 9, 1998

Frank G. Pierret Trustee
FRANK G. PIERRET, TRUSTEE

State of Idaho

County of Blaine

ss.

On this 12th day of November, in the year 1998, before me, the undersigned, personally appeared FRANK G. PIERRET, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the DIAMOND TRUST, A REVOCABLE TRUST AGREEMENT DATED JANUARY 7, 1987, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

Arila G. Mink
Notary Public

Commission Expires: 2/01/2000



EXHIBIT "A"

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 15: A parcel of land situated within said Section 15, more particularly described as follows:

BEGINNING at the West ¼ corner of said Section 15, a GLO brass cap; thence N. 00° 31' 30" W., 1327.78 feet to the North 1/16 corner, a 5/8" bar; thence N. 89° 24' 32" E., 2642.07 feet to the North 1/16 C-C corner, a 5/8" bar; thence N. 89° 22' 53" E., 1325.69 feet to the NE 1/16 corner, a 5/8" bar; thence S. 00° 49' 00" E., 1326.50 feet to the East 1/16 C-C corner, a 5/8" bar; thence S. 00° 45' 40" E., along the East line of the W½SE¼ of said Section 15, a distance of 2564.62 feet to a point on the North right-of-way line of U.S. Highway 20; thence S. 89° 27' 59" W., along said right-of-way line a distance of 1320.25 feet to a point on the West line of said W½SE¼; thence N. 00° 51' 37" W., 2562.67 feet to the center ¼ corner, a 5/8" bar; thence S. 89° 22' 53" W., 2649.83 feet to the REAL POINT OF BEGINNING.

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

<u>Status</u>	<u>Number</u>	<u>Priority</u>	<u>CFS</u>	<u>Acreage</u>	<u>Source</u>
1. License	37-07663/				
	A37-07663	8/25/1977	0.10	1	Groundwater
2. License	37-08116	6/6/1983	0.030	1.6	Groundwater

THE ABOVE DESCRIBED WATER RIGHTS ARE SUBJECT TO THE FINAL OUTCOME OF ALL PROCEEDINGS IN AND THE PROVISIONS, TERMS AND CONDITIONS OF THE DECREE TO BE ENTERED IN IN RE: THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE SNAKE RIVER BASIN WATER SYSTEM, TWIN FALL DISTRICT COURT CASE NO. 39576 ("the SRBA"). SELLER WARRANTS THAT NONE OF THE ABOVE RIGHTS ARE SUBJECT TO FORFEITURE.

F.P.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

October 17, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

THOMAS O'GARA FAMILY TRUST
C/O BRIAN BARSOTTI
PO BOX 370
KETCHUM ID 83340

RE: OWNERSHIP CHANGE FOR WATER RIGHT 37-8116

Dear Counselor:

It has come to the Department's attention that the Thomas O'Gara Family Trust is the current owner of the property to which the above water right is appurtenant. It is important for water right holders to maintain current ownership records with the department. Since you are listed as the contact on most of O'Gara's water rights, I am sending you this request.

Please have O'Gara's complete the enclosed Notice of Change of Water Right Ownership form, attach a copy of warranty deed that conveys the property to them, include a \$25 filing fee and return to me by October 31, 2011. Once I receive the completed form, our records will be updated and you will be sent confirmation that the change has been completed.

Please note Section 42-248, Idaho Code, requires the owner of this water right to maintain current ownership and address records on file with the department within 120 days of the change. Failing to report these changes could result in a \$100 late filing fee. If I have contacted you in error, please either forward this request or let me know the proper person to contact. Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures