

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69756

This is to certify that: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340
 (208)726-3030

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-803	AJC/Decreed	06/15/1946	2.54 cfs	N/A	84.0	918.0	GROUND WATER
37-355	AJC/Decreed	05/17/1883	5.60 cfs	N/A	320.0	918.0	BIG WOOD RIVER
37-2476	AJC/License	02/12/1947	1.64 cfs	247 af	84.0	918.0	GROUND WATER
37-7569	AJC/License	03/08/1977	9.20 cfs	N/A	836.0	918.0	GROUND WATER
37-113C	AJC/Decreed	07/10/1884	1.00 cfs	N/A	34.5	918.0	BIG WOOD RIVER
37-577BZ	AJC/Decreed	03/24/1883	0.69 cfs	N/A	34.5	918.0	BIG WOOD RIVER
37-682	AJC/Decreed	04/17/1883	0.50 cfs	N/A	280.0	918.0	BIG WOOD RIVER
37-683	AJC/Decreed	06/20/1884	4.50 cfs	N/A	280.0	918.0	BIG WOOD RIVER
37-684	AJC/Decreed	06/02/1890	1.00 cfs	N/A	82.0	918.0	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-803	YES	NO	YES	NO	YES	YES
37-355	YES	YES	YES	NO	YES	YES
37-2476	YES	NO	YES	NO	YES	YES
37-7569	YES	NO	YES	NO	YES	YES
37-113C	YES	NO	YES	NO	YES	YES
37-577BZ	YES	NO	YES	NO	YES	YES
37-682	YES	YES	YES	NO	YES	YES
37-683	YES	YES	YES	NO	YES	YES
37-684	YES	YES	YES	NO	YES	YES

SUPPORT DATA

IN FILE # 37-113C

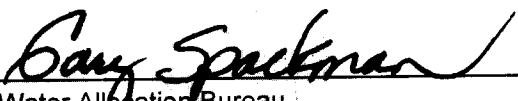
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69756

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-803	37-20640	0.09 cfs	7.3 af	N/A	N/A	37-20639	2.45 cfs	N/A	79.1	885.6
37-355	37-20646	0.20 cfs	28.3 af	N/A	N/A	37-20645	5.40 cfs	N/A	308.7	885.6
37-2476	37-20638	0.06 cfs	7.3 af	N/A	N/A	37-20637	1.58 cfs	238.3 af	79.1	885.6
37-7569	37-20636	0.32 cfs	73.8 af	N/A	N/A	37-20635	8.88 cfs	2419.5 af	806.5	885.6
37-113C	37-20642	0.04 cfs	3.0 af	N/A	N/A	37-20641	0.96 cfs	N/A	33.3	885.6
37-577BZ	37-20644	0.02 cfs	3.0 af	N/A	N/A	37-20643	0.67 cfs	N/A	33.3	885.6
37-682	37-20648	0.02 cfs	24.8 af	N/A	N/A	37-20647	0.48 cfs	N/A	270.1	885.6
37-683	37-20650	0.16 cfs	24.8 af	N/A	N/A	37-20649	4.34 cfs	N/A	270.1	885.6
37-684	37-20652	0.04 cfs	24.8 af	N/A	N/A	37-20651	0.96 cfs	N/A	270.1	885.6
COMBINED TOTALS		0.95 cfs	81.0 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28th day of December, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20635
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20635 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: March 08, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	8.88 CFS	2,419.5 AF
			8.88 CFS	2,419.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 (SWNW) Sec. 4 Twp 01S Rge 19E BLAINE County

GROUND WATER NWNWSW Sec. 4 Twp 01S Rge 19E BLAINE County

PLACE OF USE: 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
							L4										
01S 19E 4			16.0	16.0			17.0	17.0	40.0	39.0	39.0	40.0			40.0		264.0
			L2	L1			L4	L3									
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	7.6	586.6
01S 19E 16						19.0											19.0

Total Acres: 885.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 806.5 acres within the place of use described above in a single irrigation season.
2. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20636
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20636 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: March 08, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/01	to 11/01	0.32 CFS	
WILDLIFE STORAGE	01/01	to 12/31		73.8 AF
			0.32 CFS	73.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 (SWSWNW) Sec. 4 Twp 01S Rge 19E BLAINE County

GROUND WATER NWNWSW Sec. 4 Twp 01S Rge 19E BLAINE County

PLACE OF USE: WILDLIFE STORAGE

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 8	X			X													
01S 19E 9				X					X				X	X	X	X	
01S 19E 10									X	X	X						
01S 19E 15					X	X											

CONDITIONS OF APPROVAL

1. 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.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 37-20636
As Modified by Transfer No. 69756

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20637
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20637 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: February 12, 1947

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	1.58 CFS	238.3 AF
		1.58 CFS	238.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 (SWNW) Sec. 4 Twp 01S Rge 19E BLAINE County

GROUND WATER NWSW Sec. 4 Twp 01S Rge 19E BLAINE County

PLACE OF USE: 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	7.6	586.6
01S 19E 16							19.0										19.0

Total Acres: 885.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 79.1 acres within the place of use described above in a single irrigation season.
2. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 2006


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20638
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20638 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: February 12, 1947

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/01	to 11/01	0.06 CFS	
WILDLIFE STORAGE	01/01	to 12/31		7.3 AF
			0.06 CFS	7.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 (SWSWNW) Sec. 4 Twp 01S Rge 19E BLAINE County

GROUND WATER NWNWSW Sec. 4 Twp 01S Rge 19E BLAINE County

PLACE OF USE: WILDLIFE STORAGE

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 8	X			X													
01S 19E 9				X					X				X	X	X	X	
01S 19E 10									X	X	X						
01S 19E 15					X	X											

CONDITIONS OF APPROVAL

1. Rights 37-20638 and 37-20640 when combined shall not exceed a total annual maximum diversion volume of 7.3 af at the field headgate.
2. Rights 37-20638, 37-20640, 37-20642, and 37-20644 when combined shall not exceed a total annual maximum diversion volume of 7.3 af at the field headgate.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. 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.

WATER RIGHT NO. 37-20638
As Modified by Transfer No. 69756

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20639
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20639 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: June 15, 1946

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	2.45 CFS	
			2.45 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 (SWNW) Sec. 4 Twp 01S Rge 19E BLAINE County

GROUND WATER NWSW Sec. 4 Twp 01S Rge 19E BLAINE County

PLACE OF USE: 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 L4										16.0
01S 19E 4			16.0 L2	16.0 L1			17.0 L4	17.0 L3	40.0	39.0	39.0	40.0				40.0	264.0
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	7.6	586.6
01S 19E 16						19.0											19.0

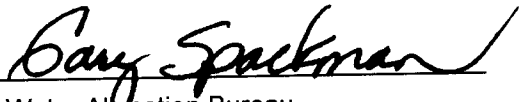
Total Acres: 885.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 79.1 acres within the place of use described above in a single irrigation season.
2. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20640
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20640 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: June 15, 1946

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/15	to 10/31	0.09 CFS	
WILDLIFE STORAGE	01/01	to 12/31		7.3 AF
			0.09 CFS	7.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 (SWSWNW) Sec. 4 Twp 01S Rge 19E BLAINE County

GROUND WATER NWNWSW Sec. 4 Twp 01S Rge 19E BLAINE County

PLACE OF USE: WILDLIFE STORAGE

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 8	X			X													
01S 19E 9				X					X				X	X	X	X	
01S 19E 10									X	X	X						
01S 19E 15					X	X											

CONDITIONS OF APPROVAL

1. Rights 37-20638 and 37-20640 when combined shall not exceed a total annual maximum diversion volume of 7.3 af at the field headgate.
2. Rights 37-20638, 37-20640, 37-20642, and 37-20644 when combined shall not exceed a total annual maximum diversion volume of 7.3 af at the field headgate.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. 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.

WATER RIGHT NO. 37-20640
As Modified by Transfer No. 69756

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20641
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20641 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: July 10, 1884

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 11/01

To

Diversion Rate

0.96 CFS

0.96 CFS

Volume

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER

SWNW

Sec. 36 Twp 02N Rge 18E BLAINE County

PLACE OF USE: 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 L 4										16.0
01S 19E 4			16.0 L 2	16.0 L 1			17.0 L 4	17.0 L 3	40.0	39.0	39.0	40.0				40.0	264.0
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	7.6	586.6
01S 19E 16							19.0										19.0

Total Acres: 885.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 33.3 acres within the place of use described above in a single irrigation season.
2. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 2006


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20642
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20642 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: July 10, 1884

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/15	10/31	0.04 CFS	
WILDLIFE STORAGE	01/01	12/31		3.0 AF
			0.04 CFS	3.0 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER L3 (NESWNW) Sec. 36 Twp 02N Rge 18E BLAINE County

PLACE OF USE: WILDLIFE STORAGE

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 8	X			X													
01S 19E 9				X					X				X	X	X	X	
01S 19E 10									X	X	X						
01S 19E 15					X	X											

CONDITIONS OF APPROVAL

1. Rights 37-20638, 37-20640, 37-20642, and 37-20644 when combined shall not exceed a total annual maximum diversion volume of 7.3 af at the field headgate.
2. 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.
3. 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).
4. 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.

WATER RIGHT NO. 37-20642
As Modified by Transfer No. 69756

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20643
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20643 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: March 24, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.67 CFS	
			0.67 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SWNW Sec. 36 Twp 02N Rge 18E BLAINE County

PLACE OF USE: 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 L 4										16.0
01S 19E 4			16.0 L 2	16.0 L 1			17.0 L 4	17.0 L 3	40.0	39.0	39.0	40.0				40.0	264.0
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	7.6	586.6
01S 19E 16						19.0											19.0

Total Acres: 885.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 33.3 acres within the place of use described above in a single irrigation season.
2. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20644
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20644 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: March 24, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/15	10/31	0.02 CFS	
WILDLIFE STORAGE	01/01	12/31		3.0 AF
			0.02 CFS	3.0 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER L3 (NESWNW) Sec. 36 Twp 02N Rge 18E BLAINE County

PLACE OF USE: WILDLIFE STORAGE

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 8	X			X													
01S 19E 9				X					X				X	X	X	X	
01S 19E 10									X	X	X						
01S 19E 15					X	X											

CONDITIONS OF APPROVAL

1. Rights 37-20638, 37-20640, 37-20642, and 37-20644 when combined shall not exceed a total annual maximum diversion volume of 7.3 af at the field headgate.
2. 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.
3. 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).
4. 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.

WATER RIGHT NO. 37-20644
As Modified by Transfer No. 69756

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20645
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20645 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: May 17, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	5.40 CFS	
			5.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER SWSW Sec. 25 Twp 01N Rge 18E BLAINE County

PLACE OF USE: 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	7.6	586.6
01S 19E 16						19.0											19.0

Total Acres: 885.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 308.7 acres within the place of use described above in a single irrigation season.
2. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 2006


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20646
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20646 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: May 17, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/15	to 10/31	0.20 CFS	
WILDLIFE STORAGE	01/01	to 12/31		28.3 AF
			0.20 CFS	28.3 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SWSESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER NWSSENW Sec. 25 Twp 01N Rge 18E BLAINE County
 (Rediversion)

PLACE OF USE: WILDLIFE STORAGE

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 8	X			X													
01S 19E 9				X					X				X	X	X	X	
01S 19E 10									X	X	X						
01S 19E 15					X	X											

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. 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.
4. 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 RIGHT NO. 37-20646
As Modified by Transfer No. 69756

CONDITIONS OF APPROVAL

5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20647
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20647 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: April 17, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.48 CFS	
			0.48 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER SWSW Sec. 25 Twp 01N Rge 18E BLAINE County

PLACE OF USE: 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
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	7.6	586.6
01S	19E	16						19.0											19.0

Total Acres: 885.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 270.1 acres within the place of use described above in a single irrigation season.
2. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 2006


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20648
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20648 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: April 17, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
DIVERSION TO STORAGE	04/15	10/31	0.02 CFS	24.8 AF
WILDLIFE STORAGE	01/01	12/31	0.02 CFS	24.8 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SWSESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER NWSENW Sec. 25 Twp 01N Rge 18E BLAINE County
 (Rediversion)

PLACE OF USE: WILDLIFE STORAGE

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	8	X			X													
01S	19E	9				X					X				X	X	X	X	
01S	19E	10									X	X	X						
01S	19E	15					X	X											

CONDITIONS OF APPROVAL

1. Rights 37-20648, 37-20650, and 37-20652 when combined shall not exceed maximum diversion volume of 24.8 af at the field headgate.
2. 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.
3. 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.
4. 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.

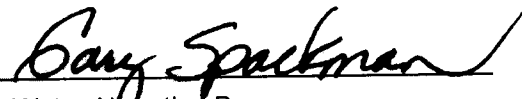
WATER RIGHT NO. 37-20648
As Modified by Transfer No. 69756

CONDITIONS OF APPROVAL

5. 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).
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20649
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20649 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: June 20, 1884

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	4.34 CFS	
			4.34 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER SWSW Sec. 25 Twp 01N Rge 18E BLAINE County

PLACE OF USE: 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
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	7.6	586.6
01S	19E	16							19.0										19.0

Total Acres: 885.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 270.1 acres within the place of use described above in a single irrigation season.
2. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20650
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20650 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: June 20, 1884

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/15	10/31	0.16 CFS	
WILDLIFE STORAGE	01/01	12/31		24.8 AF
			0.16 CFS	24.8 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SWSESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER NWSSENW Sec. 25 Twp 01N Rge 18E BLAINE County
 (Rediversion)

PLACE OF USE: WILDLIFE STORAGE

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 8	X			X													
01S 19E 9				X					X				X	X	X	X	
01S 19E 10									X	X	X						
01S 19E 15					X	X											

CONDITIONS OF APPROVAL

1. Rights 37-20648, 37-20650, and 37-20652 when combined shall not exceed maximum diversion volume of 24.8 af at the field headgate.
2. 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.
3. 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.
4. 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.

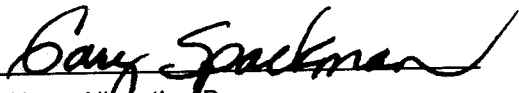
WATER RIGHT NO. 37-20650
As Modified by Transfer No. 69756

CONDITIONS OF APPROVAL

5. 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).
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20651
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20651 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: June 02, 1890

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.96 CFS	
			0.96 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER SWSW Sec. 25 Twp 01N Rge 18E BLAINE County

PLACE OF USE: 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
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	7.6	586.6
01S	19E	16							19.0										19.0

Total Acres: 885.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 270.1 acres within the place of use described above in a single irrigation season.
2. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20652
As Modified by Transfer No. 69756

In accordance with the approval of Transfer No. 69756, Water Right No. 37-20652 is now described as follows.

Right Holder: THOMAS M O GARA FAMILY TRUST
 C/O BRIAN BARSOTTI
 PO BOX 370
 KETCHUM ID 83340

Priority Date: June 02, 1890

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/15	10/31	0.04 CFS	
WILDLIFE STORAGE	01/01	12/31		24.8 AF
			0.04 CFS	24.8 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SWSESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER NWSSENW Sec. 25 Twp 01N Rge 18E BLAINE County
 (Rediversion)

PLACE OF USE: WILDLIFE STORAGE

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	8	X			X													
01S	19E	9				X					X				X	X	X	X	
01S	19E	10									X	X	X						
01S	19E	15					X	X											

CONDITIONS OF APPROVAL

1. Rights 37-20648, 37-20650, and 37-20652 when combined shall not exceed maximum diversion volume of 24.8 af at the field headgate.
2. 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.
3. 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.
4. 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.

WATER RIGHT NO. 37-20652
As Modified by Transfer No. 69756

CONDITIONS OF APPROVAL

5. 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).
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of December, 20 06



Chief, Water Allocation Bureau