

VERIFIED BY R 5/10/04
05/10/2004

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

RIGHT NUMBER: 45-10834

NAME AND ADDRESS: PICKETT RANCH & SHEEP CO
1650 S 570 W
OAKLEY ID 83346

SOURCE: COLD SPRING CREEK
MEDLEY CREEK

TRIBUTARY: DRY CREEK
TRIBUTARY: DRY CREEK

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/27/1934

POINT OF DIVERSION:

T12S R19E S12 NENENW End of Stream Flow Within CASSIA County
T12S R19E S13 SWSWSW End of Stream Flow Within CASSIA County
T12S R20E S31 SWSESE Begin of Stream Flow Within CASSIA County
T12S R20E S32 SESWSW Begin of Stream Flow Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	4/15 5/01	0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T12S R19E S12	NENE	T12S R19E S12	NWNE
T12S R19E S12	SENE	T12S R19E S13	SWSW
T12S R19E S24	NENW	T12S R19E S24	NWNW
T12S R19E S24	SENW	T12S R19E S24	NESW
T12S R19E S24	NWSE	T12S R19E S24	SWSE
T12S R19E S24	SESE	T12S R19E S25	NENE
T12S R20E S07 Lot 2	SWNW	T12S R20E S07 Lot 3	NWSW
T12S R20E S07 Lot 4	SWSW	T12S R20E S07	SESW
T12S R20E S18	NENW	T12S R20E S18	SESW
T12S R20E S18	NESW	T12S R20E S18	SESW
T12S R20E S19	NWNE	T12S R20E S19	SWNE
T12S R20E S19	SENE	T12S R20E S19	NENW
T12S R20E S20	SWNW	T12S R20E S20	NWSW
T12S R20E S20	SWSW	T12S R20E S29	NWNW
T12S R20E S29	SWNW	T12S R20E S29	NWSW
T12S R20E S29	SWSW	T12S R20E S30 Lot 1	NWNW
T12S R20E S30 Lot 2	SWNW	T12S R20E S30 Lot 3	NWSW
T12S R20E S30 Lot 4	SWSW	T12S R20E S30	SESE
T12S R20E S31	NENE	T12S R20E S31	SENE
T12S R20E S31	NENW	T12S R20E S31 Lot 1	NWNW
T12S R20E S31	SENW	T12S R20E S31	NESW
T12S R20E S31	NESE	T12S R20E S31	NWSE
T12S R20E S31	SWSE	T12S R20E S31	SESE
T12S R20E S32	SWNW	T12S R20E S32	SWSW

05/10/2004

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

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use
STOCKWATER, 750 SHEEP.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-10834 V1

WATER RIGHT NUMBER: 45-10834 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PICKETT RANCH & SHEEP CO 1650 S 570 W OAKLEY, ID 83346 (208)862-3482

Priority Date: 06/27/1934

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
COLD SPRING CREEK	DRY CREEK
MEDLEY CREEK	DRY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	4/15 to 5/01	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

COLD SPRING CREEK	NE1/4NE1/4NW1/4	Sec. 12, Twp 12S, Rge 19E, B.M.
CASSIA County	(Ending of Reach)	
MEDLEY CREEK	SW1/4SW1/4SW1/4	Sec. 13, Twp 12S, Rge 19E, B.M.
CASSIA County	(Ending of Reach)	
COLD SPRING CREEK	SE1/4SW1/4SW1/4	Sec. 32, Twp 12S, Rge 20E, B.M.
CASSIA County	(Beginning of Reach)	
MEDLEY CREEK	SW1/4SE1/4SE1/4	Sec. 31, Twp 12S, Rge 20E, B.M.
CASSIA County	(Beginning of Reach)	

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	19E	12	X	X		X													
12S	19E	13											X						
12S	19E	24					X	X		X	X					X	X	X	
12S	19E	25	X																
12S	20E	7						X			X	X	X						
								L 2			L 3	L 4							

Conditions of Approval:

- Remarks:

- Comments:

- Comment: AUTHORITY TO CLAIM WATER RIGHT: IDAHO CODE SECTION 42-113 & 42-114 ATTORNEY GENERAL
OPINION 88-6, DICTUM. PERMITEE--U.S. FOREST. ****NOTES ON P/D*** COLD SPRING--INSTREAM USE -BEG.
SE,SW,SW, SEC. 32-END. NE,SE, SEC. 6, T12S. R20E. MEDLEY CREEK--INSTREAM USE -BEG. SW,SE,SE, SEC.
31--END. SE,NW, SEC. 24, T12S. R20E. ADDED GRID ADDRESS.

- Comment: After checking quad sheets CC25 and CC75, I made some changes to ending stream reaches of both Cold Spring Creek and Medley Creek and also some changes to the poi.

- Comment: Steve Davis from the BLM called and said there appeared to be some errors on this recommendation with the place of use...not being on Medley Creek, wrong ranges, and missing lot numbers. I re-did the shape in GIS and I think that took care of the problems. Also changed the priority date to conform with the stipulated agreement.

03/21/2003

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

RIGHT NUMBER: 45-10834

NAME AND ADDRESS: PICKETT RANCH & SHEEP CO
1650 S 570 W
OAKLEY ID 83346

SOURCE: COLD SPRING CREEK
MEDLEY CREEK

TRIBUTARY: DRY CREEK
TRIBUTARY: DRY CREEK

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/30/1879

POINT OF DIVERSION:

SPRING CREEK T12S R19E S12 NWNWNE End of Stream Flow Within CASSIA County Source: COLD

CREEK T12S R19E S24 NESENW End of Stream Flow Within CASSIA County Source: MEDLEY

CREEK T12S R20E S31 SWSESE Begin of Stream Flow Within CASSIA County Source: MEDLEY

SPRING CREEK T12S R20E S32 SESWSW Begin of Stream Flow Within CASSIA County Source: COLD

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
4/15 5/01

QUANTITY
0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T12S R19E S12	NENE	T12S R19E S12	NWNE
T12S R19E S12	SENE	T12S R20E S07	NWSW
T12S R20E S07	SWSW	T12S R20E S07	SESW
T12S R20E S18	NENW	T12S R20E S18	SENW
T12S R20E S18	NESW	T12S R20E S18	SESW
T12S R20E S19	NWNE	T12S R20E S19	SWNE
T12S R20E S19	SENE	T12S R20E S19	NENW
T12S R20E S20	SWNW	T12S R20E S20	NWSW
T12S R20E S20	SWSW	T12S R20E S24	SENW
T12S R20E S24	NESW	T12S R20E S24	NWSE
T12S R20E S24	SWSE	T12S R20E S24	SESE
T12S R20E S25	NENE	T12S R20E S29	NWNW
T12S R20E S29	SWNW	T12S R20E S29	NWSW
T12S R20E S29	SWSW	T12S R20E S30	NWNW
T12S R20E S30	SWNW	T12S R20E S30	NWSW
T12S R20E S30	SWSW	T12S R20E S30	SESE
T12S R20E S31	NENE	T12S R20E S31	SENE
T12S R20E S31	NENW	T12S R20E S31	NWNW
T12S R20E S31	SENW	T12S R20E S31	NESW
T12S R20E S31	NESE	T12S R20E S31	NWSE
T12S R20E S31	SWSE	T12S R20E S31	SESE
T12S R20E S32	SWNW	T12S R20E S32	SWSW

03/21/2003

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

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use
STOCKWATER, 750 SHEEP.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-10834 V1

WATER RIGHT NUMBER: 45-10834 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PICKETT RANCH & SHEEP CO 1650 S 570 W OAKLEY, ID 83346 (208)862-3482

Priority Date: 04/30/1879
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
COLD SPRING CREEK	DRY CREEK
MEDLEY CREEK	DRY CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	4/15 to 5/01	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

COLD SPRING CREEK	NW1/4NW1/4NE1/4	Sec. 12, Twp 12S, Rge 19E, B.M.
CASSIA County	(Ending of Reach)	
MEDLEY CREEK	NE1/4SE1/4NW1/4	Sec. 24, Twp 12S, Rge 19E, B.M.
CASSIA County	(Ending of Reach)	
COLD SPRING CREEK	SE1/4SW1/4SW1/4	Sec. 32, Twp 12S, Rge 20E, B.M.
CASSIA County	(Beginning of Reach)	
MEDLEY CREEK	SW1/4SE1/4SE1/4	Sec. 31, Twp 12S, Rge 20E, B.M.
CASSIA County	(Beginning of Reach)	

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	19E	12	X	X		X													
12S	20E	7										X	X	X					
12S	20E	18					X		X	X				X					
12S	20E	19		X	X	X	X												
12S	20E	20						X				X	X						

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 45-10834 V1

12S 20E 24						X	X				X	X	X	
12S 20E 25		X												
12S 20E 29				X	X			X	X					
12S 20E 30				X	X			X	X				X	
12S 20E 31		X		X	X		X	X			X	X	X	
12S 20E 32					X			X						

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory STOCKWATER, 750 SHEEP.

Comments:

1. SSHERMAN 10/17/1997 COPIED FROM REMARKS

Comment: AUTHORITY TO CLAIM WATER RIGHT: IDAHO CODE SECTION 42-113 & 42-114 ATTORNEY GENERAL OPINION 88-6, DICTUM. PERMITEE--U.S. FOREST. ****NOTES ON P/D*** COLD SPRING--INSTREAM USE -BEG. SE,SW,SW, SEC. 32-END. NE,SE, SEC. 6, T12S. R20E. MEDLEY CREEK--INSTREAM USE -BEG. SW,SE,SE, SEC. 31--END. SE,NW, SEC. 24, T12S. R20E. ADDED GRID ADDRESS.

2. jroberts 3/21/2003 Basis of Recommendation

Comment: After checking quad sheets CC25 and CC75, I made some changes to ending stream reaches of both Cold Spring Creek and Medley Creek and also some changes to the pou.

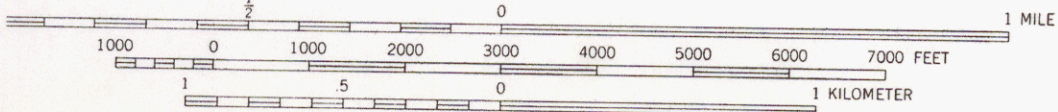
IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-10834 V1

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



SCALE 1:24 000



CONTOUR INTERVAL 20 FEET
SUPPLEMENTARY CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

CC 25

Primary
hard sur
Second
hard sur





CC25

Primary highway.

Light-duty road, hard or

180°

12'30" 730

731

(MURTAUGH)

732

R. 19 E. ARTESIAN CITY 3.7 MI.

10'

R. 20 E.

73

actual
ending?
(omitted?)

CC75

14

13

18

19

30

31

36

35

26

25

24

23

Well
4430

ending
(as named)

Creek

Medley

Creek

Spring

Dry

East

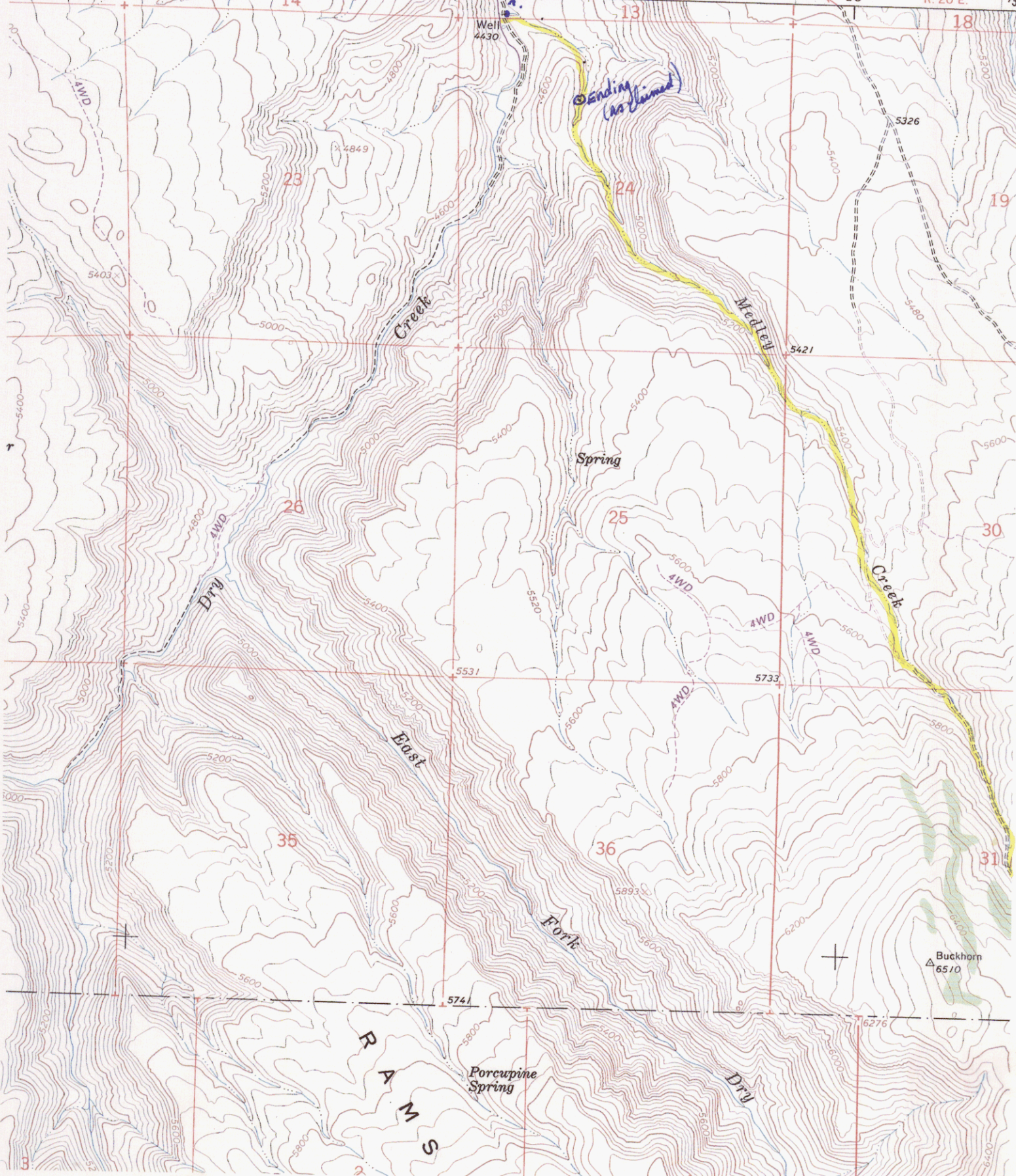
Fork

Porcupine
Spring

Dry

Buckhorn
6510

R
A
M
S

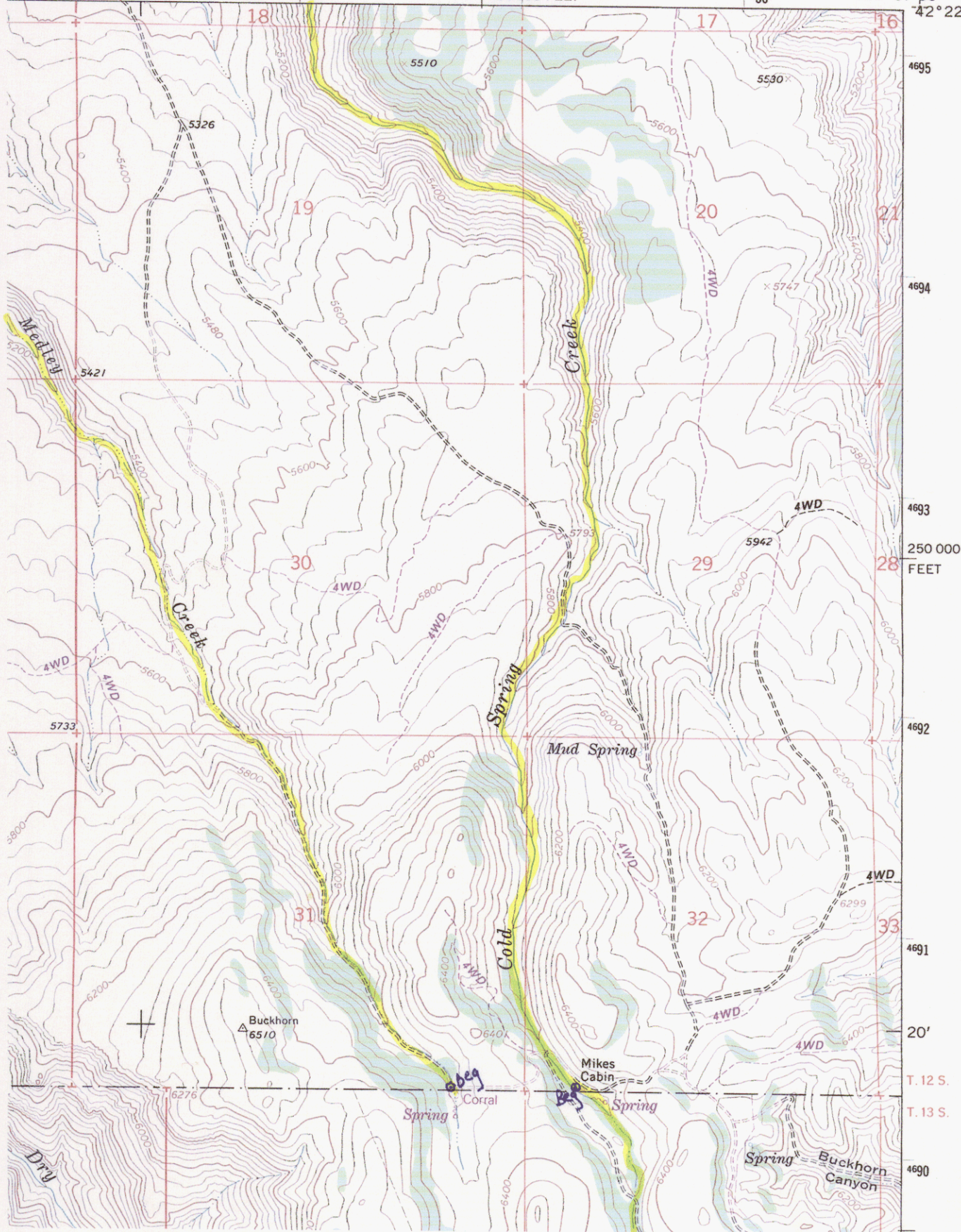


RAMS HORN RIDGE QUADRANGLE
IDAHO-CASSIA CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

(MILNER BUTTE)

V CITY 3.7 MI. 10' R. 20 E. 734 460 000 FEET 736 114°07'30" 42°22'30"

CC75



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORTDATE: 02/03/98
PAGE: 10

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PICKETT RANCH & SHEEP COMPANY	04/30/1879	STOCKWATER	04-15 05-01	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: COLD SPRING CK
MEDLEY CREEK CKTributary to: DRY CREEK
DRY CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T12S R20E S31

SWSESE ✓

CASSIA County

Point(s) of Ending Stream Reach: T12S R20E S32

SESWSW ✓

CASSIA County

19 S24

NWNWNE ✓

CASSIA County

SENW ✓

CASSIA County

Place of use Legal Description for: STOCKWATER

		NE				NW				SW				SE			
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
12S	20E 8	✓		✓													
- 12S	20E 7																
+ 12S	20E 18					✓			✓	✓		✓					
- 12S	20E 19			✓	✓	✓		✓		✓		✓					
- 12S	20E 20							✓				✓	✓				
- 12S	20E 24							✓		✓		✓				✓	✓
- 12S	20E 25	✓							✓						✓	✓	✓
- 12S	20E 29							✓	✓			✓	✓				
- 12S	20E 30							✓	✓			✓	✓				
- 12S	20E 31	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓
- 12S	20E 32							✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

POU County: CASSIA

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Held

Remarks: EXP STOCKWATER, 750 SHEEP.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

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

DATE: 10/17/97
PAGE: 1

OWNER CODE: C
NAME & ADDRESS: PICKETT RANCH & SHEEP COMPANY
1650 S 570 W
OAKLEY ID 83346
(208) 862-3482
PRIORITY DATE: 04/30/1879
WATER USE: STOCKWATER
USE PERIOD FROM: 04-15
TO: 05-01
DIVERSION RATE: 0.02 CFS
DIVERSION VOLUME: 0.02 CFS
TOTAL DIVERSION: 0.02 CFS

Water Source: COLD SPRING
MEDLEY CREEK
Tributary to: DRY CREEK
DRY CREEK
Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T12S R20E S31
S32
Point(s) of Ending Stream Reach: T12S R20E S06
S24
SWSESE
SESWSW
NWNE
SENEW
CASSIA County
CASSIA County
CASSIA County
CASSIA County

Place of use Legal Description for: STOCKWATER

T	R	S	NE			NW			SW			SE						
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
12S	20E	6	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
12S	20E	7	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
12S	20E	18	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
12S	20E	19	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
12S	20E	20	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
12S	20E	24	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
12S	20E	25	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
12S	20E	29	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
12S	20E	30	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
12S	20E	31	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
12S	20E	32	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S

POU County: CASSIA

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP STOCKWATER, 750 SHEEP.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R45-10834

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

DATE: 10/17/97
PAGE: 2

Comments:

Date: 10/17/1997 User-ID: SSHERMAN Subject: COPIED FROM REMARKS
AUTHORITY TO CLAIM WATER RIGHT:
IDAHO CODE SECTION 42-113 & 42-114
ATTORNEY GENERAL OPINION 88-6, DICTUM.
PERMITEE--U.S. FOREST.
****NOTES ON P/D***
COLD SPRING--INSTREAM USE
-BEG. SE,SW,SW, SEC. 32-END. NE,SE, SEC. 6, T12S. R20E.
MEDLEY CREEK--INSTREAM USE
-BEG. SW,SE,SE, SEC. 31--END. SE,NW, SEC. 24, T12S. R20E.
ADDED GRID ADDRESS.

Audit: 10/17/97 SSHERMAN

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-20-1997
PAGE: A-137

RIGHT NUMBER: 45-10834

NAME & ADDRESS: PICKETT RANCH & SHEEP COMPANY
~~RT 1 BOX 80~~ 1650 S. 570 W.
OAKLEY ID 83346

U.S.

Rec'd 9007335
\$25.00

SOURCE: COLD SPRING MEDLEY CREEK
TRIBUTARY: DRY CREEK
DRY CREEK

QUANTITY: 0.03 CFS .02 diversion wks.

PRIORITY DATE: 04/30/1879

POINT OF DIVERSION: T12S R20E S31 Burn
S32
S06
S24
SWESE (INSTREAM BEGINNING POINT) Within CASSIA County
SESWSW (INSTREAM BEGINNING POINT)
NWNE (INSTREAM ENDING POINT)
SENW (INSTREAM ENDING POINT)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER S/750 SHEEP

PERIOD OF USE
04-15 05-01

QUANTITY
0.03 CFS

.02

PLACE OF USE:

STOCKWATER		Within CASSIA County			
T12S R20E S06	Burn	NWNE	SWNE	SENE	NESE
S07		NWSW	SWSW	SESW	
S18		NENW	SENW	NESW	SESW
S19		NWNE	SWNE	SENE	NENW
S20		SWNW	NWSW	SWSW	
S24		SENW	NESW	NWSE	SWSE
		SESE			
S25		NENE			
S29		NWNW	SWNW	NWSW	SWSW
S30		NWNW	SWNW	NWSW	SWSW
		SESW	SESE		
S31		NENE	SENE	NESE	NWSE
		SESE			
S32		SWNE	NENW	SWNW	SENW
		SWSW	NWSE	SWSE	

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

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-20-1997

PAGE: A-138

RIGHT NUMBER: 45-10834 (CONT)

OTHER PROVISIONS: (CONT)

AUTHORITY TO CLAIM WATER RIGHT:

IDAHO CODE SECTION 42-113 & 42-114

ATTORNEY GENERAL OPINION 88-6, DICTUM.

PERMITEE--U.S. FOREST.

****NOTES ON P/D****

COLD SPRING--INSTREAM USE

-BEG. SE,SW,SW, SEC. 32-END. NE,SE, SEC. 6, T12S. R20E.

MEDLEY CREEK--INSTREAM USE

-BEG. SW,SE,SE, SEC. 31--END. SE,NW, SEC. 24, T12S. R20E.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Verified by

Date:

Verification Source:

U.S.

09-09-94

C.R.

SD-0410-2
MODIFY REMARK

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 10/17/97
Time: 09:10:28

Water Right Number: A45-10834

FIRST PAGE

13. Remarks Type : GEN

Remarks: AUTHORITY TO CLAIM WATER RIGHT:

IDAHO CODE SECTION 42-113 & 42-114

ATTORNEY GENERAL OPINION 88-6, DICTUM.

PERMITEE--U.S. FOREST.

*****NOTES ON P/D***

COLD SPRING--INSTREAM USE

-BEG. SE,SW,SW, SEC. 32-END. NE,SE, SEC. 6, T12S. R20E.

MEDLEY CREEK--INSTREAM USE

-BEG. SW,SE,SE, SEC. 31--END. SE,NW, SEC. 24, T12S. R20E.

ADDED GRID ADDRESS.

(ENTER=Continue/Exit)

(GOLD2=Update)

(GOLD4=Prev Scrn)

(GOLD6=End of Data)

(GOLD8=Cancel)

(GOLD3=Delete)

(GOLD5=Next Scrn)

(GOLD7=Copy to Cmts)

(Gold9=Add Std Rmk)

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: [REDACTED]
Date Received: 7/07/1989
Receipt No: S007335
Received By: SCU

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PICKETT RANCH & SHEEP COMPANY
Address: RT. 1 BOX 80
OAKLEY, ID 83346
208-862-3482

2. Date of Priority: APR 30, 1879

3. Source: COLD SPRING
MEDLEY CREEK
Trib. to: DRY CREEK
DRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Minimum Instream Flow							
12S	20E	31	SW	SE	SE		CASSIA
12S	20E	32	SE	SW	SW		CASSIA
Ending Point of Minimum Instream Flow							
12S	20E	6		NW	NE		CASSIA
12S	20E	24		SE	NW		CASSIA

5. Description of diverting works:
INSTREAM USES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	04/15	05/01	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/750 SHEEP

A45-10834

Page 1

Date: 07/07/89

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10. Place of Use:

Township 12S	Range 20E	Section 6	1/4 of 1/4	Lot	Use	Acres
			NW NE		STOCK	
			SW NE		STOCK	
			SE NE		STOCK	
		7	NE SE		STOCK	
			NW SW		STOCK	
			SW SW		STOCK	
			SE SW		STOCK	
		18	NE NW		STOCK	
			SE NW		STOCK	
			NE SW		STOCK	
			SE SW		STOCK	
		19	NW NE		STOCK	
			SW NE		STOCK	
			SE NE		STOCK	
			NE NW		STOCK	
		20	SW NW		STOCK	
			NW SW		STOCK	
			SW SW		STOCK	
		24	SE NW		STOCK	
			NE SW		STOCK	
			NW SE		STOCK	
			SW SE		STOCK	
			SE SE		STOCK	
		25	NE NE		STOCK	
		29	NW NW		STOCK	
			SW NW		STOCK	
			NW SW		STOCK	
			SW SW		STOCK	
		30	NW NW		STOCK	
			SW NW		STOCK	
			NW SW		STOCK	
			SW SW		STOCK	
			SE SW		STOCK	
			SE SE		STOCK	
		31	NE NE		STOCK	
			SE NE		STOCK	
			NE SE		STOCK	
			NW SE		STOCK	
			SE SE		STOCK	
		32	SW NE		STOCK	
			NE NW		STOCK	
			SW NW		STOCK	
			SE NW		STOCK	
			SW SW		STOCK	
			NW SE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12S	20E	32	SW SE		STOCK	

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:

AUTHORITY TO CLAIM WATER RIGHT:

IDAHO CODE SECTION 42-113 & 42-114

ATTORNEY GENERAL OPINION 88-6, DICTUM.

PERMITEE--U.S. FOREST.

****NOTES ON P/D****

COLD SPRING--INSTREAM USE

-BEG. SE,SW,SW, SEC. 32-END. NE,SE, SEC. 6, T12S. R20E.

MEDLEY CREEK--INSTREAM USE

-BEG. SW,SE,SE, SEC. 31--END. SE,NW, SEC. 24, T12S. R20E.

15. Basis of Claim: BENEFICIAL USE

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
_____ and that the statements contained in the
Organization
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 _____

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 SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number 445-10834
Date Received _____
Receipt Number 5007335NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 25 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Pickett Ranch & Sheep Company Phone (208) 862-3482
Mailing Address Route 1 Box 80 Oakley, Idaho Zip 83346
2. Date of Priority (Only one (1) per claim) April, 1879
3. Source of water supply (a) Cold Creek and Medley Creek
which is tributary to (b) Murtaugh Lake
4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is: See attached page.
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Instream Livestock Use

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month, and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from Apr. 15 to May 1 amount 0.03 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.03 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater -- 750 sheep (ewes w/lamb)

10. Description of place of use: See attached page.

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	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes _____ No X
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.

or None (X)

14. Remarks:

Authority to claim water right: Idaho Code Section 42-113 and
Attorney General Opinion 88-6,
dictum.

Permittee _____

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

DEMIGRIM

Information Sheet No. 42-1400 a 2/88

Scale: 2 inches equals 1 mile

[illegible]

MAR 08 1993

MAR 08 1993
Copies: White-Steel, Yellow-Elm

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Vice President
Title

of Pickert Ranch & Sheep Co
Organization

document in the space below as Vice President of Pickert Ranch & Sheep Co
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization V.P. Pickert Ranch & Sheep Co Date 05/25/89

State of Idaho/or _____)
County of FF) SS.

Subscribed and sworn (or affirmed) before me this 25 day of May 19 89

SEAL

Notary Public

Residing at

My Commission Expires

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 _____

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Copies White-State, Yellow-Claimant

PICKETT RANCH & SHEEP COMPANY
 DRY CREEK ARTESIAN ALLOTMENT---BLM

A. Cold Spring - Tributary of Dry Creek, which is a tributary of Murtaugh Lake.

Beginning: SESWSW Sec. 32 T12S R20E

Running: SWSW
 SESE Sec. 31
 NESE
 SENE
 SWNW Sec. 32
 SENE Sec. 31
 NENE
 SESE Sec. 30
 SWSW Sec. 29
 NWSW
 SWNW
 NWNW
 SWSW Sec. 20
 NWSW
 SWNW
 SENE Sec. 19
 SWNE
 NWNE
 NENW
 SESW Sec. 18
 NESW
 SENW
 NENW
 SESW Sec. 7
 SWSW
 NWSW
 NESE Sec. 6
 SENE
 SWNE
 Ending: NWNE

B. Medley Creek - Tributary of Dry Creek, which is a tributary of Murtaugh Lake.

Beginning: SWSESE Sec. 31 T12S R20E

Running: SESE
 SWSE
 NWSE
 SWNE
 SENW
 NENW
 SESW Sec. 30
 SWSW
 NWSW
 SWNW
 NWNW
 NENE Sec. 25
 SESE Sec. 24
 SWSE
 NWSE
 NESW
 Ending: SENW

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