

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: **A45-00431**
Date Received: 6/ 8/1989
Receipt No: S007658
Received By: su

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: PICKETT RANCH AND SHEEP CO 208-862-3482
Address: ROUTE 1 BOX 80
OAKLEY ID 83346

2. Date of Priority: APR 12, 1892

3. Source: COTTONWOOD CREEK Trib. to: DRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	21E	28	SE	SE	SE		CASSIA

5. Description of diverting works:
HEADGATES, CONCRETE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.960		
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is 360.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 400 BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	22E	18	NW	NE		IRR	20.0
			NW	NE		STOCK	
			NE	NW		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	22E	18	NE		NW		STOCK	
			SW		NW		IRR	40.0
			SW		NW		STOCK	
			SE		NW		IRR	40.0
			SE		NW		STOCK	
Section Acres								140.0
Total Acres								140.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A45-00432

14. Remarks:

OWNERSHIP CHANGE RECEIVED 11/13/1992; MABEYS SOLD TO PICKETT RANCH & SHEEP CO. COPY OF WARRANTY DEED ON FILE. 12/10/1992 RVW IN SOME YEARS, THE RIGHT TO BENEFICIALLY USE THIS WATER FOR IRRIGATION PURPOSES AT ANYTIME DURING THE YEAR, INCLUDING THE NON-IRRIGATION SEASON AS SET BY IDWR, IS RESERVED BY THIS CLAIM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN IVERSON ET AL
Decree Plaintiff

NORMAN ISACHSON ET AL
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 Vice President of
Title
Pickett Ranch & Sheep Co., that I have signed the foregoing
Organization
document in the space below as Vice President of
Title
Pickett Ranch & Sheep Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Don F. Pickett
Signature of Authorized Agent
Vice President
Pickett Ranch & Sheep Co.
Title and Organization

March 7, 1995
Date

State of Idaho)
County of TWINFALLS) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of MARCH 19 95

Steve C. [Signature]
Notary Public

Seal

Residing at Twin Falls
My Commission Expires 12/7/2000

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: **A45-00431**
Date Received: 6/ 8/1989
Receipt No: S007658
Received By: _____

Change of Owner

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

1. Name: PICKETT RANCH AND SHEEP CO 208-862-3482
Address: ROUTE 1 BOX 80
OAKLEY ID 83346

2. Date of Priority: APR 12, 1892

3. Source: COTTONWOOD CREEK Trib. to: DRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	21E	28	SE	SE	SE		CASSIA

5. Description of diverting works:
HEADGATES, CONCRETE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.960		

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

8. Total consumptive use is 360.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	22E	18	NW	NE		IRR	20.0
			NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	140.0
					Total Acres	140.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A45-00432

14. Remarks:

OWNERSHIP CHANGE RECEIVED 11/13/1992; MABEYS SOLD TO PICKETT
RANCH & SHEEP CO. COPY OF WARRANTY DEED ON FILE. 12/10/1992 RVW

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN IVERSON ET AL
Decree Plaintiff

NORMAN ISACHSON ET AL
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: _____

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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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type
(see instructions on back of page)

NOV 11 1992

Department of Water Resources
Southern Region

DATE OF CLOSING: 23432

LEGAL DESCRIPTION OF PROPERTY: 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.

See attached Exhibit "A" for legal description

☐ 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: 45-00431, 45-02425 and 45-00432

☐ Name and Address of Former Owner/Claimant(s)(Seller): Donald L. Mabey and Barbara J. Mabey
Route #1 Box 84
Oakley, Idaho 83346

☐ New Owner/Claimant (Purchaser): Pickett Ranch and Sheep Co.

☐ New Mailing Address: Route #1 Box 80
Oakley, ID 83346

☐ New Telephone Number: (208) 362-3482

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: recorded Warranty Deed

(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.)

☐ Signature of New Owner/Claimant(s) PICKETT RANCH and SHEEP CO.
By: [Signature] U.P. Secretary Date 10-27-92
☐ Signature of Former Owner/Claimant(s) Donald L. Mabey
By: [Signature] Date 10-27-92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

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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MAR 07 1993

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

221640

WARRANTY DEED

For Value Received

DONALD MABEY, also known as Donald L. Mabey and BARBARA MABEY, also known as Barbara J. Mabey, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

PICKETT RANCH and SHEEP CO.

Address: Route # 1 Box 80

Oakley, ID 83346

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

See attached Exhibit "A" for legal description.

See attached Exhibit "B" for exceptions.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 428.12 shares in the Oakley Canal Company and 2 shares in the Marion Pipeline Company and water rights under State of Idaho Adjudication Numbers 45-00431, 45-02425 and 45-00432.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The 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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 27, 1992

Donald L. Mabey
Donald Mabey, aka Donald L. Mabey

Barbara Mabey
Barbara Mabey, aka Barbara J. Mabey

STATE OF IDAHO, COUNTY OF Cassia

On this 27th day of October, 1992
before me, a notary public in and for said State, personally appeared

Donald Mabey and Barbara Mabey

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Residing at
Commission expires:

Burley
6-30-97

Larry Roberts
LARRY ROBERTS
NOTARY PUBLIC
STATE OF IDAHO

Residing at Burley, Idaho
My Commission Expires 6-30-97.

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EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

- Section 17: Beginning 1707.75 feet South of the Northwest corner of said Section 17;
Thence 668.25 feet East;
Thence North 387.75 feet;
Thence East 198 feet;
Thence South 552.75 feet;
Thence West 206.25 feet;
Thence South 660 feet;
Thence West 41.25 feet;
Thence South 72 feet;
Thence West 618.75 feet;
Thence North 897 feet to the Point of Beginning.
- Section 17: Beginning 462 feet North of the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 17;
Thence North 16.5 feet;
Thence East 1320 feet;
Thence South 16.5 feet;
Thence West 1320 feet to the Point of Beginning.
- Section 17: Beginning at the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 17;
Thence North 462 feet;
Thence East 1320 feet;
Thence South 462 feet;
Thence West 1320 feet to the Point of Beginning.
- EXCEPTING THEREFROM the following described tract:
- Beginning at the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 17;
Thence North 100 feet;
Thence East 100 feet;
Thence South 100 feet;
Thence West 100 feet to the Point of Beginning.
- Section 18: E $\frac{1}{2}$ NW $\frac{1}{4}$, Lot 2, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ *DESM 8m*

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

- Section 18: All of the S $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPTING THEREFROM the following described tracts:

Tract No. 1:

Beginning 108 rods South of the Northeast corner of the SE $\frac{1}{4}$ of said Section 18;
Thence South 16 rods 15 feet;
Thence West 34 rods 9 feet;
Thence North 44 rods;
Thence East 13 rods 7 feet;
Thence South 27 rods 2 $\frac{1}{2}$ feet;
Thence East 18 rods 10 feet to the Point of Beginning.

-Continued-

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Tract No. 2:

Beginning at the Southeast corner of said Section 18,
said corner marked by a 5/8 inch rebar; thence
North 0°00'00" East along section line for 256.67
feet to a 1/2 inch rebar which shall be the Point of
Beginning;
Thence South 89°33'15" West for a distance of 263.35
feet to a 1/2 inch rebar;
Thence North 00°25'35" East for a distance of 196.25
feet to a 1/2 inch rebar;
Thence North 71°18'40" East for a distance of 55.58
feet to a 1/2 inch rebar;
Thence North 01°20'08" East for a distance of 18.77
feet to a 1/2 inch rebar;
Thence South 87°40'35" East for a distance of 208.97
feet to a 1/2 inch rebar on section line;
Thence South 00°00'00" East along section line for a
distance of 222.30 feet to the Point of Beginning.

Tract No. 3:

Beginning 80 rods North of the Southeast corner of
said Section 18;
Thence West 20 rods;
Thence South 25 rods;
Thence East 20 rods;
Thence North 25 rods to the Point of Beginning.

Tract No. 4:

Beginning at the Northwest corner of the SW1/4SE1/4 of
said Section 18;
Thence South along the West line 1269 feet to the
North side of a cement ditch right of way;
Thence East 516 feet along the ditch right of way;
Thence North 1269 feet to the North line of said
SW1/4SE1/4;
Thence West along the North line 516 feet to the
Point of Beginning.

PARCEL NO. 3:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 20: Beginning at the Northwest corner of Section 20;
Thence East 1584 feet;
Thence South 660 feet;
Thence East 132 feet;
Thence South 1320 feet;
Thence West 1716 feet, more or less, to the West
line of said Section 20;
Thence North to the Point of Beginning.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACTS:

TRACT NO. 1:

Commencing 40 rods South of the Northwest corner of
the Northwest quarter of Section 20;
Thence East 10 rods;
Thence South 6 rods;
Thence West 10 rods;
Thence North 6 rods to the Point of Beginning.

-Continued-

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TRACT NO. 2:

Beginning at the West quarter section corner of said Section 20, said corner marked by a 5/8 inch rebar; thence North 0°09'50" West along section line for 1278.63 feet to a 1/2 inch rebar which shall be the Point of Beginning;
Thence North 00°09'50" West along section line for a distance of 151.78 feet to a 1/2 inch rebar;
Thence South 89°22'29" East for a distance of 230.95 feet to a 1/2 inch rebar;
Thence South 00°21'54" East for a distance of 147.48 feet to a 1/2 inch rebar;
Thence South 89°33'30" West for a distance of 231.45 feet to the Point of Beginning.

PARCEL NO. 4:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 20: Commencing 40 rods South of the Northwest corner of the Northwest quarter of Section 20;
Thence East 10 rods;
Thence South 6 rods;
Thence West 10 rods;
Thence North 6 rods to the Point of Beginning.

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EXHIBIT "B"

Taxes for 1993 and subsequent years.

Power Line Easement from Daniel L. Mabey and Mrs. Vernie Mabey, his wife, to Idaho Power Company, a corporation, dated August 21, 1953, recorded November 7, 1953, as Instrument No. 180388 in Book 15 of Miscellaneous, Page 29, records of Cassia County, Idaho, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across Lot 2 of Section 18, Township 13 South, Range 22 East of the Boise Meridian.

Power Line Easement from D. L. Mabey and Vernie Mabey, his wife, to Idaho Power Company, a corporation, dated May 21, 1953 and recorded April 27, 1954 as Instrument No. 182242 in Book 15 of Miscellaneous, Page 131, records of Cassia County, Idaho, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and a portion of NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 20, Township 13 South, Range 22 East of the Boise Meridian.

LAND TITLE & RECORDS

FEE 1500. DEPUTY *MA*

CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER

1992 OCT 28 A 9:42

221640

FILED 239

RECORDED AT THE REQUEST OF
LAND TITLE & RECORDS

MICROFILMED

MAR 07 1995

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: A45-00431
Date Received: 6/08/1989
Receipt No: 6007658
Received By: RAE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD L. MABEY
Address: RT. 1, BOX 84
OAKLEY, ID 83346
208-862-3405

2. Date of Priority: APR 12, 1892

3. Source: COTTONWOOD CREEK Trib. to: DRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	21E	28	SE	SE	SE		CASSIA

5. Description of diverting works:
HEADGATES, CONCRETE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.960		

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

8. Total consumptive use is 360.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	22E	18	NW	NE		IRR	20.0
			NE	NW		IRR	40.0
			SW	NW		IRR	40.0

A45-00431

Page 1

Date: 06/08/89

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MAR 07 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	22E	18	SE NW		IRR	40.0

Section Acres 140.0

Total Acres 140.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A45-00432

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN IVERSON ET AL

Decree Plaintiff

vs

NORMAN ISACHSON ET AL

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): *Donald E. McBeck* Date: 6-8-89

Date: _____

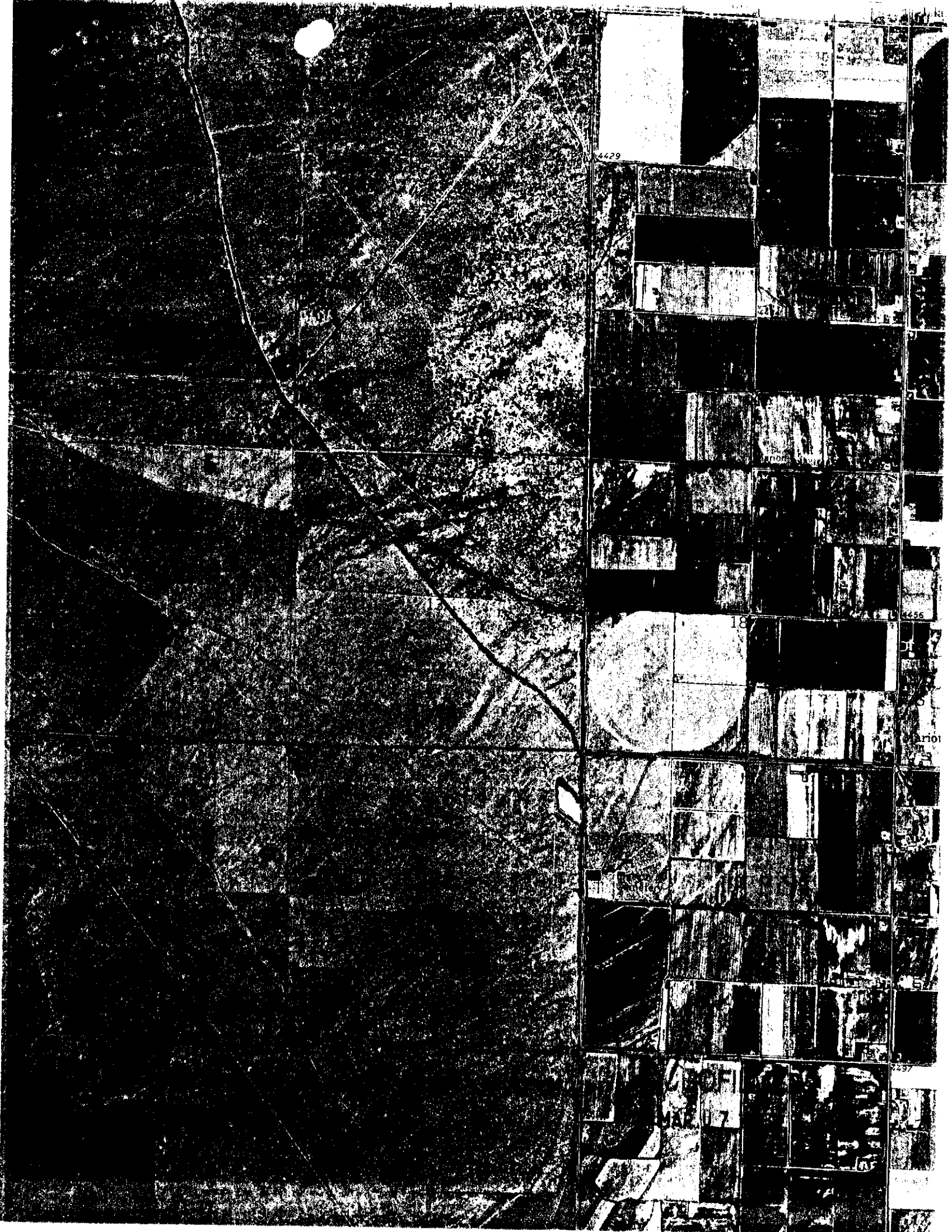
State of Idaho)
County of Twin Falls.) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of June 19 89

Helen Harrington
Notary Public

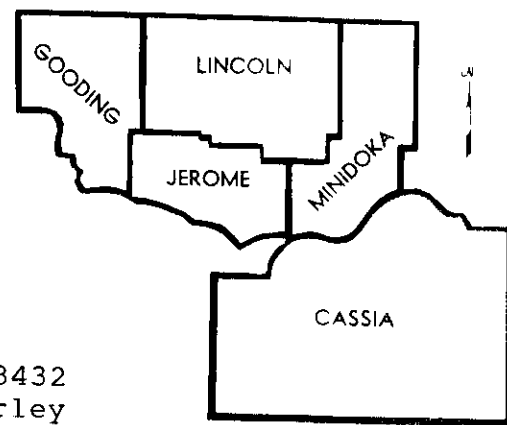
Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994



Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #23432
OFFICE: Burley

November 12, 1992

RECEIVED

NOV 13 1992

Dept. of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Dear Clerk:

Enclosed please find an original executed New Property Owner Notice of Change of Water Right Ownership on Donald L. Mabey and Pickett Ranch and Sheep Co.

Please record this change into your records.

Thank you.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Nancy Garrett

Nancy Garrett
Escrow Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 1199

MICROFILMED

MAR 07 1993



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

10-Dec-1992

PICKETT RANCH AND SHEEP CO.
P O BOX 80
OAKLEY ID 83346

Re: Ownership changes for Adjudication Claims No. A45-00431,
A45-00432 & A45-02425
Dear Claimant:

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claims are appurtenant, the Department has changed the records of the current owners as you requested. Please find enclosed copies of the computer records of the claims noting the change in claimant.

Please review the records and if you have any corrections or questions, please feel free to call this office.

Sincerely,

A handwritten signature in cursive script that reads "Robert Worstell".

Robert Worstell
Sr Adjudication Agent

Enclosures

MICROFILMED
MAR 07 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 16, 2004

Pickett Ranch and Sheep
1650 S 570 E
Oakley, Idaho 83346

RE: Announcement of Meeting

Certain water right holders on Big Cottonwood Creek
Snake River Basin Adjudication (SRBA)

Dear Water User,

On or about April 1, 2004 you should have received copies of my proposed recommendation(s) of your water rights from Big Cottonwood Creek. You are receiving this letter because some or all of your rights from Big Cottonwood Creek are conveyed some distance east from the creek and used in the general area of Goose Creek.

Specific water rights with specific quantities of water were previously decreed, licensed or otherwise legally made appurtenant to various properties in your area. Over time, some of these rights have been moved through recorded deed or other non-recorded means from the properties they irrigated according to IDWR records. The recommendations sent to you on April 1st represent ownership of these rights according to information available to me up to that date, however that information may or may not be complete.

It is my desire to create an accurate, agreed-upon set of water rights on Big Cottonwood Creek and you may have additional documentation that would help me to do that. Since it goes without saying that there is a limited amount of water to share, it is in all our best interests to come to an understanding of where these water rights are now legally appurtenant and in whose name these rights should be decreed in the SRBA.

With that goal in mind, I have set up a meeting of water users to be held at the Oakley Canal Company office at 7:00 PM on April 29, 2004. Please plan to attend and bring with you any information that you

believe will document your rights to the creek. A list of addressees is attached. If I have failed to notify anyone you believe should attend this meeting, please pass the information on to them. If you have not yet received my proposed recommendation of your rights, please let me know immediately, and I will send that to you for review.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Adjudication Unit, Twin Falls
email: vhancock@idwr.state.id.us

FRANK BEDKE
PO BOX 83
OAKLEY, ID 83346

BYRON MARTIN TRUST
238 S HWY 27
BURLEY, ID 83318

CRANNEY LAND COMPANY
1610 S 600 W
OAKLEY, ID 83346

PICKETT RANCH AND SHEEP
1650 S 570 E
OAKLEY, ID 83346

VAUGHN AND PAUL WOODHOUSE
1550 S HWY 27
BURLEY, ID 83318

LCS ENTERPRISES
433 E LAS COLINAS BLVD
SUITE 1290 BOX 12
IRVING, TX 75039

OAKELY CANAL COMPANY
PO BOX 207
OAKLEY, ID 83346

07/10/2003

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

RIGHT NUMBER: 45-431

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

SOURCE: BIG COTTONWOOD CREEK TRIBUTARY: DRY CREEK

QUANTITY: 0.960 CFS

PRIORITY DATE: 04/12/1892

POINT OF DIVERSION:
T13S R21E S8 SENESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.960 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R22E S18	NWNE	20.0	T13S R22E S18	NENW	38.0
T13S R22E S18 Lot 2	SWNW	45.0	T13S R22E S18	SENW	37.0

140 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-432 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 140 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 87 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

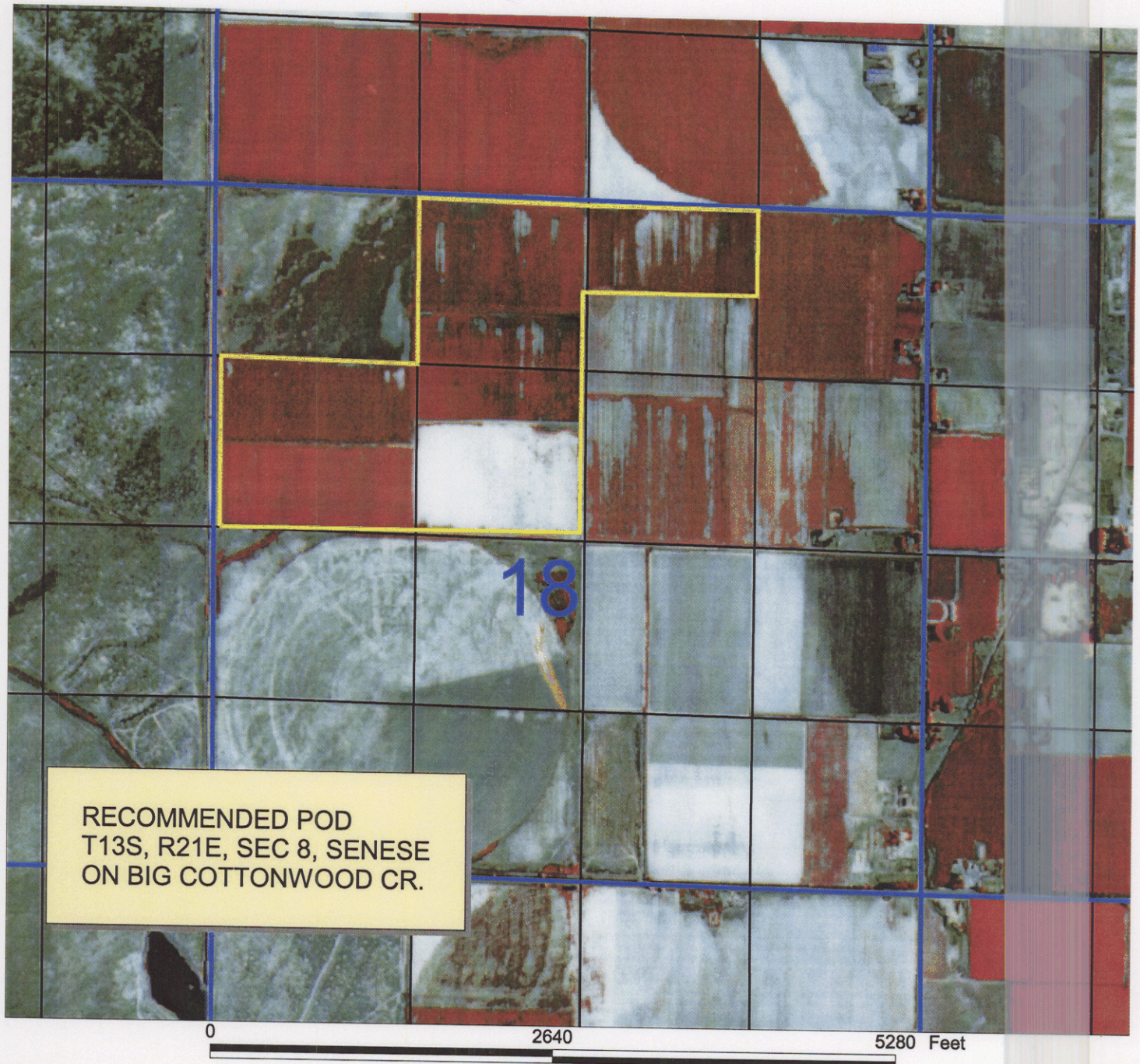
EXPLANATORY MATERIAL: Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.

Idaho Department of Water Resources

RIGHTS: 45-431 & 45-432

**RECOMMENDED PLACE OF USE
TWP 13S, RNG 22E,
PREPARED JULY 08, 2003**



-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER SECTION LINES**



**GIS PLACE OF USE PRESENTATION
1987 NAPP AERIAL PHOTOGRAPHY**

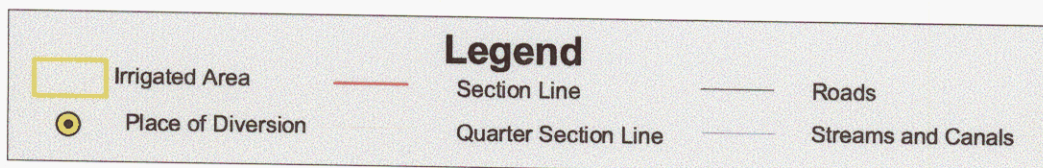
PREPARED BY VIKIE HANCOCK

Water Right Claim Number A45-00431

06/05/2000

Township, 13S22E

POD SE NESE & T 13S 22E
via "Island ditch"
NOT Sec 28
Per Watermaster 10/2001



400 0 400 800 Feet





COMMUNICATION DOCUMENTATION

From: Vikie Hancock

July 8, 2003

Regarding:

Customer:

Year round stock water from Cottonwood Creek

This date I communicated with Deputy Attorney General Garrick Baxter who agreed with my interpretation that neither the Cauldwell v Anderson nor Iverson v Isaacson decrees on Cottonwood Creek supported the addition of year-round stock water uses on decreed rights, as claimed by several claimants in the SRBA.

45 0420 John Iverson, One Hundred (100) inches.
 45 0421 Peter Anderson, One Hundred (100) inches.
 45 0422 William Rivers, eighty-five (85) inches.
 45 0423 Wilburn Rose, one hundred and twenty-three (123) inches.
 45 0424 Thomas J. Stanger, one hundred and twenty-five (125) inches.
 45 0425 Lafayette Rose, one hundred and twenty-five (125) inches. Trans 15-16
 45 0426 John Rose, eighty (80) inches. #49-
 45 0427 William H. Poulton, eighty (80) inches.
 45 0428 Richard Poulton, Eight (80) inches.
 45 0429 Samuel Poulton, one hundred and sixty (160) inches.
 45 0430 H. H. Sessions, eighty-six (86) inches.
 45 0431 B. K. Homer, forty-eight (48) inches.
 45 0432 Mrs. Danelette Maby, as administratrix of the estate
 of J. J. Maby, deceased, forty-eight (48) inches.
 45 0433 Mrs. Margaret Bray, one hundred and thirty-six (136) inches.
 45 0434 David M. Johns, forty (40) inches.
 45 0435 John L. Cooper, seventy-five (75) inches. (Price, Judge) Trans #108

All as id amounts to date from April 12th, 1892, said amount of water herein decreed being in addition to the amounts heretofore and on the 12th day of April, 1892, decreed to the parties hereto and to their grantors and predecessors in interest, in this court in that certain action entitled A. V. Caldwell, Jr., et al, plaintiffs, vs. Peter Anderson, et al, defendants; the waters of said stream herein decreed being the surplus water thereof over and above the amounts decreed and distributed in said action.

And it being made to appear to the court that there is flowing in the said stream at periods of freshet a quantity of water in excess of the aggregate allotments of this and the said former decrees upon the said stream, it is hereby adjudged and decreed that the defendant Norman Isachsen may take said excess over and above the allotments in said two decrees, and conserve the same in a reservoir or reservoirs, the same to be devoted to a useful and beneficial purpose, for irrigation of lands or otherwise.

It is further ordered, adjudged and decreed that in case of insufficiency of water to supply all parties, the entire volume of the water of said stream is to be devoted to and used by those appropriators who are first in time under the allotments of the said first decree.

(Price, Judge

It is further ordered, adjudged and decreed that the following named defendants whose default has been entered herein, be and they and each of them are hereby forever

07/08/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-431

WATER RIGHT NUMBER: 45-431

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	B K HOMER

, ID

Priority Date: 04/12/1892

Basis: Decreed

Status: Active

Source

COTTONWOOD CREEK

Tributary

DRY CREEK

Beneficial Use

IRRIGATION

<u>From</u>	<u>To</u>
/ to /	

Diversion Rate

0.960 CFS

Annual VolumeTotal Diversion:

0.960 CFS

Location of Point(s) of Diversion

COTTONWOOD CREEK

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
13S 22E 18	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X	X									
							L 2										

Conditions of Approval:Remarks:

- General P. U. VERIFIED BY CASSIA CO. ABSTRACT CO.

Comments:Dates and Other Information:

AJ5809NP
No. A45-00431

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/25/00
PAGE: 87

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PICKETT RANCH AND SHEEP CO ROUTE 1 BOX 80 OAKLEY ID 83346 (208) 862-3482	04/12/1892	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.960 CFS 0.120 CFS	
TOTAL DIVERSION:					0.960 CFS	
CONSUMPTIVE USE:						360.00 AFA

Water Source: COTTONWOOD CREEK

Tributary to: DRY CREEK

Stage: DECREED

Point(s) of Diversion:

T12S R21E S28

SESESE

CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	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	:
13S	22E	18	:		20			:		40		40	40	:					:						:
																							TOTAL ACRES	140.0	

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
13S	22E	18	:		S			:		S		S	S	:					:					:

POU County: CASSIA

Non-irrigation Uses: STOCKWATER, 400 BEEF

Other Rights: A45-00432

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A45-00432

Other Water Rights Listing Overlapping Place(s) of Use:

A45-00093	A45-00094	A45-00131	A45-00132	A45-00133	A45-00432	A45-02040	A45-02186	A45-02187	A45-04273
A45-12438	A45-12442	A45-12443	A45-12449	A45-12455	A45-12749	A45-12750	R45-00106	R45-00116	R45-00128
R45-00131	R45-02059	R45-04230							

Remarks: GEN OWNERSHIP CHANGE RECEIVED 11/13/1992; MABEYS SOLD TO PICKETT RANCH & SHEEP CO. COPY OF WARRANTY DEED ON FILE. 12/10/1992 RVW IN SOME YEARS, THE RIGHT TO BENEFICIALLY USE THIS WATER FOR IRRIGATION PURPOSES AT ANYTIME DURING THE YEAR, INCLUDING THE NON-IRRIGATION SEASON AS SET BY IDWR, IS RESERVED BY THIS CLAIM.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 45K

Field Inspection Flag:

Presumption Flag: