

06/28/2004

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

RIGHT NUMBER: 45-12894

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

SOURCE: BOULDER CANYON CREEK
LAND CREEK

TRIBUTARY: LAND CREEK
TRIBUTARY: SINKS

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:

T13S R23E S9 SENENW End of Stream Flow Within CASSIA County
T13S R23E S11 SESESE Begin of Stream Flow Within CASSIA County
T13S R23E S12 NESWNE Begin of Stream Flow Within CASSIA County
T13S R23E S14 NENENE End of Stream Flow Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T13S R23E S09	NWNE	T13S R23E S09	SWNE
T13S R23E S09	SENE	T13S R23E S10	SWNW
T13S R23E S10	NESW	T13S R23E S10	NWSW
T13S R23E S10	NWSE	T13S R23E S10	SWSE
T13S R23E S10	SESE	T13S R23E S11	SWSW
T13S R23E S11	SESE	T13S R23E S12	SWNE
T13S R23E S12	SENW	T13S R23E S12	NESW
T13S R23E S12	NWSW	T13S R23E S12	SWSW
T13S R23E S14	NENE	T13S R23E S14	NWNE
T13S R23E S14	NENW	T13S R23E S14	NWNW

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

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-12894 V1

WATER RIGHT NUMBER: 45-12894 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>
BOULDER CANYON CREEK	LAND CREEK
LAND CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01	to 12/31	0.020 CFS	
	<u>Total Diversion:</u>		0.020 CFS	

Location of Point(s) of Diversion

LAND CREEK	SE1/4NE1/4NW1/4	Sec. 9,	Twp 13S,	Rge 23E, B.M.
CASSIA County	(Ending of Reach)			
BOULDER CANYON CREEK	NE1/4SW1/4NE1/4	Sec. 12,	Twp 13S,	Rge 23E, B.M.
CASSIA County	(Beginning of Reach)			
BOULDER CANYON CREEK	NE1/4NE1/4NE1/4	Sec. 14,	Twp 13S,	Rge 23E, B.M.
CASSIA County	(Ending of Reach)			
LAND CREEK	SE1/4SE1/4SE1/4	Sec. 11,	Twp 13S,	Rge 23E, B.M.
CASSIA County	(Beginning of Reach)			

Place of Use

STOCKWATER

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-12894 V1

Conditions of Approval:

1. C18 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.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:

Comments:

1. jroberts 6/28/2004 Basis of Recommendation

Comment: Recommended as claimed except priority date changed per Stipulated Agreement. Another Beginning point for Land Creek and an Ending point for Boulder Canyon Creek were also added.

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: 6/3/1999
Receipt No: S022232
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PICKET RANCH AND SHEEP COMPANY 208-862-3482
Address: 1650 S 570 W
OAKLEY ID 83346

2. Date of Priority: JUL 1, 1888

3. Source: LAND CREEK Trib. to: SINKS
BOULDER CANYON LAND CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
Beginning Point of Instream Flow							
13S	23E	12	NE	SW	NE		CASSIA
Ending Point of Instream Flow							
13S	23E	9	SE	NE	NW		CASSIA

5. Description of diverting works:
IN STREAM USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
140 RANGE CATTLE OR 1000 SHEEP

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	23E	9	SW		NE		STOCK	
			SE		NE		STOCK	
			NE		NW		STOCK	
			SE		NW		STOCK	
		10	NE		SW		STOCK	
			NW		SW		STOCK	
			NW		SE		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		11	SE		SE		STOCK	
		12	SW		NE		STOCK	
			SW		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
		14	NE		NE		STOCK	
			NW		NE		STOCK	
			NE		NW		STOCK	
			NW		NW		STOCK	

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:
NONE

14. Remarks:

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 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

June 3, 1999
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of June 19 99

Kelly K Christensen
Notary Public

Seal

Residing at Twin Falls
My Commission Expires 3-11-99