



1095 CALF PEN ROAD • COUNCIL, IDAHO 83612-5048 • (208) 258-4351 • FAX (208) 258-4241

RECEIVED
AUG 19 2005
DEPARTMENT OF
WATER RESOURCES

August 15, 2005

REFERENCE: 69-4006, 69-4007, 69-4026, 69-4027, 69-4108, 69-4109, 69-4110,
69-10023, 69-10033

State of Idaho
Department of Water Resources
Attn: Mr. Michael Ciscell
P O Box 83720
Boise, ID 83707-9815

Dear Sir:

Reference your letter of August 1st of this year. The first two claims listed above (69-4006 and 69-4007) apply to the Seven Devils portion of the O X Ranch. In the summer of 1976, a meeting was conducted by the Department of Water Resources at the Adams County Courthouse to hear about and straighten out confusion created by Dwight Gabbert on his claims to water rights at the Seven Devils Ranch. He was selling and we were buying but first required that the Water Rights be accurate prior to our purchase of this ranch. Many folks from the community of Bear were present and agreed on the dates of these claims. The Bear Ditch was constructed in the late 1890s and water was put to beneficial use in 1901. Witnesses to that use are long gone but use of that water has continued into the present. I can personally witness the use since 1976 when we purchased the ranch.

WRN 69-4108 has lost any claim to 1944 as the ditch has not been use in the last 30 years. The old ditch exists but we have no plans to put it back to work at this time.

WRN 69-4026 and WRN 69-4109 are on the Lick Creek Ditch (North side) and are active. This ditch was activated in 1930 and has been use on and off since that time. When we purchased the ranch in 1980; the ditch was in poor repair but somewhat pactive at that time. I personally witnessed use since 1976. That open ditch has since been replaced with an underground pipeline. That project conserved water and lessened the labor to cover the same amount of ground. When water is not needed, it simply returns to the creek through the head gate structure, rather than continually running to the field creating bogs and water grass as had been practiced prior to the pipeline.

WRN 69-4110 and 69-4027 apply to water diverted from Deer Creek. That ditch was constructed in the late 40s and put to beneficial use in 1950. It was in poor repair when we purchased the ranch in 1980 and use sparingly in Albert Campbell's later years. We have used that water to beneficial use since 1980 and have seen it in use from the mid 1970's.

The last two claims listed above deal with stock water on Salt Creek and Butte Creek. Cattle have grazed those areas since the early 1900's and that is the reason these claims were filed. We have continued that use and records at the BLM and FS can easily document that fact. I have personally witnessed that use since the mid 1970's.

I will have this letter notarized and hope it fulfill your requirements. The maps you sent were very confusing and I'd be happy to answer any additional questions or concerns.

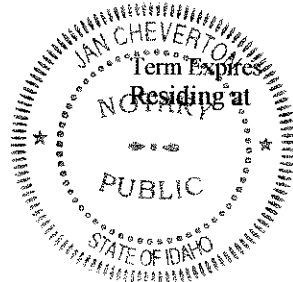
Sincerely,



John E. Dyer
Manager
O X Ranch

STATE OF IDAHO
COUNTY OF ADAMS

On this 16 day of August, in the year of 2005, before me a Notary Public, personally appeared John E. Dyer who has identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true and acknowledged to me the he/she executed the same.



Notary

Council, Idaho

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 69-4006

WATER RIGHT NUMBER: 69-4006

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SEVEN DEVILS CATTLE CO INC 11120 MOHAWK CT BOISE, ID 83705
Current Owner	HIXON PROPERTIES INC DBA OX RANCH 1095 CALF PEN RD COUNCIL, ID 83612 (208)258-4351

Priority Date: 06/01/1901
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
BEAR CREEK	WILDHORSE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.100 CFS	
IRRIGATION	5/01 to 11/01	1.920 CFS	
<u>Total Diversion:</u>		2.020 CFS	

Location of Point(s) of Diversion

BEAR CREEK SW1/4NE1/4NE1/4 Sec. 24, Twp 20N, Rge 03W,
B.M.
ADAMS County

Place of UseSTOCKWATER Within ADAMS County

T19N R03W S03	NENW	T19N R03W S03	SWNW
T19N R03W S03	SEnw	T19N R03W S03	NESW
T19N R03W S03	NWSW	T20N R03W S34	SESW
T20N R03W S34	NWSE	T20N R03W S34	SWSE

IRRIGATION Within ADAMS County

T19N R03W S03	NENW	21.0	T19N R03W S03	SWNW	16.0
T19N R03W S03	SEnw	1.0	T19N R03W S03	NESW	9.0
T19N R03W S03	NWSW	2.0	T20N R03W S34	SESW	16.0
T20N R03W S34	NWSE	23.0	T20N R03W S34	SWSE	36.0

Total Acres: 124

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 69-4007

WATER RIGHT NUMBER: 69-4007

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SEVEN DEVILS CATTLE CO INC 11120 MOHAWK CT BOISE, ID 83705
Current Owner	HIXON PROPERTIES INC DBA OX RANCH 1095 CALF PEN RD COUNCIL, ID 83612 (208)258-4351

Priority Date: 06/01/1901
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
BEAR CREEK	WILDHORSE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 11/01	0.320 CFS	
	<u>Total Diversion:</u>	0.320 CFS	

Location of Point(s) of Diversion
BEAR CREEK SW1/4NE1/4NE1/4 Sec. 24, Twp 20N, Rge 03W,
B.M.
ADAMS County

Place of Use
IRRIGATION Within ADAMS County
T19N R03W S03 NWNW 7.0 T19N R03W S03 SWNW 9.0
Total Acres: 16

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 69-4108

WATER RIGHT NUMBER: 69-4108

Owner Type Name and Address
 Current Owner HIXON PROPERTIES INC
 DBA OX RANCH
 1095 CALF PEN RD
 COUNCIL, ID 83612
 (208)258-4351

Priority Date: 05/01/1944
 Basis: Statutory Claim
 Status: Active

Source Tributary
 BEAR CREEK WILDHORSE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.230 CFS	
IRRIGATION	4/01 to 11/01	3.800 CFS	
	<u>Total Diversion:</u>	4.030 CFS	

Location of Point(s) of Diversion

BEAR CREEK NE1/4SE1/4SE1/4 Sec. 3, Twp 19N, Rge 03W,
 B.M.
 ADAMS County

Place of UseSTOCKWATER Within ADAMS County

T19N R03W S10	NENE	T19N R03W S10	SWNE
T19N R03W S10	SENE	T19N R03W S10	NWSE
T19N R03W S10	SWSE	T19N R03W S10	SESE
T19N R03W S15	NENE	T19N R03W S15	NWNE
T19N R03W S15	SWNE	T19N R03W S15	SENE
T19N R03W S15	SENE		

IRRIGATION Within ADAMS County

T19N R03W S10	NENE	20.0	T19N R03W S10	SWNE	10.0
T19N R03W S10	SENE	20.0	T19N R03W S10	NWSE	10.0
T19N R03W S10	SWSE	20.0	T19N R03W S10	SESE	10.0
T19N R03W S15	NENE	20.0	T19N R03W S15	NWNE	40.0
T19N R03W S15	SWNE	20.0	T19N R03W S15	SENE	10.0
T19N R03W S15	SENE	10.0			

Total Acres: 190

MAY 20 1944

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 69-4026

WATER RIGHT NUMBER: 69-4026

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HIXON PROPERTIES INC DBA OX RANCH 1095 CALF PEN RD COUNCIL, ID 83612 (208)258-4351

Priority Date: 07/01/1930
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
LICK CREEK	BEAR CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	11/01	3.500 CFS	
STOCKWATER	1/01	12/31	0.230 CFS	
	<u>Total Diversion:</u>		3.730 CFS	

Location of Point(s) of Diversion
LICK CREEK
B.M.
ADAMS County

SE1/4SE1/4 Sec. 7, Twp 19N, Rge 02W,

Place of UseIRRIGATION Within ADAMS County

T19N R02W S07	SWNW	20.0	T19N R02W S07	SENE	20.0
T19N R02W S07	NESW	20.0	T19N R02W S07	NWSW	10.0
T19N R02W S07	NWSE	20.0	T19N R02W S07	SWSE	5.0
T19N R03W S12	SWNE	20.0	T19N R03W S12	SENE	20.0
T19N R03W S12	SWNW	20.0	T19N R03W S12	SENE	20.0

Total Acres: 175

STOCKWATER Within ADAMS County

T19N R02W S07	SWNW	T19N R02W S07	SENE
T19N R02W S07	NESW	T19N R02W S07	NWSW
T19N R02W S07	NWSE	T19N R02W S07	SWSE
T19N R03W S12	SWNE	T19N R03W S12	SENE
T19N R03W S12	SWNW	T19N R03W S12	SENE

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Claim Report 69-4109

WATER RIGHT NUMBER: 69-4109

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HIXON PROPERTIES INC DBA OX RANCH 1095 CALF PEN RD COUNCIL, ID 83612 (208)258-4351

Priority Date: 07/01/1930
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
LICK CREEK	BEAR CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01	to 12/31	0.230 CFS	
IRRIGATION	4/01	to 11/01	2.400 CFS	
	<u>Total Diversion:</u>		2.630 CFS	

Location of Point(s) of Diversion
 LICK CREEK
 B.M.
 ADAMS County

SE1/4SE1/4 Sec. 7, Twp 19N, Rge 02W,

Place of Use
STOCKWATER Within ADAMS County

T19N R03W S11	SESW	T19N R03W S11	NESE
T19N R03W S11	SWSE	T19N R03W S14	NWNW

IRRIGATION Within ADAMS County

T19N R03W S11	SESW	20.0	T19N R03W S11	NESE	20.0
T19N R03W S11	SWSE	40.0	T19N R03W S14	NWNW	40.0

Total Acres: 120

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 69-4110

WFS

WATER RIGHT NUMBER: 69-4110

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HIXON PROPERTIES INC DBA OX RANCH 1095 CALF PEN RD COUNCIL, ID 83612 (208)258-4351

Priority Date: 07/01/1950
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
DEER CREEK	LICK CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	11/01	2.400 CFS	
STOCKWATER	1/01	12/31	0.230 CFS	
	<u>Total Diversion:</u>		2.630 CFS	

Location of Point(s) of Diversion

DEER CREEK	NE1/4SE1/4	Sec. 18, Twp 19N, Rge 02W,
B.M.		
ADAMS County		

Place of UseIRRIGATION Within ADAMS County

T19N R03W S11	SWSE	30.0	T19N R03W S11	SESE	30.0
T19N R03W S14	NENW	20.0	T19N R03W S14	NWNW	40.0

Total Acres: 120

STOCKWATER Within ADAMS County

T19N R03W S11	SWSE	T19N R03W S11	SESE
T19N R03W S14	NENW	T19N R03W S14	NWNW

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 69-4027

WATER RIGHT NUMBER: 69-4027

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HIXON PROPERTIES INC DBA OX RANCH 1095 CALF PEN RD COUNCIL, ID 83612 (208)258-4351

Priority Date: 07/01/1950
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
DEER CREEK	LICK CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.230 CFS	
IRRIGATION	4/01 to 11/01	3.900 CFS	
	<u>Total Diversion:</u>	4.130 CFS	

Location of Point(s) of Diversion

DEER CREEK	NE1/4SE1/4	Sec. 18, Twp 19N, Rge 02W,
B.M.		
ADAMS County		

Place of UseSTOCKWATER Within ADAMS County

T19N R02W S07	NESW	T19N R02W S07	NWSW
T19N R02W S07	SWSW	T19N R02W S07	SESW
T19N R02W S07	SWSE	T19N R03W S12	NESW
T19N R03W S12	NWSW	T19N R03W S12	NESE
T19N R03W S12	NWSE		

IRRIGATION Within ADAMS County

T19N R02W S07	NESW	20.0	T19N R02W S07	NWSW	40.0
T19N R02W S07	SWSW	5.0	T19N R02W S07	SESW	20.0
T19N R02W S07	SWSE	30.0	T19N R03W S12	NESW	10.0
T19N R03W S12	NWSW	30.0	T19N R03W S12	NESE	20.0
T19N R03W S12	NWSE	20.0			

Total Acres: 195

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 69-10023

WATER RIGHT NUMBER: 69-10023

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HIXON PROPERTIES INC DBA OX RANCH 1095 CALF PEN RD COUNCIL, ID 83612 (208)258-4351

Priority Date: 05/01/1910
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
SALT CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.120 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

Location of Point(s) of Diversion

SALT CREEK	SE1/4NE1/4	Sec. 33, Twp 19N, Rge 04W,
B.M.		
ADAMS County	(Beginning of Reach)	
SALT CREEK	NE1/4SW1/4	Sec. 33, Twp 19N, Rge 04W,
B.M.		
ADAMS County	(Ending of Reach)	

Place of UseSTOCKWATER Within ADAMS County

T19N R04W S33	SENE	T19N R04W S33	NESW
T19N R04W S33	NESE	T19N R04W S33	NWSE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 69-10033

WATER RIGHT NUMBER: 69-10033

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HIXON PROPERTIES INC DBA OX RANCH 1095 CALF PEN RD COUNCIL, ID 83612 (208)258-4351

Priority Date: 05/01/1910
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
BUTTE CREEK	WILDHORSE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	4/01	12/31	0.230 CFS	
	<u>Total Diversion:</u>		0.230 CFS	

Location of Point(s) of Diversion

BUTTE CREEK B.M.	NW1/4NE1/4	Sec. 25, Twp 19N, Rge 04W,
ADAMS County	(Beginning of Reach)	
BUTTE CREEK B.M.	SW1/4SE1/4	Sec. 25, Twp 19N, Rge 04W,
ADAMS County	(Ending of Reach)	
BUTTE CREEK B.M.	NW1/4NW1/4	Sec. 25, Twp 19N, Rge 04W,
ADAMS County	(Beginning of Reach)	
BUTTE CREEK B.M.	SE1/4SW1/4	Sec. 25, Twp 19N, Rge 04W,
ADAMS County	(Ending of Reach)	

Place of UseSTOCKWATER Within ADAMS County

T19N R04W S25	NWNE	T19N R04W S25	SWNE
T19N R04W S25	NWNW	T19N R04W S25	SWNW
T19N R04W S25	NESW	T19N R04W S25	NWSW
T19N R04W S25	SESW	T19N R04W S25	NWSE
T19N R04W S25	SWSE		