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DEPARTMENT OF
WATER RESOURCES

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WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase No. 45-13654

Case No. 39576

Standard Form 5

AMENDED CLAIM
FOR DOMESTIC & STOCKWATER RIGHTS

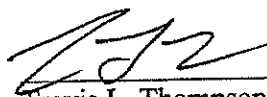
This form is used to report the stipulated elements of one "domestic and/or stockwater" right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

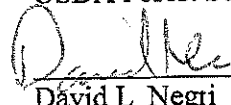
CLAIMANT:

Pickett Ranch & Sheep Company

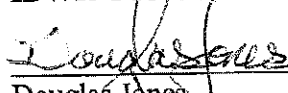
 4/20/07
Travis L. Thompson Date
Attorney for Pickett Ranch & Sheep Co.

OBJECTOR:

United States on behalf of the
USDA Forest Service

 5/16/07
David L. Negri Date
Attorney for the United States

IDWR CONCURRENCE:

 4/30/07
Douglas Jones Date

ATTORNEY FOR IDWR:

 5-4-07
Nick Spencer Date

08/31/2006

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

Right Number: 45-13654

Name and Address: PICKEII RANCH & SHEEP CO
1650 S 570 W
OAKLEY, ID 83346

Source: WESI FORK DRY CREEK

Tributary: DRY CREEK

Quantity: .02 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH 45-12282 AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL COMBINED QUANTITY OF 13,000 GALLONS PER DAY.

Priority Date: 04-30-1880

Diversion Point:

I13S R19E S04 LOT 2 (SNNWNE) End of Stream Flow Within Cassia County
S15 SESWSE Begin of Stream Flow Within Cassia County

Purpose and
Period of Use:

Purpose of Use
Stockwater

Period of Use
06-01 TO 11-15
10-31

Quantity
.02 CFS

Place of Use:

Stockwater	Within Cassia County
I13S R19E S04 LOT 2	(NWNE) SWNE
	NWSE SWSE
	SESE
S09	NENE SENE
S10	SNNW NWSW
	SESW
S15	NENW SENW
	NESW SWSE

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A COMBINED TOTAL OF 140 RANGE CATTLE AND 1500 SHEEP. COMBINED RIGHT NOS.: 45-13654, 45-13655, 45-13656, 47-17108, 47-17109.~~

Other Provisions Necessary for Definition / Administration of this Water Right:

THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND PICKEII

08/31/2006

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

RANCH AND SHEEP COMPANY FILED IN THE OFFICE OF THE CASSIA COUNTY
RECORDER AND RECORDED ON JUNE 6, 2003 AS INSTRUMENT NO: 289179.

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

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.

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Explanatory Material: Basis of Claim - Beneficial Use

~~The diversion and use of water described in 45-13654 may be subject to additional conditions and limitations agreed to under separate agreement dated 8-28-2002 to which the Department is not a party and which may be enforceable by a court of law.~~

STOCKWATER, 140 RANGE CATTLE, 1500 SHEEP.
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10832.

CERTIFICATE OF MAILING

I certify that on May 17, 2007, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

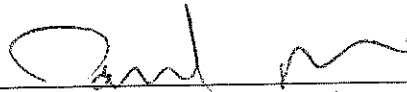
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Pickett Ranch & Sheep Company
C/O Travis Thompson
Barker, Rosholt & Simpson
P.O. Box 485
Twin Falls, ID 83303-0485

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing documents