

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 19 2010	
By _____	_____ Deputy Clerk

**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. 47-17109
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. 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

Travis L. Thompson 11/23/09
Travis L. Thompson Date
Attorney for Pickett Ranch & Sheep Co.

OBJECTOR:

United States on behalf of the
USDA Forest Service

David L. Negri 11/23/09
David L. Negri Date
Attorney for the United States

IDWR CONCURRENCE:

Douglas Jones 4/6/10
Douglas Jones Date

ATTORNEY FOR IDWR:

Nick Spencer 2-25-10
Nick Spencer Date

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

Right Number: 47-17109

Name and Address: PICKETT RANCH & SHEEP CO
568 W 1650 S
OAKLEY, ID 83346

Source:	BEAR HOLLOW CREEK	Tributary: GOOSE CREEK
	BUCK CREEK	Tributary: GOOSE CREEK
	ELISON HOLE CREEK	Tributary: GOOSE CREEK
	GOOSE CREEK	Tributary: SNAKE RIVER
	PALMER CREEK	Tributary: GOOSE CREEK

Quantity: .02 CFS

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH 45-13654,
45-13655, 45-13656, 47-16438, 47-16642, 47-16643 AND 47-16644
AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS
AND A TOTAL COMBINED QUANTITY OF 13,000 GALLONS PER DAY.

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

Priority Date: ~~06-11-1905~~
04-30-1875

Diversion Point:

T14S R19E S31	NWSE	Begin of Stream Flow Within Cassia County
T15S R18E S01	NESW	Begin of Stream Flow Within Cassia County
R19E S06	SWNE	End of Stream Flow Within Cassia County
S15	SWSW	Begin of Stream Flow Within Cassia County
S16	NENW	Begin of Stream Flow Within Cassia County
S17	SENE	End of Stream Flow Within Cassia County
	SENE	End of Stream Flow Within Cassia County
S20	NWNE	End of Stream Flow Within Cassia County
	SWNE	End of Stream Flow Within Cassia County
S21	SENE	Begin of Stream Flow Within Cassia County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
Stockwater		~~06-01 TO 11-30-15~~	.02 CFS
		06-01 TO 11-30	

Place of Use: Stockwater Within Cassia County

T14S R19E S31	SWNE	SENE
	SENE	NESE
	SESE	
T15S R18E S01	SWNE	SENE
	NESE	
R19E S05	NWSW	SWSW
S06	NENE	SWNE
	SENE	SWNW
	SENE	NESE
S08	NWNW	SWNW

	SEnw	NEsw
	SEsw	
S15	SWnw	
S16	SWNE	SENE
	NWNw	SWnw
	NEsw	NWSw
	NWSE	
S17	SENE	NENw
	SEnw	NEsw
	NESE	NWSE
	SWSE	
S20	NWNE	SWNE
	NEsw	NESE
	NWSE	SWSE
S21	NENE	SWNE
	NEsw	NWSw
	SWSw	SEsw
	NWSE	


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

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: Basis of Claim - Beneficial Use

STOCKWATER, 140 RANGE CATTLE, 1500 SHEEP.

CERTIFICATE OF MAILING

I certify that on April 8, 2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

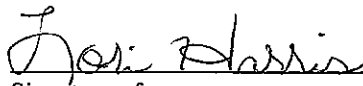
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

PICKETT RANCH & SHEEP CO
568 W 1650 S
OAKLEY, ID 83346



Signature of person or attorney mailing the form