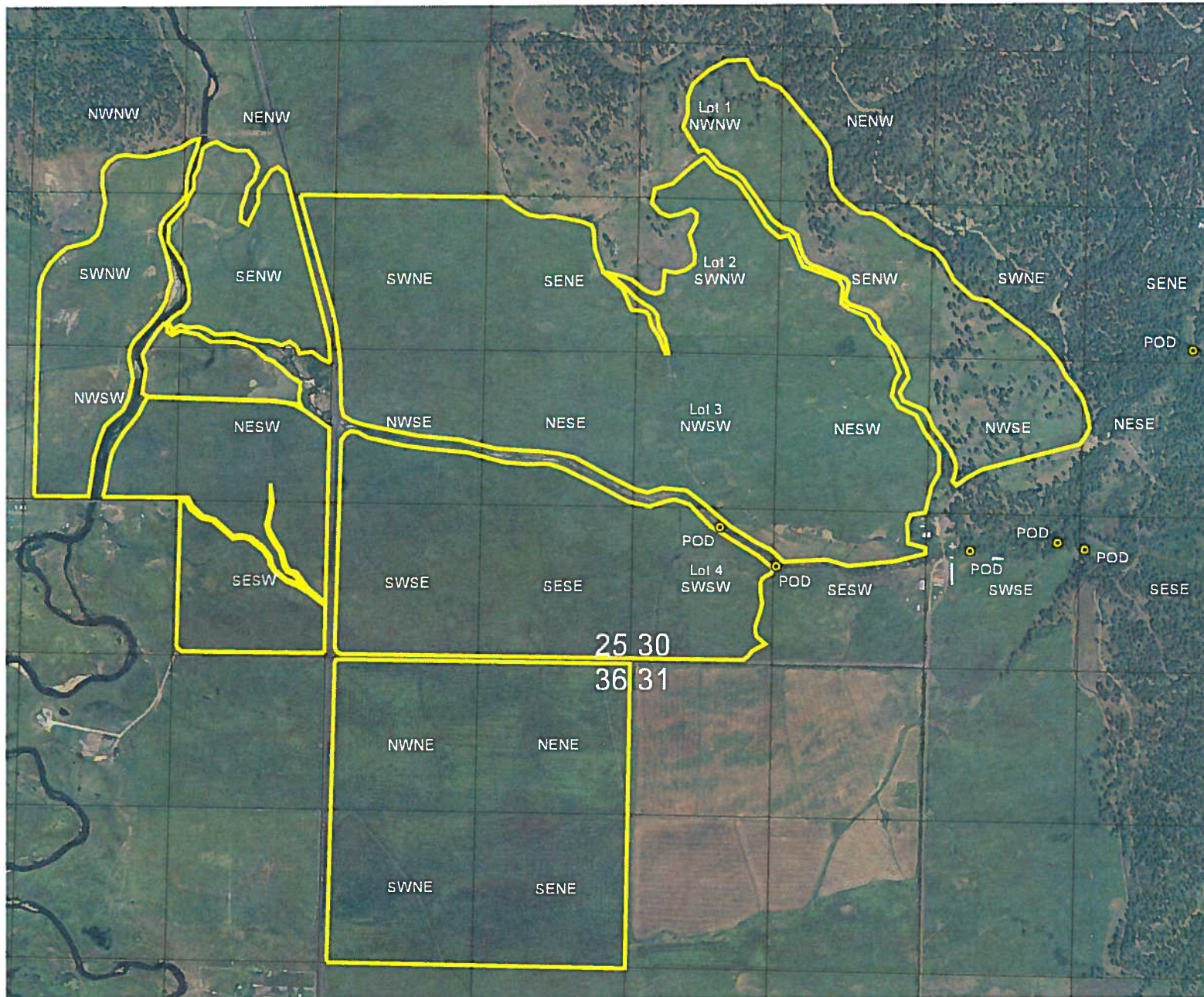
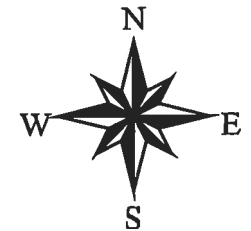


78-4133 78-4276 & 78-12300



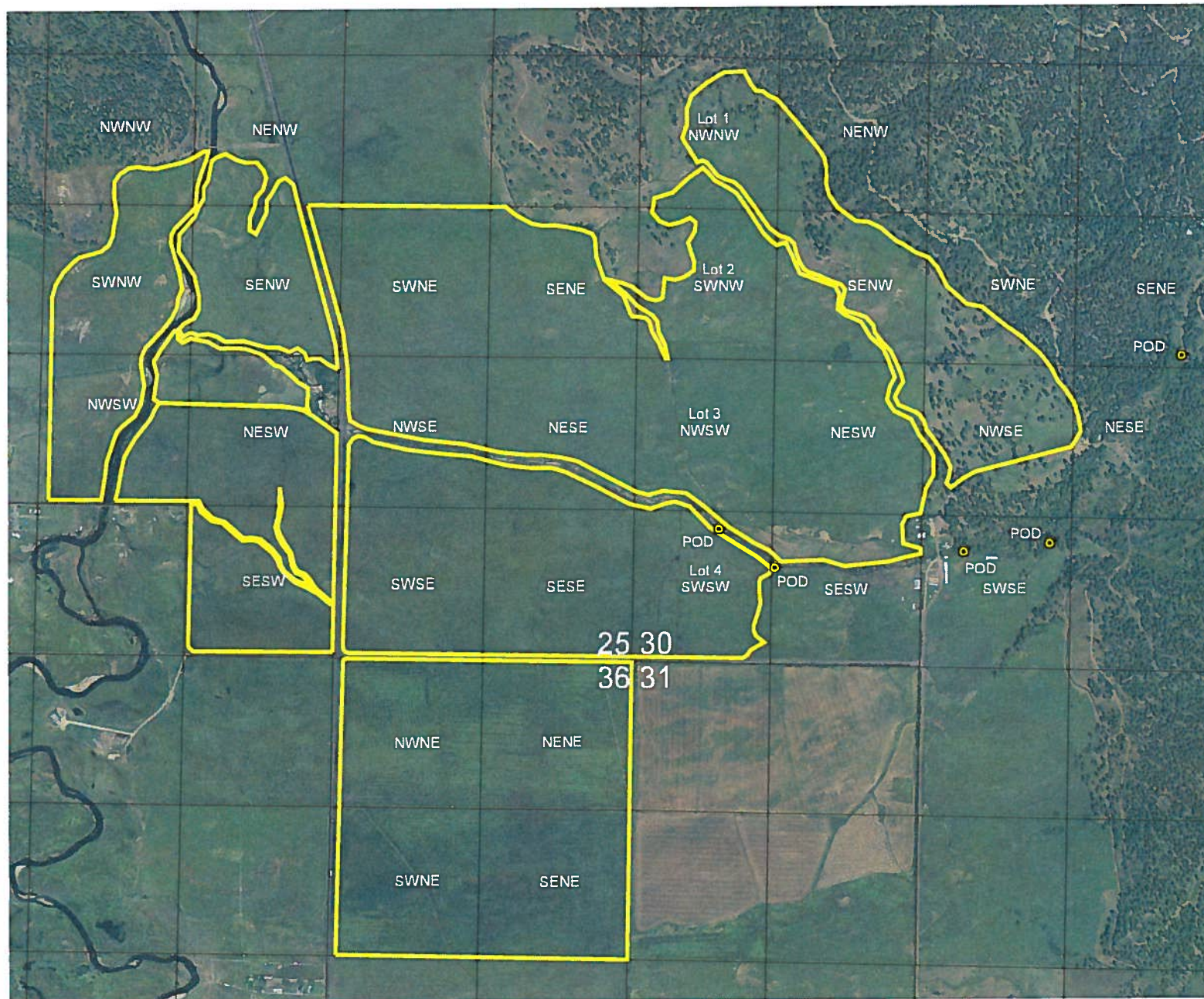
**T20N R01E
S25 & S36
T02N R02E
S30 & S31**



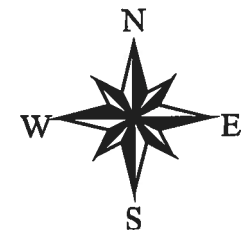
2000 0 2000 4000 Feet

Map prepared by: Carter Fritschle
Date prepared: 12/28/05 - revised 12/04/06
2004 NAIP Photography
Idaho Department of Water Resources

78-4133 & 78-4276



**T20N R01E
S25 & S36
T02N R02E
S30 & S31**



2000 0 2000 4000 Feet

Map prepared by: Carter Fritschle
Date prepared: 12/28/05
2004 NAIP Photography
Idaho Department of Water Resources

12/12/2006

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

RIGHT NUMBER: 78-4133

NAME AND ADDRESS: OSBORN RANCH INC
PO BOX 209
NEW MEADOWS ID 83654

SOURCE: SIXMILE CREEK
UNNAMED STREAM

TRIBUTARY: LITTLE SALMON RIVER
TRIBUTARY: SIXMILE CREEK

QUANTITY: 12.880 CFS

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

The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.

PRIORITY DATE: 04/01/1879

POINT OF DIVERSION:

T20N R02E S30 SENE Within ADAMS County
T20N R02E S30 SWSW Lot 4 Within ADAMS County
T20N R02E S30 SESW Within ADAMS County
T20N R02E S30 SWSE Within ADAMS County
T20N R02E S30 SWSE Within ADAMS County
T20N R02E S30 SESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	12.860 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T20N R01E S25	SWNE	40.00	T20N R01E S25	SENE	31.00
T20N R01E S25	NENW	6.10	T20N R01E S25	NWNW	5.30
T20N R01E S25	SWNW	28.00	T20N R01E S25	SENW	35.00
T20N R01E S25	NESW	35.00	T20N R01E S25	NWSW	32.00
T20N R01E S25	SESW	37.00	T20N R01E S25	NESE	37.00
T20N R01E S25	NWSE	34.00	T20N R01E S25	SWSE	37.00
T20N R01E S25	SESE	40.00	T20N R01E S36	NENE	40.00
T20N R01E S36	NWNE	37.00	T20N R01E S36	SWNE	38.00
T20N R01E S36	SENE	40.00	T20N R02E S30	SWNE	12.00
T20N R02E S30	NENW	7.30	T20N R02E S30 Lot 1	NWNW	20.00
T20N R02E S30 Lot 2	SWNW	30.00	T20N R02E S30	SENW	35.00
T20N R02E S30	NESW	39.00	T20N R02E S30 Lot 3	NWSW	36.00

T20N R02E S30 Lot 4 SWSW	33.00	T20N R02E S30	SESW	12.00
T20N R02E S30 NESE	0.30	T20N R02E S30	NWSE	26.00

STOCKWATER in ADAMS County

T20N R01E S25	SWNW	T20N R01E S25	SENW
T20N R01E S25	NESW	T20N R01E S25	NWSW
T20N R01E S25	NESE	T20N R01E S25	NWSE
T20N R02E S30	SENE	T20N R02E S30	NWSW
T20N R02E S30	SWSW	T20N R02E S30	SESW
T20N R02E S30	NESE	T20N R02E S30	SWSE
T20N R02E S30	SWSE		

803 ACRES TOTAL

This right is limited to the irrigation of 643 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 1094 acres in a single irrigation season.
Combined Right Nos.: 78-2030B, 78-2052, 78-4015, 78-4133, 78-4276 and 78-12300.

Right Nos. 78-4133, 78-4276 and 78-12300 are limited to the irrigation of a combined total of 803 acres 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The source identified as an unnamed stream is also known as Fisher Creek.

Use of this right is combined with water from Brundage Water Users Association.

Use of this right is combined with water from Granite Twin Lakes Water Users.

Use of this right is combined with water from Goose Lake Reservoir Company.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

12/28/2005

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

RIGHT NUMBER: 78-4133

NAME AND ADDRESS: OSBORN RANCH INC
PO BOX 209
NEW MEADOWS ID 83654

SOURCE: SIXMILE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 3.200 CFS

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

PRIORITY DATE: 10/07/1901

POINT OF DIVERSION:

T20N R02E S30 SENE Within ADAMS County
T20N R02E S30 SWSW Lot 4 Within ADAMS County
T20N R02E S30 SESW Within ADAMS County
T20N R02E S30 SWSE Within ADAMS County
T20N R02E S30 SWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.190 CFS
IRRIGATION	04/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T20N R01E S25	SWNE	40.0	T20N R01E S25	SENE	31.0
T20N R01E S25	NENW	6.1	T20N R01E S25	NWNW	5.3
T20N R01E S25	SWNW	28.0	T20N R01E S25	SENW	35.0
T20N R01E S25	NESW	35.0	T20N R01E S25	NWSW	32.0
T20N R01E S25	SESW	37.0	T20N R01E S25	NESE	37.0
T20N R01E S25	NWSE	34.0	T20N R01E S25	SWSE	37.0
T20N R01E S25	SESE	40.0	T20N R01E S36	NENE	40.0
T20N R01E S36	NWNE	37.0	T20N R01E S36	SWNE	38.0
T20N R01E S36	SENE	40.0	T20N R02E S30	SWNE	12.0
T20N R02E S30	NENW	7.3	T20N R02E S30 Lot 1	NWNW	20.0
T20N R02E S30 Lot 2	SWNW	30.0	T20N R02E S30	SENW	35.0
T20N R02E S30	NESW	39.0	T20N R02E S30 Lot 3	NWSW	36.0
T20N R02E S30 Lot 4	SWSW	33.0	T20N R02E S30	SESW	12.0
T20N R02E S30	NESE	0.3	T20N R02E S30	NWSE	26.0

STOCKWATER Within ADAMS County

T20N R01E S25	SWNW	T20N R01E S25	SENW
T20N R01E S25	NESW	T20N R01E S25	NWSW

T20N R01E S25	NESE	T20N R01E S25	NWSE
T20N R02E S30	SENE	T20N R02E S30	NWSW
T20N R02E S30	SWSW	T20N R02E S30	SESW
T20N R02E S30	NESE	T20N R02E S30	SWSE
T20N R02E S30	SWSE		

803 ACRES TOTAL

Right Nos. 78-4133 and 78-4276 are limited to the irrigation of a combined total of 803 acres in a single irrigation season.

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 1094 acres in a single irrigation season.

Combined Right Nos.: 78-2052, 78-4015, 78-4133 and 78-4276

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 for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Brundage Water Users Association.

Use of this right is combined with water from Granite Twin Lakes Water Users.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

78-4133

Carter,

I am attaching the Wilkie filing with 6-Mile Creek. This is the oldest filing I can find in the Adams County courthouse pertaining to Six Mile Creek.

The Circle C purchased 160 acres from Wilkie. ~~and~~ Osborn Ranch currently owns & operates this 160 acre parcel.

Ed Osborn
208-347-2364

NOTICE OF WATER RIGHT.

State of Idaho

County of Washington) SS

TO ALL CONCERNED, NOTICE IS HEREBY GIVEN:-

1st. That Christ F Wilks of Meadows, Washington, Co. Idaho hereby claim the use of the waters of Six Mile Creek to the extent of 160 inches per second. It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows; at a pine headgate on the said Six Mile Creek on the premises of Charles Campbell and about sixty rods West of the residence of Charles Campbell Washington County, Idaho.

2nd. The purpose for which said water is intended to be used is for irrigation. The place of intended use is on the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ Sec 36 Township 20 N R 1 East Washington Co. Idaho.

3d. It is intended to divert said water by means of a ditch about one and one half miles in length. The general course of the proposed conduit is South Westerly. The length of the proposed conduit is one and one half miles. The destination of the proposed conduit is NW $\frac{1}{4}$: NE $\frac{1}{4}$ & SE $\frac{1}{4}$ 36-20-1 E. It is intended to use said waters for irrigating the following described lands. NW $\frac{1}{4}$, NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Sec 36 Tp 20 R 1 E. County of Washington State of Idaho. The area of lands proposed to be irrigated by said conduit is 160 acres.

WITNESS my hand at Meadows, Idaho, this seventh day of October, 1901

Christ F Wilks

Claimant.

State of Idaho

County of Washington) SS

Christ F Wilks, being first duly sworn depose and say that he is of lawful age and claimant of the Water Right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice, of which the foregoing is a true copy was posted in a conspicuous place at or near the place of intended diversion (as provided by law) on the 7th day of October 1901, at 10 minutes past 10 o'clock A M

Christ F Wilks

Subscribed and sworn to before me this 7th day of October 1901. And I further certify that on the date last above given personally appeared before me the affiant above named, known to me to be the person whose name is subscribed to the within instrument and acknowledge to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written

Thomas B Snyder, Justice of the Peace
Meadows, Precinct

Filed for record at request of F D Lovejoy at 11 o'clock A M this 9th day of
October A D 1901

I F Smith, Ex-Officio Recorder

Fees \$1.00

By Frank Smith, Deputy

(Water Rights-2-120-)

4. 2. 6.

IN THE MATTER OF:)
)
IN RE THE GENERAL ADJUDI-)
CATION OF RIGHTS TO THE)
USE OF WATER FROM THE)
SNAKE RIVER BASIN)
WATER SYSTEM)

CIVIL CASE NO. 39576

AFFIDAVIT

RE: CLAIM OF ALVIN H. HALL TO A
WATER RIGHT, IDENTIFICATION
NO. A78-04080

STATE OF IDAHO)
) ss.
County of Ada)

ROLLIE L. CAMPBELL,, being first duly sworn,
deposes and says:

1. That your affiant, ROLLIE L. CAMPBELL, is a resident of Boise, Ada County, Idaho, and also of McCall, Valley County, Idaho, and that he has personal knowledge of the facts set forth in this Affidavit;

2. That this Affidavit is made in opposition to the above-described claim to a water right No. A78-04080 (hereinafter referred to as the "Opposed Claim"), and in support of limiting the Opposed Claim in accordance with the facts herein stated;

3. At all material times hereinafter mentioned, your affiant was an owner of, and lived upon, what was known as "Circle C Ranch", predecessor in interest to Osborn Ranch, Inc., claimant to a water right bearing Identification No. A78-04133 (hereinafter referred to as the "Supported Claim");

4. That the Opposed Claim claims a priority date of January 1, 1879, but the correct priority date should be during the year 1920, when the first diversion of water related to the Opposed

MICROFILMED

OCT 06 1992

Claim occurred, because of the construction in that year of a ditch (hereinafter referred to as the "1920 Ditch") for the collection of water from one or more tributaries of Brown Creek and the transportation of that water through the 1920 Ditch to Six Mile Creek;

5. Said 1920 Ditch was constructed by Frank Delbar and Harold Campbell, and said 1920 Ditch was and is the source of the Six Mile Creek water referred to in the Opposed Claim;

6. Said 1920 Ditch was constructed for the purpose of providing to the predecessor of the claimant under the Opposed Claim a more convenient means of diversion of water from a tributary of Brown Creek but was not intended, or used for, a means of diversion of water from Six Mile Creek other than water put into Six Mile Creek through said 1920 Ditch;

7. The right of said claimant under the Opposed Claim to the use of water in Six Mile Creek was and is, therefore, only for said claimant's water diverted into Six Mile Creek from a tributary of Brown Creek, and said claimant had and has no right to any water from Six Mile Creek itself;

8. That Osborn Ranch, Inc., successor to Circle C Ranch, under the Supported Claim has the right to water diverted by another, separate ditch (hereinafter referred to as the "1903 Ditch") constructed in 1903 from a tributary of Brown Creek to Six Mile Creek;

9. That at all times from and since 1903, Circle C Ranch and thereafter Osborn Ranch, Inc., used the water of Six Mile Creek, as well as that of a tributary of Brown Creek through the 1903

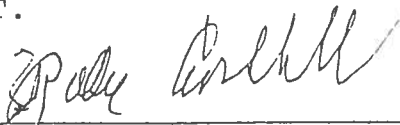
MICROFILMED
OCT 06 1992

Ditch, for irrigation and to water livestock, as claimed in the Supported Claim;

10. That at all times from and since 1879, Circle C Ranch and thereafter Osborn Ranch, Inc., used the water of Six Mile Creek for irrigation and to water livestock; and

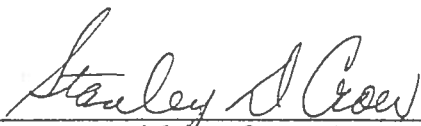
11. That, therefore, the Supported Claim of Osborn Ranch, Inc., to the water of Six Mile Creek is prior in time and prior in right to that of the claimant under the Opposed Claim.

FURTHER YOUR AFFIANT SAYS NOT.



(Signature)

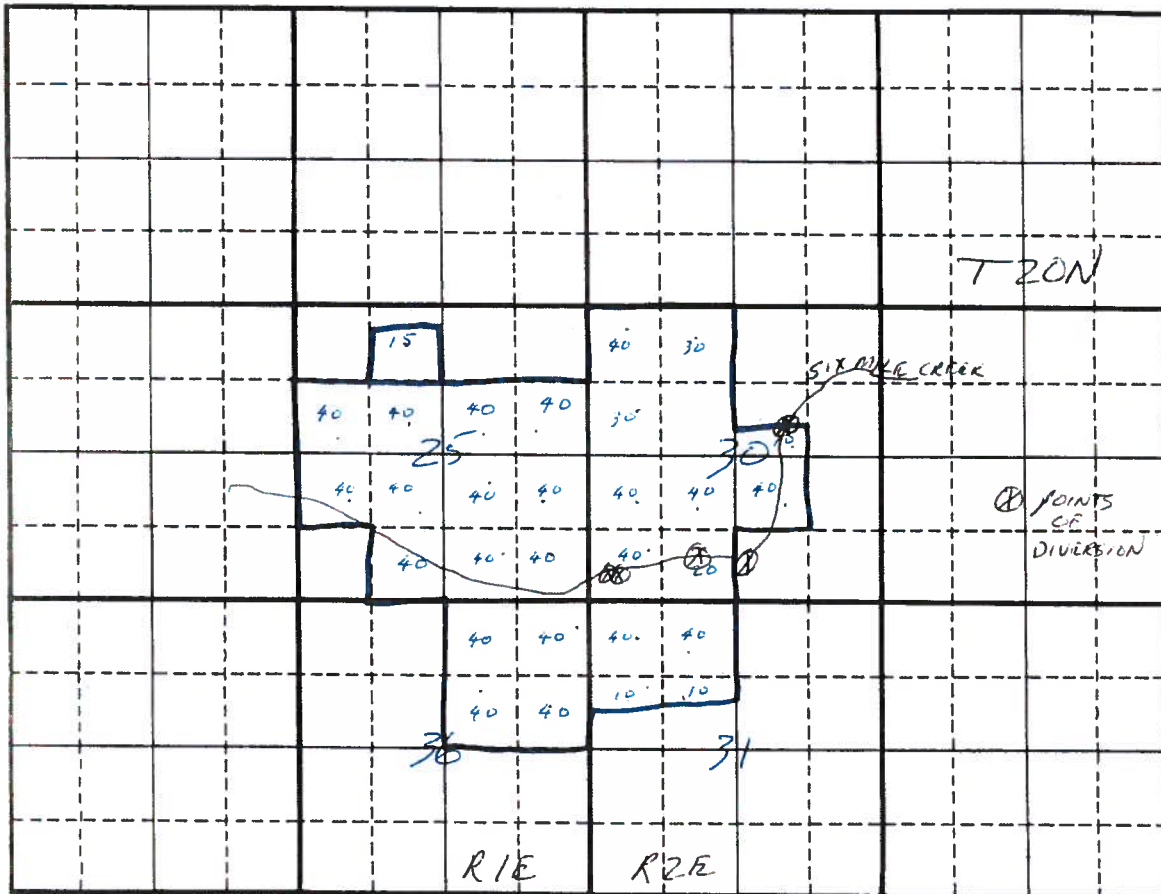
Subscribed and sworn to before me this 20th day of
April, 1989.



Notary Public for the State of
Idaho, residing at Boise, Idaho.
My commission expires 1/22/94.

MICROFILMED
OCT 06 1992

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 12th day of

May, 1980.

Osborn Ranch Inc.
Nancy Osborn
(Claimant)

Nancy M. Northway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>Chf</u>	Date <u>5/12/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>COB</u>	Date <u>13 May 80</u>		claimant by:	
\$20.00 fee received by <u>mm</u>	Date <u>5-12-80</u>	*16300		
Published in <u>Admission Co Leader</u>			<u>hln</u>	<u>7-7-80</u>
Dates <u>5-22/24/80</u>				

EQUITABLE AGRI-BUSINESS, INC.



3203 West March Lane, Suite 110
Stockton, CA 95219
(209) 951-4980
(209) 951-3038 (Fax)

Steven A. Parker
Vice President - Western Region

J.L. Rasmussen
Assistant Regional Vice President

Charles T. McElligott
Assistant Regional Vice President

Todd D. Hansen
Regional Manager

January 2, 1997

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: License Nos. 78-02030B, 78-02052 and
Claim Nos. 78-04015, 78-04133, & 78-04276
Our Loan No. F-199259
Osborn Ranch, Inc.

*changed license
from 78-02030B to 78-02052*

RECEIVED

JAN 27 1997

Department of Water Resources

*} all claims.
added "L" owner to record after
discussing w/Don. 02-04-1997.
-ps*

To Whom It May Concern:

Please be advised that The Equitable Life Assurance Society of the United States holds a first lien on real estate security which also encumbers the above captioned water licenses.

We would appreciate you so noting our lien in your records. We will also notify your agency upon the payment in full of the above captioned loan which will release our security interest in these licenses.

If you have any questions, please contact this office.

Sincerely,

Todd Hansen
Regional Manager

TH:ab

Accepted By:

OSBORN RANCH, INC.

By: Warren Osborn

Its: President

By: Tessie Osborn

Its: Secretary

*W.A. has seen Jim Q. brought
to me 01-31-97. -ps*

K:\199259\H2ORIGHT.SAM

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: A78-04133
Date Received: 5/18/1988 4-3-88
Receipt No: 1000058 CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OSBORN RANCH INC. 208-347-2387
Address: P.O. BOX 209
NEW MEADOWS, ID 83654

2. Date of Priority: JAN 01, 1879

3. Source: SIXMILE CREEK Trib. to: LITTLE SALMON RIVER
FISHER CREEK SIXMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	02E	30	SE	SE	NE		ADAMS
			NE	SW	SW		ADAMS
			NW	SE	SW		ADAMS
			NE	SW	SE		ADAMS
			NW	SW	SE		ADAMS

5. Description of diverting works:
1 CONCRETE DIVERSION DAM, 2 WOOD HEADGATES INTO GRAVITY DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	20.000		
STOCKWATER	01/01	12/31	0.190		

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

8. Total consumptive use is 1724.0 Acre Feet Per Annum.

9. Non-irrigation uses:
800 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres			
20N	01E	25	SW		NE		IRR	40.0			
			SE		NE		IRR	36.0			
			NW		NW		IRR	6.0			
			SW		NW		IRR	22.0			
			SW		NW		STOCK				
			SE		NW		IRR	37.0			
			SE		NW		STOCK				
			NE		SW		IRR	32.0			
			NE		SW		STOCK				
			NW		SW		IRR	30.0			
			NW		SW		STOCK				
			SE		SW		IRR	33.0			
			NE		SE		IRR	40.0			
			NE		SE		STOCK				
			NW		SE		IRR	36.0			
			NW		SE		STOCK				
			SW		SE		IRR	39.0			
			SE		SE		IRR	39.0			
										Section Acres	390.0
					36	NE		NE		IRR	36.0
NW		NE					IRR	37.0			
SW		NE					IRR	40.0			
SE		NE					IRR	36.0			
							Section Acres	149.0			
02E		30	SW		NE		IRR	14.0			
			SE		NE		STOCK				
			NE		NW		IRR	7.0			
			NW		NW	1	IRR	27.0			
			SW		NW	2	IRR	35.0			
			SE		NW		IRR	35.0			
			NE		SW		IRR	37.0			
			NW		SW		STOCK				
			NW		SW	3	IRR	39.0			
			SW		SW		STOCK				
			SW		SW	4	IRR	32.0			
			SE		SW		IRR	15.0			
			SE		SW		STOCK				
			NE		SE		STOCK				
			NW		SE		IRR	23.0			
			SW		SE		STOCK				
			SW		SE		STOCK				
										Section Acres	264.0

10. Place of Use: Continued

Total Acres 803.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

GOOSE LAKE, BRUNDAGE RES. 78-2030, 78-4015, 78-4276, 78-2052

14. Remarks:

OTHER WATER RIGHTS: GRANITE TWIN LAKES

15. Basis of Claim: STATUTORY CLAIM

Water Right Number:

MICROFILMED
OCT 06 1992

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: -1-

For Organizations:

I do solemnly swear or affirm that I am President of Osborn Ranch Inc. Title

Osborn Ranch Inc. Organization, that I have signed the foregoing document in the space below as President of Title

Osborn Ranch Inc. Organization and that the statements contained in the foregoing document are true and correct.

Warren Osborn
Signature of Authorized Agent

Pres. Osborn Ranch Inc.
Title and Organization

6-3-88
Date

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of June 19 88

Carsten Fritschler
Notary Public

Seal

Residing at Eagle, Id
My Commission Expires 3-21-94

