

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 37-351A  
Date Received: 10/25/1988  
Receipt No: S003232 50  
Received By: 5026900

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PICABO LIVESTOCK CO INC Phone: (208)788-3530

PO BOX 748  
PICABO ID USA 83348

2. Date of Priority: 06/01/1886

3. Source: LOVING CREEK , SILVER CREEK Trib. to: SILVER CREEK , LITTLE WOOD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 01S      | 19E   | 24      | NE SE NW              | BLAINE |      |
| 01S      | 20E   | 30      | SW NE NW              | BLAINE |      |
| 01S      | 20E   | 20      | SW SW SE              | BLAINE |      |
| 01S      | 20E   | 30      | NE NW NW 1            | BLAINE |      |

5. Description of diverting works:

Headgate #11 to Gillihan Ditch, pump in ditch to sprinklers

Headgate #18 to Kilpatrick Ditch, pump in ditch to sprinklers

Headgate #19 to Iden Ditch, pump in ditch to sprinklers

Headgate #17 to Albrethsen Ditch, pump in ditch to sprinklers

RECEIVED  
JUL 12 2004  
Department of Water Resources  
Southern Region

6. Water is used for the following purposes:

Purpose  
IRRIGATION

From To C.F.S.  
04/15 10/15 0.25

COPY  
JUN 25 2004  
Department of Water Resources  
Southern Region 1

7. Total Quantity Appropriated is:  
0.25 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section    | 1/4 of 1/4    | Lot | Use        | Acres |    |            |
|---------------|-------|------------|---------------|-----|------------|-------|----|------------|
| 01S           | 20E   | 19         | NE            | NE  | IRRIGATION | 39.6  |    |            |
|               |       |            | SE            | NE  | IRRIGATION | 39.0  |    |            |
|               |       |            | SW            | SW  | IRRIGATION | 37.7  |    |            |
|               |       |            | SE            | SW  | IRRIGATION | 38.7  |    |            |
|               |       |            | NE            | SE  | IRRIGATION | 26.1  |    |            |
|               |       |            | NW            | SE  | IRRIGATION | 32.5  |    |            |
|               |       |            | SW            | SE  | IRRIGATION | 35.3  |    |            |
|               |       |            | SE            | SE  | IRRIGATION | 36.8  |    |            |
|               |       |            | Section Acres |     |            |       |    | 285.7      |
|               |       |            | 01S           | 20E | 20         | NW    | NW | IRRIGATION |
| SW            | NW    | IRRIGATION |               |     |            | 39.6  |    |            |
| NE            | SW    | IRRIGATION |               |     |            | 30.5  |    |            |
| NW            | SW    | IRRIGATION |               |     |            | 38.2  |    |            |
| SW            | SW    | IRRIGATION |               |     |            | 19.1  |    |            |
| SE            | SW    | IRRIGATION |               |     |            | 19.0  |    |            |
| NE            | SE    | IRRIGATION |               |     |            | 40.2  |    |            |
| NW            | SE    | IRRIGATION |               |     |            | 36.5  |    |            |
| SW            | SE    | IRRIGATION |               |     |            | 10.9  |    |            |
| SE            | SE    | IRRIGATION |               |     |            | 35.6  |    |            |
| Section Acres |       |            |               |     | 309.5      |       |    |            |
| 01S           | 20E   | 21         | SW            | NE  | IRRIGATION | 40.3  |    |            |
|               |       |            | SE            | NE  | IRRIGATION | 27.5  |    |            |
|               |       |            | NE            | SW  | IRRIGATION | 40.3  |    |            |
|               |       |            | NW            | SW  | IRRIGATION | 40.3  |    |            |
|               |       |            | SW            | SW  | IRRIGATION | 40.4  |    |            |
|               |       |            | SE            | SW  | IRRIGATION | 36.4  |    |            |
|               |       |            | NE            | SE  | IRRIGATION | 40.3  |    |            |
|               |       |            | NW            | SE  | IRRIGATION | 40.3  |    |            |
|               |       |            | SW            | SE  | IRRIGATION | 37.5  |    |            |
|               |       |            | SE            | SE  | IRRIGATION | 28.1  |    |            |
| Section Acres |       |            |               |     | 371.4      |       |    |            |
| 01S           | 20E   | 22         | SW            | NW  | IRRIGATION | 23.1  |    |            |
|               |       |            | SE            | NW  | IRRIGATION | 19.1  |    |            |
|               |       |            | NE            | SW  | IRRIGATION | 6.8   |    |            |
|               |       |            | NW            | SW  | IRRIGATION | 36.0  |    |            |
|               |       |            | SW            | SW  | IRRIGATION | 37.4  |    |            |

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|     |     |    |    |    |               |       |
|-----|-----|----|----|----|---------------|-------|
|     |     |    | SE | SW | IRRIGATION    | 26.7  |
|     |     |    |    |    | Section Acres | 149.1 |
| 01S | 20E | 26 | NW | SW | IRRIGATION    | 14.4  |
|     |     |    | SW | SW | IRRIGATION    | 36.4  |
|     |     |    | SE | SW | IRRIGATION    | 3.0   |
|     |     |    |    |    | Section Acres | 53.8  |
| 01S | 20E | 27 | NW | NE | IRRIGATION    | 20.3  |
|     |     |    | SW | NE | IRRIGATION    | 28.9  |
|     |     |    | NE | NW | IRRIGATION    | 36.5  |
|     |     |    | NW | NW | IRRIGATION    | 18.0  |
|     |     |    | SW | NW | IRRIGATION    | 31.8  |
|     |     |    | SE | NW | IRRIGATION    | 22.2  |
|     |     |    | NE | SW | IRRIGATION    | 14.6  |
|     |     |    | NW | SW | IRRIGATION    | 24.5  |
|     |     |    | SW | SW | IRRIGATION    | 0.6   |
|     |     |    | SE | SW | IRRIGATION    | 12.0  |
|     |     |    | NE | SE | IRRIGATION    | 30.5  |
|     |     |    | NW | SE | IRRIGATION    | 16.2  |
|     |     |    | SW | SE | IRRIGATION    | 32.3  |
|     |     |    | SE | SE | IRRIGATION    | 36.0  |
|     |     |    |    |    | Section Acres | 324.4 |
| 01S | 20E | 28 | NE | NE | IRRIGATION    | 20.0  |
|     |     |    | NW | NE | IRRIGATION    | 24.2  |
|     |     |    | SW | NE | IRRIGATION    | 33.7  |
|     |     |    | SE | NE | IRRIGATION    | 28.7  |
|     |     |    | NE | NW | IRRIGATION    | 17.3  |
|     |     |    | NW | NW | IRRIGATION    | 22.5  |
|     |     |    | SW | NW | IRRIGATION    | 40.4  |
|     |     |    | SE | NW | IRRIGATION    | 37.7  |
|     |     |    | NE | SW | IRRIGATION    | 40.4  |
|     |     |    | NW | SW | IRRIGATION    | 40.4  |
|     |     |    | SW | SW | IRRIGATION    | 31.7  |
|     |     |    | SE | SW | IRRIGATION    | 38.0  |
|     |     |    | NE | SE | IRRIGATION    | 40.4  |
|     |     |    | NW | SE | IRRIGATION    | 40.4  |
|     |     |    | SW | SE | IRRIGATION    | 36.3  |
|     |     |    | SE | SE | IRRIGATION    | 6.4   |
|     |     |    |    |    | Section Acres | 498.5 |
| 01S | 20E | 29 | NE | NE | IRRIGATION    | 28.9  |
|     |     |    | NW | NE | IRRIGATION    | 38.4  |
|     |     |    | SW | NE | IRRIGATION    | 40.3  |
|     |     |    | SE | NE | IRRIGATION    | 40.3  |
|     |     |    | NE | NW | IRRIGATION    | 33.5  |
|     |     |    | NW | NW | IRRIGATION    | 27.0  |
|     |     |    | SW | NW | IRRIGATION    | 33.2  |
|     |     |    | SE | NW | IRRIGATION    | 40.3  |
|     |     |    | NE | SW | IRRIGATION    | 35.6  |
|     |     |    | NE | SE | IRRIGATION    | 40.3  |
|     |     |    | NW | SE | IRRIGATION    | 38.6  |

|     |     |    |    |    |               |        |
|-----|-----|----|----|----|---------------|--------|
|     |     |    | SW | SE | IRRIGATION    | 2.8    |
|     |     |    | SE | SE | IRRIGATION    | 28.9   |
|     |     |    |    |    | Section Acres | 428.1  |
| 01S | 20E | 30 | NE | NE | IRRIGATION    | 30.1   |
|     |     |    | NW | NE | IRRIGATION    | 35.4   |
|     |     |    | SW | NE | IRRIGATION    | 40.3   |
|     |     |    | SE | NE | IRRIGATION    | 31.1   |
|     |     |    | NE | NW | IRRIGATION    | 18.2   |
|     |     |    | NW | NW | IRRIGATION    | 2.0    |
|     |     |    | SE | NW | IRRIGATION    | 15.3   |
|     |     |    | NE | SE | IRRIGATION    | 37.5   |
|     |     |    | NW | SE | IRRIGATION    | 40.4   |
|     |     |    | SW | SE | IRRIGATION    | 34.7   |
|     |     |    | SE | SE | IRRIGATION    | 40.4   |
|     |     |    |    |    | Section Acres | 325.4  |
| 01S | 20E | 31 | NE | NE | IRRIGATION    | 40.2   |
|     |     |    | NW | NE | IRRIGATION    | 15.4   |
|     |     |    | SE | NE | IRRIGATION    | 40.2   |
|     |     |    |    |    | Section Acres | 95.8   |
| 01S | 20E | 33 | NE | NE | IRRIGATION    | 4.9    |
|     |     |    | NW | NE | IRRIGATION    | 19.0   |
|     |     |    | NE | NW | IRRIGATION    | 4.4    |
|     |     |    |    |    | Section Acres | 28.3   |
| 01S | 20E | 34 | NE | NE | IRRIGATION    | 40.3   |
|     |     |    | NW | NE | IRRIGATION    | 40.3   |
|     |     |    | NE | NW | IRRIGATION    | 34.5   |
|     |     |    | NW | NW | IRRIGATION    | 0.5    |
|     |     |    |    |    | Section Acres | 115.6  |
| 01S | 20E | 35 | NW | NW | IRRIGATION    | 41.0   |
|     |     |    | SW | NW | IRRIGATION    | 25.4   |
|     |     |    |    |    | Section Acres | 66.4   |
|     |     |    |    |    | Total Acres   | 3052.0 |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

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This right is limited to the irrigation of 12.5 acres within the place of use described above in a single irrigation season.

Rights 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-11892, 37-11898, 37-11900, 37-11903, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the field headgate of 10,000.4 af. These rights shall not exceed an annual diversion volume of 9984.8 af at the field headgate for irrigation of 2852.8 acres within the place of use described above, nor a diversion rate of 0.17 cfs and an annual diversion volume 15.6 af for stockwater purposes.

15. Basis of Claim: Decreed

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 X 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 President of  
Title  
Picabo Livestock Co., Inc. that I have signed the foregoing document in the  
Organization  
space below as President of Picabo Livestock Co., Inc.  
Title Organization  
and that the statements contained in the foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent

V-Pic  
Title and Organization

6-16-04  
Date

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 16<sup>TH</sup> day of June 2004

[Signature]  
Notary Public

Residing at Twin Falls

My commission Expires 11-18-2004



COPY

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: A37-00351A  
Date Received: 10/21/1988  
Receipt No: S003232  
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: PICABO LIVESTOCK CO., INC. 208-788-2516  
Address: P. O. BOX 688  
PICABO, ID 83348

2. Date of Priority: JUN 01, 1886

3. Source: BUTTE CREEK Trib. to: LOVING CREEK  
LOVING CREEK SILVER CREEK  
SILVER CREEK LITTLE WOOD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01S      | 19E   | 24      | NE     | SE     | NW  |     | BLAINE |

5. Description of diverting works:  
#11, 17, 18, & 19 HEADGATES, PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.250  |      |        |
| STOCKWATER | 03/15 | 12/01 | 0.250  |      |        |

7. Total Quantity Appropriated is:  
0.250 C.F.S. (and/or) 106.10 A.F.A.

8. Total consumptive use is 106.1 Acre Feet Per Annum.

9. Non-irrigation uses:  
LIVESTOCK/2000 RANGE

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 01S           | 20E   | 19      | NE     | NE  |     | IRR | 39.0  |
| Section Acres |       |         |        |     |     |     | 39.0  |
| Total Acres   |       |         |        |     |     |     | 39.0  |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

MANY DECREED RIGHTS, GROUNDWATER

14. Remarks:

WE OWN HALF OF THIS RIGHT ESTABLISHED IN THE FROST DECREE; PART A REPRESENTS OUR PART OF 37-0351. RT. WAS DECREED FROM BUTTE CR. BUT IS DELIVERED FROM LOVING CR. OR SILVER CR. LAND IS CLAIMED AS IRRIGATED PER SEC. 42-1416 IDAHO CODE. SEE CLAIM A37-00376 FOR FULL LIST OF P/D'S & P/U.

15. Basis of Claim: DECREED

Case Number:

Court : FOURTH

Decree date: 12/13/1909

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

MICROFILMED  
FEB 22 1993

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 X 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 President of Academy of Health Organization, that I have signed the foregoing document in the space below as President of \_\_\_\_\_ Organization and that the statements contained in the foregoing document are true and correct.

J. H. Pundt  
Signature of Authorized Agent

President  
Title and Organization

10-25-88  
Date

State of Idaho

County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 25<sup>th</sup> day of Oct. 19 88

[Signature]  
Notary Public

Seal.

Residing at Kimberly, Id.

My Commission Expires 6/30/94

COPY

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED

2009 NOV 4 PM 2 49

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

Case No. 39576

) Subcase No: 37-21, 37-22, 37-186,  
) 37-187, 37-189, 37-213, 37-215D, 37-333,  
) 37-351A, 37-352A, 37-377, 37-378,  
) 37-695, 37-942, 37-2405, 37-11892,  
) 37-11898, 37-11900, 37-11903, 37-20609

) NOTICE OF COMPLETED  
) ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 AMENDED TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

|                                                                          |                                               |
|--------------------------------------------------------------------------|-----------------------------------------------|
| <input checked="" type="checkbox"/> Combined Limit Conditions (Quantity) | <input type="checkbox"/> Split of Water Right |
| <input type="checkbox"/> Point of Diversion                              | <input type="checkbox"/> Place of Use         |
| <input type="checkbox"/> Period of Use                                   | <input type="checkbox"/> Nature of Use        |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 10/28/09

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 11-4, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

2. Copies to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

United States Dept of Justice  
Environment & Natural Resource Div  
550 W Fort St MSC 033  
Boise ID 83724

Picabo Livestock Co Inc  
PO Box 748  
Picabo ID 83348

Gary Slette  
Robertson & Slette PLLC  
PO Box 1906  
Twin Falls ID 83301-1906

Craig Hobdey  
Hobdey & Hobdey  
PO Box 176  
Gooding ID 83330

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

10/14/2009

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

RIGHT NUMBER: 37-351A

NAME AND ADDRESS: PICABO LIVESTOCK CO INC  
PO BOX 748  
PICABO ID 83348SOURCE: LOVING CREEK  
SILVER CREEKTRIBUTARY: SILVER CREEK  
TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.250 CFS

Rights 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-11892, 37-11898, 37-11900, 37-11903, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the field-headgate points of diversion of ~~9505.2~~ 17,096.6 af. These rights shall not exceed an annual diversion volume of ~~9489.6~~ 17,081 af at the field-headgate points of diversion for irrigation purposes, nor a diversion rate of 0.17 cfs and an annual diversion volume 15.6 af for stockwater purposes.

The total instantaneous diversion of water from all points of diversion for all surface rights identified under this transfer No. 69626 and the ground water rights identified under transfer 69624 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field-headgate points of diversion of ~~9489.6~~ 17,081 af for irrigation purposes.

PRIORITY DATE: 06/01/1886

POINT OF  
DIVERSION:

T01S R19E S24 NESENW Within BLAINE County  
T01S R20E S20 SWSWSE Within BLAINE County  
T01S R20E S30 SWNENW Within BLAINE County  
T01S R20E S30 NENWNW Lot 1 Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE                     | PERIOD OF USE      | QUANTITY  |
|------------------------------------|--------------------|-----------|
| IRRIGATION                         | 04/15 10/31        | 0.250 CFS |
| <u>IRRIGATION in BLAINE County</u> |                    |           |
| T01S R20E S19 NENE 40.00           | T01S R20E S19 SENE | 39.00     |
| T01S R20E S19 Lot 4 SWSW 38.00     | T01S R20E S19 SESW | 39.00     |
| T01S R20E S19 NESE 26.00           | T01S R20E S19 NWSE | 32.00     |
| T01S R20E S19 SWSE 35.00           | T01S R20E S19 SESE | 37.00     |
| T01S R20E S20 NWNW 40.00           | T01S R20E S20 SWNW | 40.00     |
| T01S R20E S20 NESW 30.00           | T01S R20E S20 NWSW | 38.00     |
| T01S R20E S20 SWSW 19.00           | T01S R20E S20 SESW | 19.00     |
| T01S R20E S20 NESE 40.00           | T01S R20E S20 NWSE | 36.00     |
| T01S R20E S20 SWSE 11.00           | T01S R20E S20 SESE | 36.00     |
| T01S R20E S21 SWNE 40.00           | T01S R20E S21 SENE | 27.00     |
| T01S R20E S21 NESW 40.00           | T01S R20E S21 NWSW | 40.00     |
| T01S R20E S21 SWSW 40.00           | T01S R20E S21 SESW | 36.00     |
| T01S R20E S21 NESE 40.00           | T01S R20E S21 NWSE | 40.00     |
| T01S R20E S21 SWSE 37.00           | T01S R20E S21 SESE | 28.00     |

|               |      |       |                     |      |       |
|---------------|------|-------|---------------------|------|-------|
| T01S R20E S22 | SWNW | 23.00 | T01S R20E S22       | SENW | 19.00 |
| T01S R20E S22 | NESW | 6.80  | T01S R20E S22       | NWSW | 36.00 |
| T01S R20E S22 | SWSW | 37.00 | T01S R20E S22       | SESW | 27.00 |
| T01S R20E S26 | NWSW | 14.00 | T01S R20E S26       | SWSW | 36.00 |
| T01S R20E S26 | SESW | 3.00  | T01S R20E S27       | NWNE | 20.00 |
| T01S R20E S27 | SWNE | 29.00 | T01S R20E S27       | NENW | 36.00 |
| T01S R20E S27 | NWNW | 18.00 | T01S R20E S27       | SWNW | 32.00 |
| T01S R20E S27 | SENW | 22.00 | T01S R20E S27       | NESW | 15.00 |
| T01S R20E S27 | NWSW | 24.00 | T01S R20E S27       | SWSW | 0.60  |
| T01S R20E S27 | SESW | 12.00 | T01S R20E S27       | NESE | 30.00 |
| T01S R20E S27 | NWSE | 16.00 | T01S R20E S27       | SWSE | 32.00 |
| T01S R20E S27 | SESE | 36.00 | T01S R20E S28       | NENE | 20.00 |
| T01S R20E S28 | NWNE | 24.00 | T01S R20E S28       | SWNE | 34.00 |
| T01S R20E S28 | SENE | 29.00 | T01S R20E S28       | NENW | 17.00 |
| T01S R20E S28 | NWNW | 22.00 | T01S R20E S28       | SWNW | 40.00 |
| T01S R20E S28 | SENW | 38.00 | T01S R20E S28       | NESW | 40.00 |
| T01S R20E S28 | NWSW | 40.00 | T01S R20E S28       | SWSW | 32.00 |
| T01S R20E S28 | SESW | 38.00 | T01S R20E S28       | NESE | 40.00 |
| T01S R20E S28 | NWSE | 40.00 | T01S R20E S28       | SWSE | 36.00 |
| T01S R20E S28 | SESE | 6.40  | T01S R20E S29       | NENE | 29.00 |
| T01S R20E S29 | NWNE | 38.00 | T01S R20E S29       | SWNE | 40.00 |
| T01S R20E S29 | SENE | 40.00 | T01S R20E S29       | NENW | 33.00 |
| T01S R20E S29 | NWNW | 27.00 | T01S R20E S29       | SWNW | 33.00 |
| T01S R20E S29 | SENW | 40.00 | T01S R20E S29       | NESW | 36.00 |
| T01S R20E S29 | NESE | 40.00 | T01S R20E S29       | NWSE | 39.00 |
| T01S R20E S29 | SWSE | 2.80  | T01S R20E S29       | SESE | 29.00 |
| T01S R20E S30 | NENE | 30.00 | T01S R20E S30       | NWNE | 35.00 |
| T01S R20E S30 | SWNE | 40.00 | T01S R20E S30       | SENE | 31.00 |
| T01S R20E S30 | NENW | 18.00 | T01S R20E S30 Lot 1 | NWNW | 2.00  |
| T01S R20E S30 | SENW | 15.00 | T01S R20E S30       | NESE | 37.00 |
| T01S R20E S30 | NWSE | 40.00 | T01S R20E S30       | SWSE | 35.00 |
| T01S R20E S30 | SESE | 40.00 | T01S R20E S31       | NENE | 40.00 |
| T01S R20E S31 | NWNE | 15.00 | T01S R20E S31       | SENE | 40.00 |
| T01S R20E S33 | NENE | 4.90  | T01S R20E S33       | NWNE | 19.00 |
| T01S R20E S33 | NENW | 4.40  | T01S R20E S34       | NENE | 40.00 |
| T01S R20E S34 | NWNE | 40.00 | T01S R20E S34       | NENW | 34.00 |
| T01S R20E S34 | NWNW | 0.50  | T01S R20E S35       | NWNW | 41.00 |
| T01S R20E S35 | SWNW | 25.00 |                     |      |       |

3037.4 ACRES TOTAL

This right is limited to the irrigation of 12.5 acres within the place of use described above in a single irrigation season.

Right Nos. 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-11892, 37-11898, 37-11900, 37-11903, and 37-20609 are limited to the irrigation of a combined total of 2711.3 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

November 4, 2009

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

PICABO LIVESTOCK CO INC  
PO BOX 748  
PICABO ID 83348

RE: SRBA Claim(s)      37-21, 37-22, 37-186, 37-187, 37-189,  
37-213, 37-215D, 37-333, 37-351A,  
37-352A, 37-377, 37-378, 37-695,  
37-942, 37-2405, 37-11892, 37-11898,  
37-11900, 37-11903, 37-20609, 37-2627A,  
37-11911, 37-11914

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett  
Technical Records Specialist

Enclosure

cc: Gary Slette, Robertson & Slette PLLC  
Craig Hobdey, Hobdey & Hobdey

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

RIGHT NUMBER: 37-351A

NAME AND ADDRESS: PICABO LIVESTOCK CO INC  
PO BOX 748  
PICABO ID 83348

SOURCE: LOVING CREEK  
SILVER CREEK

TRIBUTARY: SILVER CREEK  
TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.250 CFS  
Rights 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-11892, 37-11898, 37-11900, 37-11903, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the field headgate of 9505.2 af. These rights shall not exceed an annual diversion volume of 9489.6 af at the field headgate for irrigation of 2711.3 acres within the place of use described above, nor a diversion rate of 0.17 cfs and an annual diversion volume 15.6 af for stockwater purposes.

The total instantaneous diversion of water from all points of diversion for all surface rights identified under this transfer No. 69626 and the ground water rights identified under transfer 69624 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field headgate of 9489.6 af for irrigation of 2711.3 acres in any one season.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:

T01S R19E S24 NESENW Within BLAINE County  
T01S R20E S20 SWSWSE Within BLAINE County  
T01S R20E S30 SWNENW Within BLAINE County  
T01S R20E S30 NENWNW Lot 1 Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 10/31          | 0.250 CFS       |

PLACE OF USE: IRRIGATION Within BLAINE County

|                          |      |       |               |      |       |
|--------------------------|------|-------|---------------|------|-------|
| T01S R20E S19            | NENE | 40.00 | T01S R20E S19 | SENE | 39.00 |
| T01S R20E S19 Lot 4 SWSW |      | 38.00 | T01S R20E S19 | SESW | 39.00 |
| T01S R20E S19            | NESE | 26.00 | T01S R20E S19 | NWSE | 32.00 |
| T01S R20E S19            | SWSE | 35.00 | T01S R20E S19 | SESE | 37.00 |
| T01S R20E S20            | NWNW | 40.00 | T01S R20E S20 | SWNW | 40.00 |
| T01S R20E S20            | NESW | 30.00 | T01S R20E S20 | NWSW | 38.00 |
| T01S R20E S20            | SWSW | 19.00 | T01S R20E S20 | SESW | 19.00 |
| T01S R20E S20            | NESE | 40.00 | T01S R20E S20 | NWSE | 36.00 |
| T01S R20E S20            | SWSE | 11.00 | T01S R20E S20 | SESE | 36.00 |
| T01S R20E S21            | SWNE | 40.00 | T01S R20E S21 | SENE | 27.00 |
| T01S R20E S21            | NESW | 40.00 | T01S R20E S21 | NWSW | 40.00 |
| T01S R20E S21            | SWSW | 40.00 | T01S R20E S21 | SESW | 36.00 |
| T01S R20E S21            | NESE | 40.00 | T01S R20E S21 | NWSE | 40.00 |

10/03/2006

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

|               |      |       |                     |      |       |
|---------------|------|-------|---------------------|------|-------|
| T01S R20E S20 | NESW | 30.00 | T01S R20E S20       | NWSW | 38.00 |
| T01S R20E S20 | SWSW | 19.00 | T01S R20E S20       | SESW | 19.00 |
| T01S R20E S20 | NESE | 40.00 | T01S R20E S20       | NWSE | 36.00 |
| T01S R20E S20 | SWSE | 11.00 | T01S R20E S20       | SESE | 36.00 |
| T01S R20E S21 | SWNE | 40.00 | T01S R20E S21       | SENE | 27.00 |
| T01S R20E S21 | NESW | 40.00 | T01S R20E S21       | NWSW | 40.00 |
| T01S R20E S21 | SWSW | 40.00 | T01S R20E S21       | SESW | 36.00 |
| T01S R20E S21 | NESE | 40.00 | T01S R20E S21       | NWSE | 40.00 |
| T01S R20E S21 | SWSE | 37.00 | T01S R20E S21       | SESE | 28.00 |
| T01S R20E S22 | SWNW | 23.00 | T01S R20E S22       | SENW | 19.00 |
| T01S R20E S22 | NESW | 6.80  | T01S R20E S22       | NWSW | 36.00 |
| T01S R20E S22 | SWSW | 37.00 | T01S R20E S22       | SESW | 27.00 |
| T01S R20E S26 | NWSW | 14.00 | T01S R20E S26       | SWSW | 36.00 |
| T01S R20E S26 | SESW | 3.00  | T01S R20E S27       | NWNE | 20.00 |
| T01S R20E S27 | SWNE | 29.00 | T01S R20E S27       | NENW | 36.00 |
| T01S R20E S27 | NWNW | 18.00 | T01S R20E S27       | SWNW | 32.00 |
| T01S R20E S27 | SENW | 22.00 | T01S R20E S27       | NESW | 15.00 |
| T01S R20E S27 | NWSW | 24.00 | T01S R20E S27       | SWSW | 0.60  |
| T01S R20E S27 | SESW | 12.00 | T01S R20E S27       | NESE | 30.00 |
| T01S R20E S27 | NWSE | 16.00 | T01S R20E S27       | SWSE | 32.00 |
| T01S R20E S27 | SESE | 36.00 | T01S R20E S28       | NENE | 20.00 |
| T01S R20E S28 | NWNE | 24.00 | T01S R20E S28       | SWNE | 34.00 |
| T01S R20E S28 | SENE | 29.00 | T01S R20E S28       | NENW | 17.00 |
| T01S R20E S28 | NWNW | 22.00 | T01S R20E S28       | SWNW | 40.00 |
| T01S R20E S28 | SENW | 38.00 | T01S R20E S28       | NESW | 40.00 |
| T01S R20E S28 | NWSW | 40.00 | T01S R20E S28       | SWSW | 32.00 |
| T01S R20E S28 | SESW | 38.00 | T01S R20E S28       | NESE | 40.00 |
| T01S R20E S28 | NWSE | 40.00 | T01S R20E S28       | SWSE | 36.00 |
| T01S R20E S28 | SESE | 6.40  | T01S R20E S29       | NENE | 29.00 |
| T01S R20E S29 | NWNE | 38.00 | T01S R20E S29       | SWNE | 40.00 |
| T01S R20E S29 | SENE | 40.00 | T01S R20E S29       | NENW | 33.00 |
| T01S R20E S29 | NWNW | 27.00 | T01S R20E S29       | SWNW | 33.00 |
| T01S R20E S29 | SENW | 40.00 | T01S R20E S29       | NESW | 36.00 |
| T01S R20E S29 | NESE | 40.00 | T01S R20E S29       | NWSE | 39.00 |
| T01S R20E S29 | SWSE | 2.80  | T01S R20E S29       | SESE | 29.00 |
| T01S R20E S30 | NENE | 30.00 | T01S R20E S30       | NWNE | 35.00 |
| T01S R20E S30 | SWNE | 40.00 | T01S R20E S30       | SENE | 31.00 |
| T01S R20E S30 | NENW | 18.00 | T01S R20E S30 Lot 1 | NWNW | 2.00  |
| T01S R20E S30 | SENW | 15.00 | T01S R20E S30       | NESE | 37.00 |
| T01S R20E S30 | NWSE | 40.00 | T01S R20E S30       | SWSE | 35.00 |

10/03/2006

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

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R20E S30 | SESE | 40.00 | T01S R20E S31 | NENE | 40.00 |
| T01S R20E S31 | NWNE | 15.00 | T01S R20E S31 | SENE | 40.00 |
| T01S R20E S33 | NENE | 4.90  | T01S R20E S33 | NWNE | 19.00 |
| T01S R20E S33 | NENW | 4.40  | T01S R20E S34 | NENE | 40.00 |
| T01S R20E S34 | NWNE | 40.00 | T01S R20E S34 | NENW | 34.00 |
| T01S R20E S34 | NWNW | 0.50  | T01S R20E S35 | NWNW | 41.00 |
| T01S R20E S35 | SWNW | 25.00 |               |      |       |

3037.4 ACRES TOTAL

This right is limited to the irrigation of 12.5 acres within the place of use described above in a single irrigation season.

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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.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.



# Idaho Department of Water Resources

SRBA Recommendation:

**37-351A**

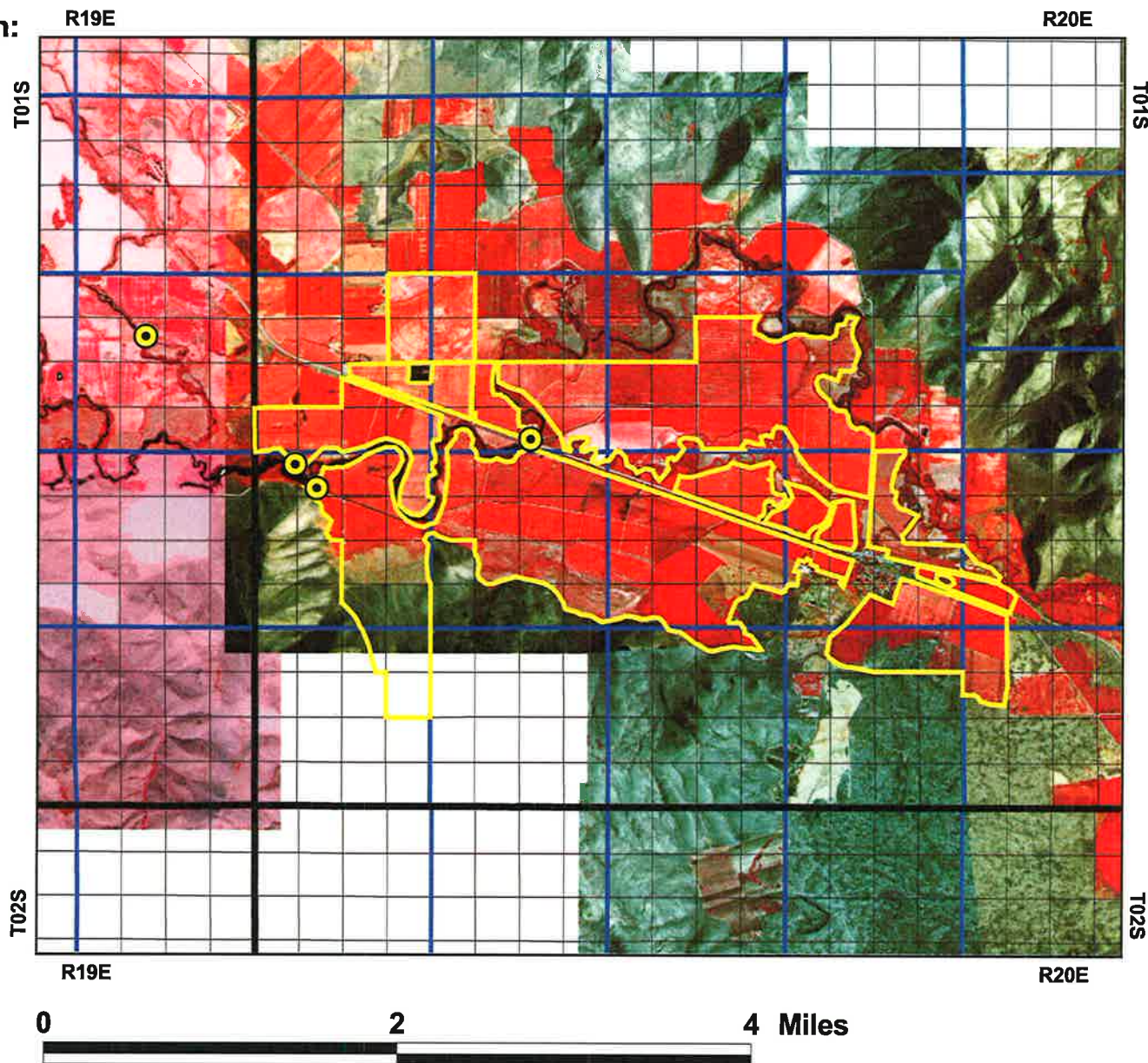
(Irrigation)

## Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County  
IDWR Basin 37



Prepared by M. Ciscell  
On Wednesday, November 15, 2006  
1987/88 Aerial Photography

## ***Memo to Picabo Livestock Co. Files***

February 10, 2005

Claims : 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-2627A, 37-11892, 37-11898, 37-11900, 37-11903, 37-11911, 37-11914, 37-20609

Transfers 69626 (surface water rights) and 69634 (groundwater rights) were approved May 7, 2004. Adjudication claims were updated and recommendations created that reflected the approved transfers. On June 25, 2004, we received amendments that redistributed and added acres to all the claims involved in the transfers except 37-2627A. We data entered the amendments into the claims, but not the recommendations. *The recommendations still reflect the approved transfers.*

Transfer 69626 is 55 pages long and can be found in file 37-21.

*Jush*