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JUN 10 2010

DEPARTMENT OF  
WATER RESOURCES

|                                       |              |
|---------------------------------------|--------------|
| DISTRICT COURT - SRBA                 |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| JUN - 9 2010                          |              |
| By _____                              | Clerk        |
| _____                                 | 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     | ) | ORDER OF PARTIAL DECREE     |
|                | ) |                             |
| Case No. 39576 | ) | Subcase No. 47-17109        |
|                | ) | (Pickett Ranch & Sheep Co.) |
| _____          | ) |                             |

On April 29, 2010, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED

June 9, 2010

  
\_\_\_\_\_  
ERIC J. WILDMAN  
Presiding Judge  
Snake River Basin Adjudication

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 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 47-17109

|                                       |              |
|---------------------------------------|--------------|
| DISTRICT COURT - SRBA                 |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| JUN - 9 2010                          |              |
| By _____                              | Clerk        |
|                                       | Deputy Clerk |

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:

0.02 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.  
This right shall be used in conjunction with 45-13654, 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.

PRIORITY DATE:

04/30/1875

POINT OF DIVERSION:

|                |                                 |                      |
|----------------|---------------------------------|----------------------|
| T14S R19E S31  | NWSE (Instream Beginning Point) | Within Cassia County |
| T15S R18E S01  | NESW (Instream Beginning Point) |                      |
| R19E S06 LOT 1 | (SWNE) (Instream Ending Point)  |                      |
| S15            | SWSW (Instream Beginning Point) |                      |
| S16            | NENW (Instream Beginning Point) |                      |
| S17            | SENE (Instream Ending Point)    |                      |
|                | SENE (Instream Ending Point)    |                      |
| S20            | NWSE (Instream Ending Point)    |                      |
|                | SWNE (Instream Ending Point)    |                      |
| S21            | SENE (Instream Beginning Point) |                      |

PURPOSE AND

PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------|
| Stockwater     | 06-01 TO 11-30 | 0.02 CFS |

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                 |
|               | SENE | NESW                 |
|               | SESE |                      |
| S15           | SWNW |                      |
| S16           | SWNE | SENE                 |
|               | NWNW | SWNW                 |
|               | NESW | NWSW                 |
|               | NWSE |                      |
| S17           | SENE | NENW                 |
|               | SENE | NESW                 |
|               | NESE | NWSE                 |
|               | SWSE |                      |

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

|     |      |      |
|-----|------|------|
| S20 | NWNE | SWNE |
|     | NESW | NESE |
|     | NWSE | SWSE |
| S21 | NENE | SWNE |
|     | NESW | NWSW |
|     | SWSW | SESW |
|     | NWSE |      |

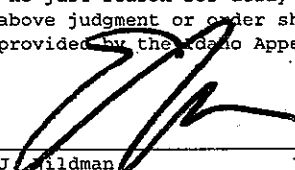
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use. 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
Eric J. Wildman  
Presiding Judge of the  
Snake River Basin Adjudication

2010 JUN 09 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 47-17109

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 47-17109 was mailed  
on June 09, 2010, with sufficient first-class postage prepaid  
to the following:

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

PICKETT RANCH & SHEEP CO  
Represented by:  
TRAVIS L THOMPSON  
113 MAIN AVE W, STE 303  
PO BOX 485  
TWIN FALLS, ID 83303-0485  
Phone: 208-733-0700

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

JULIE MURPHY  
Chief Deputy Clerk