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Department of 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

Case No. 39576

SUBCASE NO.: 51-12895A

STANDARD FORM 5
AMENDED CLAIM

For Domestic and 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 Basin 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 decreed as described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 10/31/02
Larry A. Brown

date

Attorney, U.S. Dept. of Justice
Environment & Natural Resources Div.

IDWR CONCURRENCE:

Roxanne Brown 10/25/02
Roxanne Brown

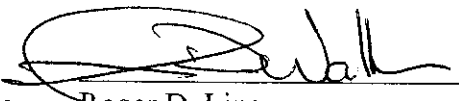
date

Sr. Water Resource Agent, IDWR

CLAIMANT:

Bert and Paula Brackett

Bert Brackett Oct 31, 2002
date

 11/1/2
 Roger D. Ling date

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

RIGHT NUMBER: 51-12895A

NAME AND ADDRESS:

BERT BRACKETT
PAULA BRACKETT
FLAT CREEK RANCH
ROGERSON ID 83302

RB
BS *JS*

SOURCE: PENCE SPRING

Tributary:

LITTLE SPRING CREEK ~~BIG FLAT CREEK~~

QUANTITY: 0.23 CFS

~~9.000 AFY~~

FWP *can.*

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 09/14/1966

~~09/14/1963~~

POINT OF DIVERSION:

T15S R10E S26 SWNE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

STOCKWATER	01/01 12/31	0.23 CFS
~~STOCKWATER FROM STORAGE~~	~~01/01 12/31~~	~~9.00 AFY~~
~~STOCKWATER STORAGE~~	~~01/01 12/31~~	~~9.00 AFY~~

PLACE OF USE:

STOCKWATER

within OWYHEE County

T12S R09E S35 NWNE

T13S R09E S02 SENE

T13S R09E S13 NWSW

T13S R09E S13 NESE

~~T13S R09E S24 SENW~~

T13S R09E S24 SWSE

T13S R10E S04 NWSE

T13S R10E S06 NWSW Lot 6

~~T13S R10E S06 NESE~~

T13S R10E S18 SENE

T13S R10E S18 SENW

T13S R10E S19 SWNE

~~T13S R10E S19 NWNW~~

T13S R10E S20 SWNE

T13S R10E S22 NWNE

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 IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
STOCKWATER, 1000 RANGE CATTLE.

FWP

BB

CONVEYANCE FACILITIES NECESSARY FOR THE DELIVERY OF THIS RIGHT ARE
LOCATED AS FOLLOWS:

T13S R09E S02 SENE (reservoir)

S13 NESE (tank)

T14S R09E S25 SWNW (reservoir)

S26 SENE (reservoir)

RG

san

CERTIFICATE OF MAILING

I certify that on 11/1/02, 2002, I delivered the original and copies of this form to the following persons, postage prepaid if required, and addressed as follows:

1. Original to:

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

☐ overnight mail
☐ regular mail
☒ hand-delivered
☐ facsimile

2. Copies to:

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

U.S. Dept. of Justice
Environment & Natural Resource Div.
General Litigation Section
550 W. Fort St., MSC 033
Boise, ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Bert and Paula Brackett
Flat Creek Ranch
Rogerson, ID 83302

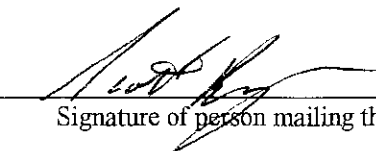
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Signature of person mailing this document