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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.: 51-12935

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* 10/31/02  
Roxanne Brown date  
Sr. Water Resource Agent, IDWR

10/31/2002

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

RIGHT NUMBER: 51-12935  
NAME AND ADDRESS: BRACKETT LIVESTOCK INC  
BRACKETT RANCHES LTD  
C/O BERT BRACKETT  
FLAT CR RANCH  
ROGERSON ID 83302

*JL RB MB BB*  
*flw*

SOURCE: CRAWFISH SPRING  
UNNAMED STREAM

TRIBUTARY: UNNAMED STREAM ~~FLAT CREEK~~  
TRIBUTARY: BIG FLAT CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/01/1871

POINT OF DIVERSION:

T15S R10E S13 NWNW End of Stream Flow Within OWYHEE County  
T15S R10E S14 NWNE Begin of Stream Flow Within OWYHEE County  
T15S R10E S14 NESW End of Stream Flow Within OWYHEE County  
T15S R10E S14 NESW Begin of Stream Flow Within OWYHEE County  
T15S R10E S14 SWNESW Within OWYHEE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          | 0.02 CFS        |

PLACE OF USE: STOCKWATER Within OWYHEE County

|                      |             |                      |             |
|----------------------|-------------|----------------------|-------------|
| <u>T15S R10E S13</u> | <u>NWNW</u> | <u>T15S R10E S14</u> | <u>NENE</u> |
| <u>T15S R10E S14</u> | <u>NWNE</u> | <u>T15S R10E S14</u> | <u>NESW</u> |

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

## CERTIFICATE OF MAILING

I certify that on Nov 1, 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

Brackett Livestock Inc.  
C/o Bert Brackett  
P.O. Box 403  
Twin Falls, ID 83301

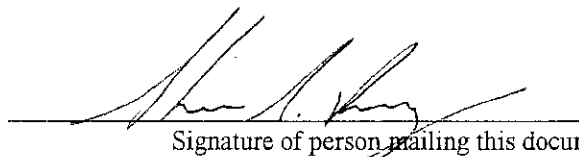
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Signature of person mailing this document