

NOV - 6 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

SUBCASE NO.: 51-12944

STANDARD FORM 5 AMENDED CLAIM

For Domestic and Stockwater Rights

CLAIMANT:

Brackett Livestock Inc.

Set Brackett Oct 31, 2002
date

 11/1/2
Roger D. Ling date

10/31/2002

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

RIGHT NUMBER: 51-12944
NAME AND ADDRESS: BRACKETT LIVESTOCK INC
C/O BERT BRACKETT
PO BOX 403
TWIN FALLS ID 83301
SOURCE: CHERRY CREEK TRIBUTARY: THREE 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 R11E S17 NENESW End of Stream Flow Within OWYHEE County
T15S R11E S20 SWSWNW Begin of Stream Flow Within OWYHEE County
T15S R11E S20 SENESW Begin of Stream Flow Within OWYHEE County
T15S R11E S20 SENESW End of Stream Flow Within OWYHEE County
~~T15S R11E S20 NWSW Within OWYHEE County~~
T15S R11E S29 NWNENW End of Stream Flow Within OWYHEE County
T15S R11E S29 SESESW Begin of Stream Flow Within OWYHEE County
T16S R11E S16 SESESW Begin of Stream Flow Within OWYHEE County
T16S R11E S16 SESESW End of Stream Flow Within OWYHEE County
T16S R11E S16 NESE Begin of Stream Flow Within OWYHEE County
T16S R11E S16 NESE End of Stream Flow 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 R11E S17</u>	<u>NESW</u>	<u>T15S R11E S17</u>	<u>SWSW</u>
<u>T15S R11E S17</u>	<u>SESW</u>	<u>T15S R11E S20</u>	<u>NWNW</u>
<u>T15S R11E S20</u>	<u>SWNW</u>	<u>T15S R11E S20</u>	<u>NESW</u>
<u>T15S R11E S29</u>	<u>NENW</u>	<u>T15S R11E S29</u>	<u>SENW</u>
<u>T16S R11E S16</u>	<u>SESW</u>	<u>T16S R11E S16</u>	<u>NESE</u>
<u>~~T15S R11E S20~~</u>	<u>~~NWSW~~</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
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☐ 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.
Flat Creek Ranch
Rogerson, ID 83302

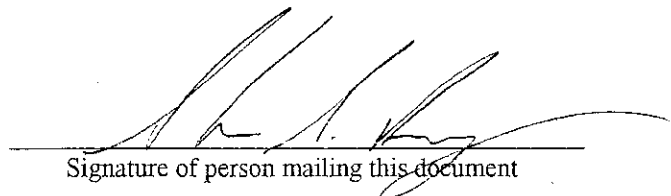
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Roger D. Ling
Ling, Nielsen & Robinson
P.O. Box 396
Rupert, ID 83350

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

Craig A. Pridgen
221 Main St.
16th Floor
San Francisco, CA 94105

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


Signature of person mailing this document