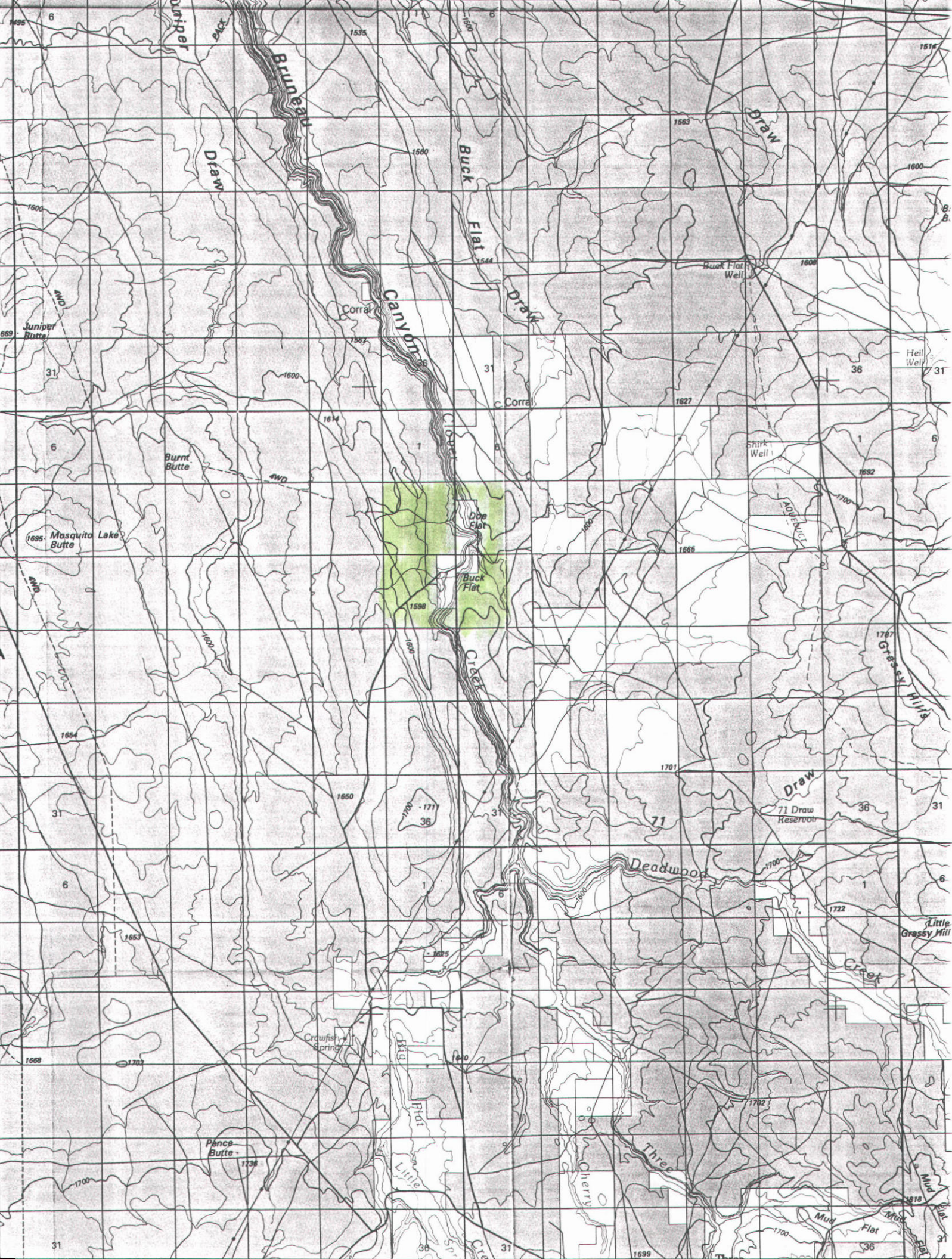
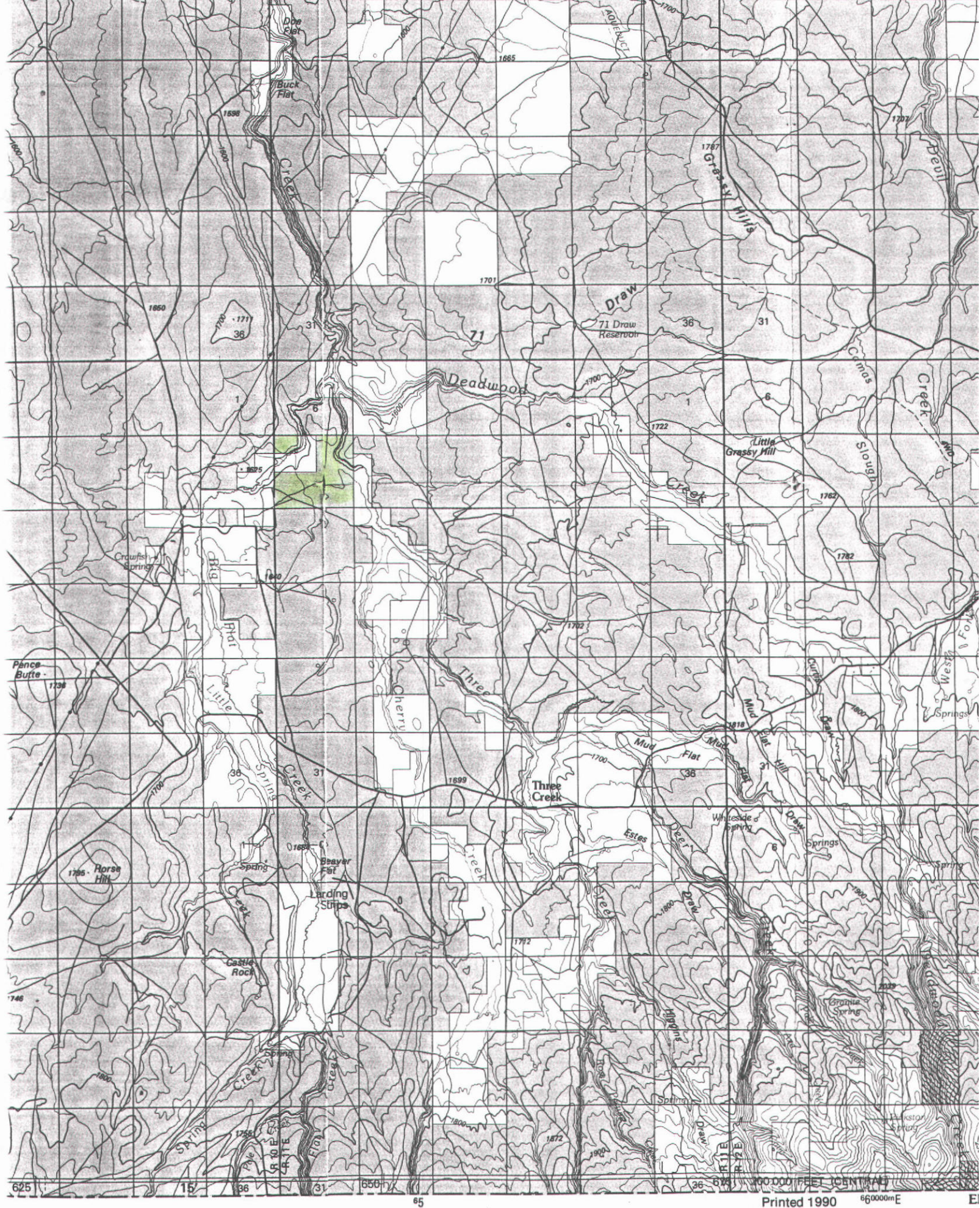
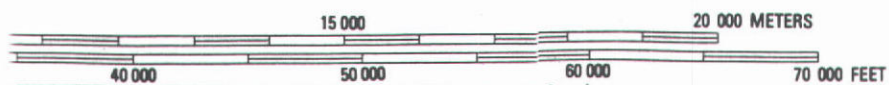








Printed 1990 660000mE



SHEEP C

**IDAHO DEPARTMENT  
OF WATER RESOURCES**

## T14S, R10E & R11E

## Section Lines

☐ PLACE OF USE

**1/4 1/4 Lines**

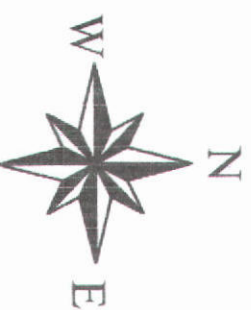
**POINT(S) OF DIVERSION**

**Claim(s): 51-00136**

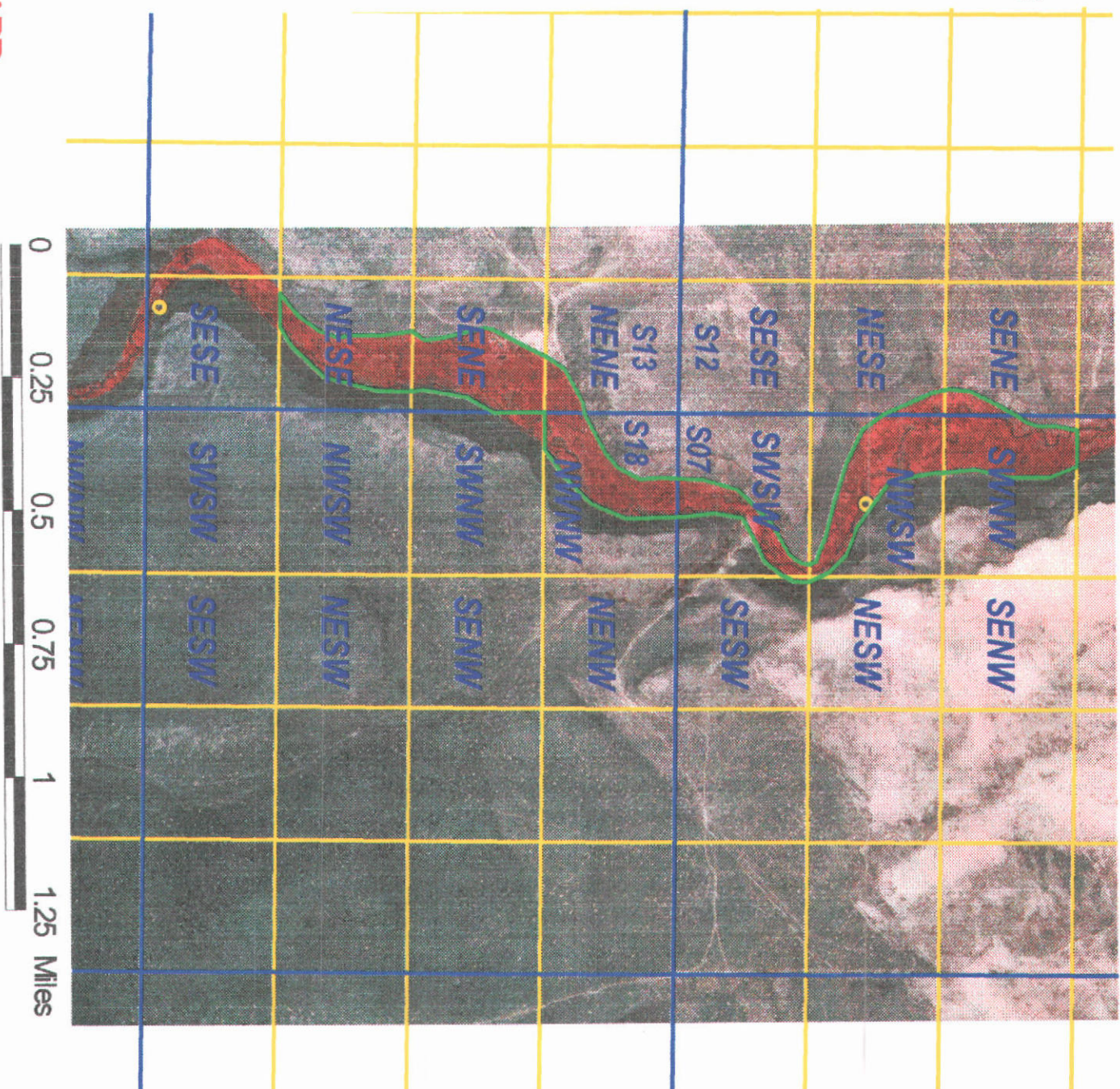
**Owner(s): BRACKETT**

Prepared by: KAY WALKER

Date: 5/20/1998

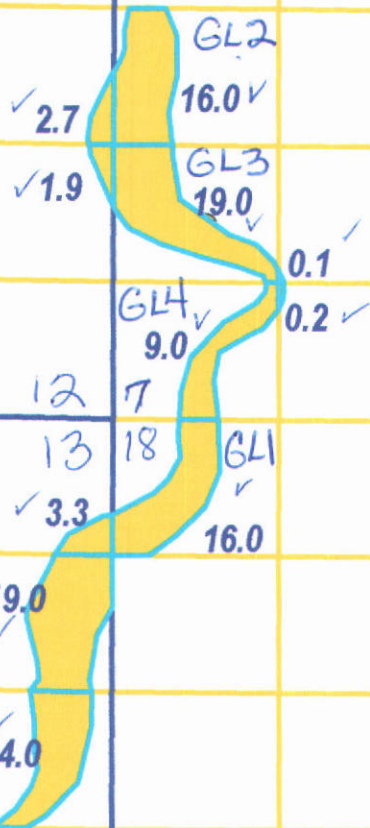


1987 NAPP



10E

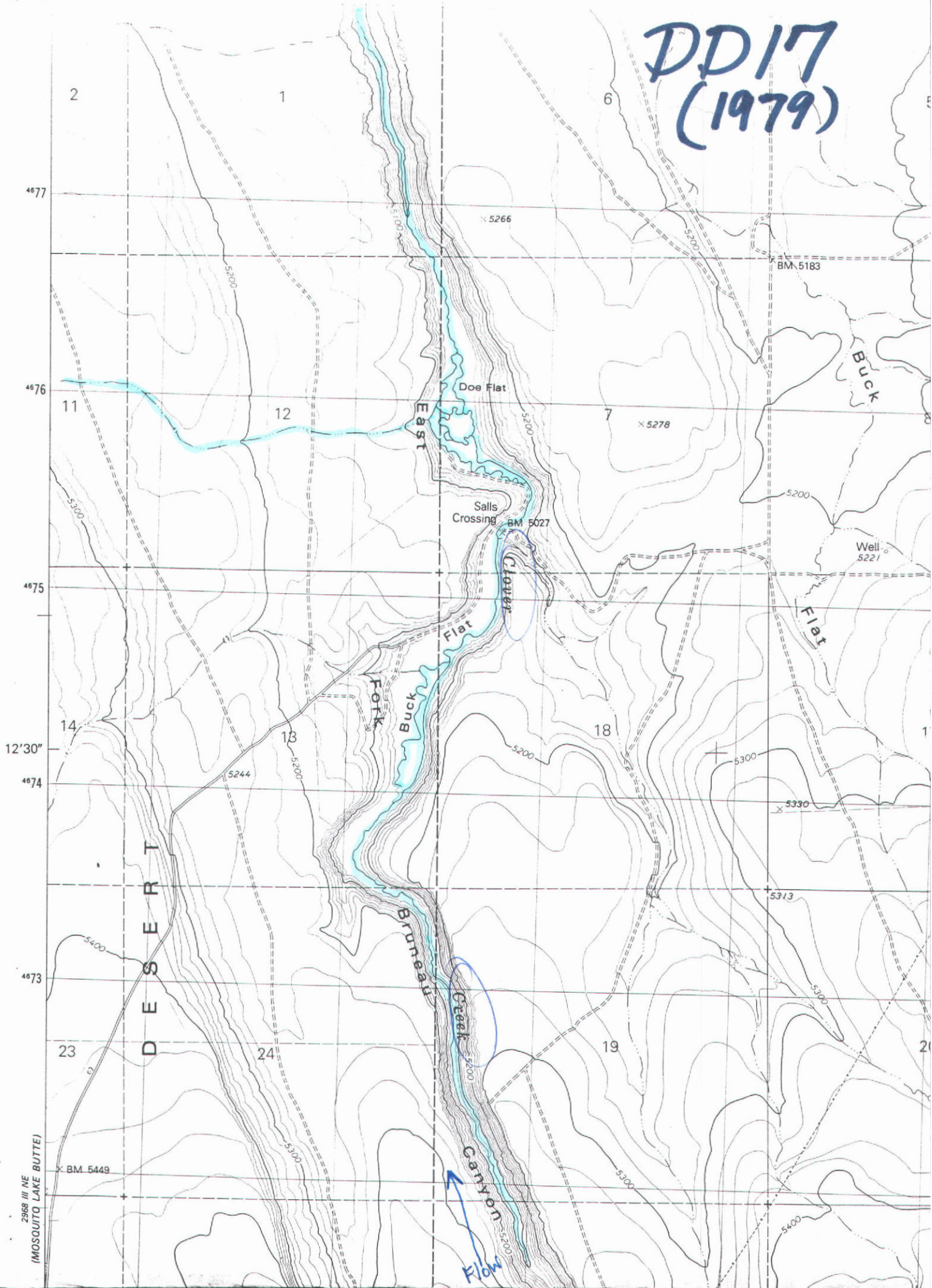
11E



DD17  
(1979)



DD17  
(1979)



DD17 NW

8-4-87

NAPP

4-15-12

8-4-87

Elk K. Bureau Canyon

146

P/O

18

10E

10E

11E

1 2 3 6  
12 12 7

Row

14S, 11E

(1988)

6 5  
7 8

A51-00136

Ownership

GL2

GL3

GL4

11E

10E

12 12 7  
13 13 18

7 8  
18 17

GL1

NOT INCLUDED  
BLM Land

P/D

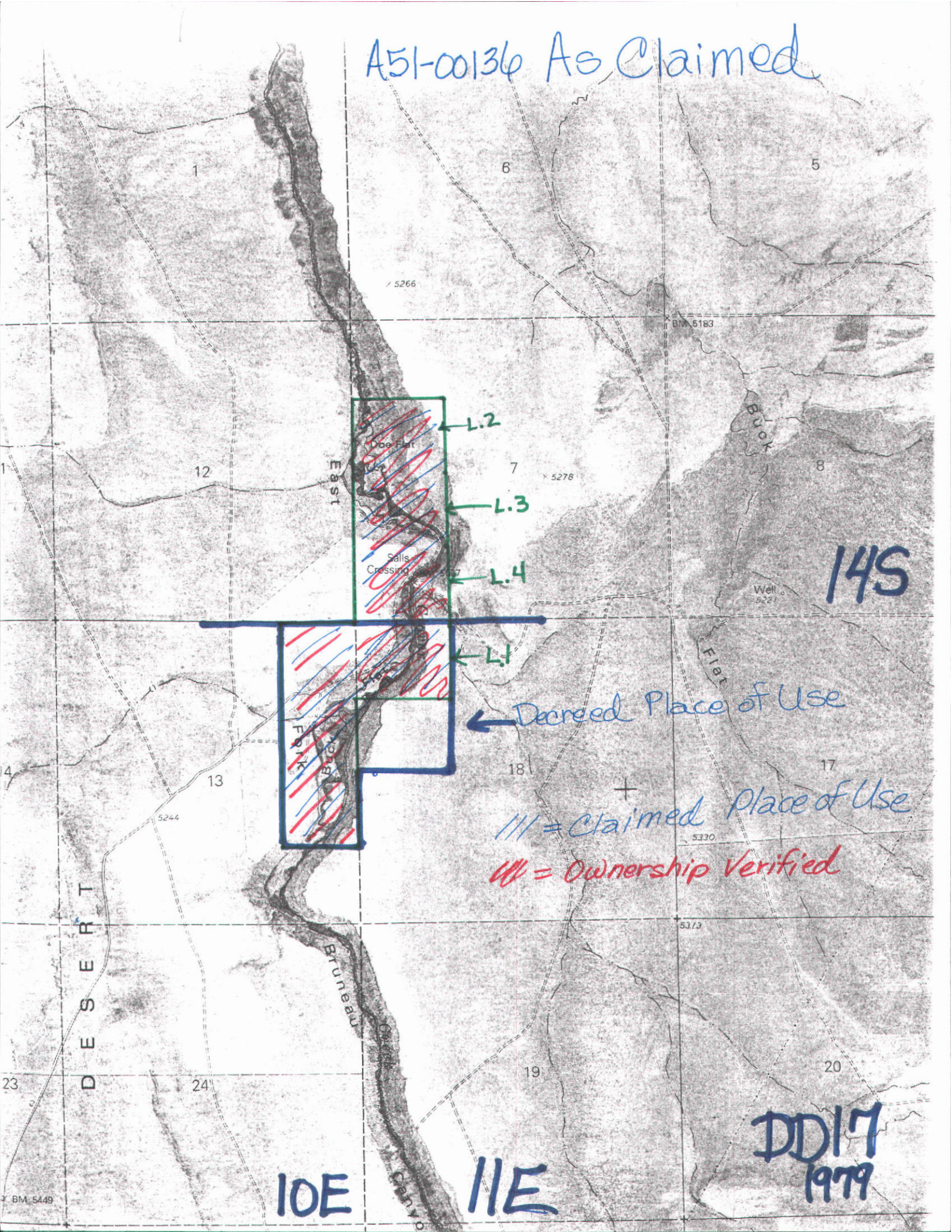
13 13 18  
24 24 19

18 17  
19 20

\* Adjusted Sec. Corner for Gov't Lots - kw 12/17/96



A51-00136 As Claimed



14S

Decreed Place of Use

/// = Claimed Place of Use

/// = Ownership Verified

IOE

IIE

DDI 7  
1979

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: A51-00136  
Date Received: 1/11/1989  
Receipt No: S005856  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: BRACKETT RANCHES LTD 208-857-2217  
Address: FLAT CREEK RANCH  
ROGERSON ID 83302

2. Date of Priority: MAY 1, 1909

3. Source: BRUNEAU RIVER, EAST FORK Trib. to: BRUNEAU RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 14S      | 11E   | 13      | SE     | SE     | SE  |     | OWYHEE |

5. Description of diverting works:  
HEADGATE, DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 2.000 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 14S      | 10E   | 13      | NE     | NE  |     | IRR | 40.0  |
|          |       |         | SE     | NE  |     | IRR | 40.0  |
|          |       |         | NE     | SE  |     | IRR | 40.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |      |
|----------|-------|---------|------------|-----|---------------|-------|------|
|          |       |         |            |     | Section Acres | 120.0 |      |
|          | 11E   | 7       |            | 2   | IRR           | 40.0  |      |
|          |       |         |            | 3   | IRR           | 40.0  |      |
|          |       |         |            | 4   | IRR           | 40.0  |      |
|          |       |         |            |     | Section Acres | 120.0 |      |
|          |       | 18      | NW         | NW  | 1             | IRR   | 40.0 |
|          |       |         |            |     | Section Acres | 40.0  |      |
|          |       |         |            |     | Total Acres   | 280.0 |      |

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
OWNERSHIP CHANGED BY KW 3/30/95.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GRANDVIEW IRR. DIST.  
Decree Plaintiff

BRUNEAU BUCKAROO CO-OP DITCH  
vs Decree Defendant

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

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
Date

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

RECEIVED



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

MAR 15 1995

Please print or type  
(see instructions on back of page)

Department of Water Resources  
Southern Region

DATE OF CLOSING: February 15, 1995

RECEIVED

MAR 17 1995

WATER RESOURCES  
WESTERN REGION

LEGAL DESCRIPTION OF PROPERTY: Township 16S Range 11 EBM  
Section 16 & 22 1/4 of 1/4 of 1/4 Govt. Lot       , BM.  
Lot       , Block       , Subdivision/Townsite       .  
If you have additional legal descriptions, please attach separate sheet. See attached sheet

- [ ] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [ ] Water Right Number(s)  
Assigned by IDWR: 51-00116, 51-02141, 51-02019, 51-02220, 51-02221, 51-02222, 51-00136, (51-10299) NO <sup>superseded by 51-00116</sup>
- [ ] Name and Address of Former Owner/Claimant(s)(Seller): Mearl Row, Rogerson ID 83302
- [ ] New Owner/Claimant (Purchaser): Brackett
- [ ] New Mailing Address: Flat Creek Ranch, Rogerson ID 83302
- [ ] New Telephone Number: (208) 857 - 2217
- [ ] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [ ] Attach proof of ownership, describe proof attached: Warranty Deed  
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- [ ] Signature of New Owner/Claimant(s): Brackett Ranches LTD by Det Brackett Date 2/15/95
- [ ] Signature of Former Owner/Claimant(s): Mearl W. Row Date 2/15/95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3-30-95 By: KW

Further Action Needed:

See Det Re: 51-02019

Further Action Taken

Date: 2-51-10299 By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

421516-TC  
APN 07-660-04-6

## WARRANTY DEED

For Value Received MEARL W. ROW and CHRISTINA A. ROW, husband and wife, the Grantors, grant, bargain, sell, and convey to BRACKETT RANCHES, LTD., the Grantee, whose address is Rogerson, Idaho 83302, the premises described on Exhibit A.

TO HAVE AND TO HOLD the premises, with their appurtenances to the Grantee and his heirs and assigns forever. The Grantors covenant to and with the Grantee, that the Grantors are the owners in fee simple of the premises; that they are free from all encumbrances except as described above and that Grantors will warrant and defend the same from all lawful claims whatsoever.

Dated February 14, 1995.

*Mearl W. Row*  
MEARL W. ROW

*Christina A. Row*  
CHRISTINA A. ROW

STATE OF IDAHO                     )  
County of Twin Falls.         )

On February 14, 1995, before me, a Notary Public in and for said State, personally appeared MEARL W. ROW and CHRISTINA A. ROW, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed it.

*Marta R. Limon*  
Notary Public for Idaho  
Commission Expires: 9-8-99  
*Residing at Bill*

WARRANTY DEED - 1

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MAR 17 1995

WATER RESOURCES  
WESTERN REGION



Smith & Beeks  
Attorneys at Law  
218 Sixth Avenue East  
Post Office Box 500  
Twin Falls Idaho 83303-0500

BOOK 884 PAGE 09

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MAR 17 1995

WATER RESOURCES  
WESTERN REGION

Order No. 01900

Exhibit "A" Page 1, Land Description:

PARCEL NO. 1

IN TOWNSHIP 13 SOUTH, RANGE 11 EAST. B. M., OWYHEE COUNTY,  
IDAHO

Section 32: W $\frac{1}{2}$

IN TOWNSHIP 14 SOUTH, RANGE 10 EAST, B. M., OWYHEE COUNTY,  
IDAHO

Section 13: E $\frac{1}{2}$ NE $\frac{1}{2}$ , NE $\frac{1}{2}$ SE $\frac{1}{2}$

IN TOWNSHIP 14 SOUTH, RANGE 11 EAST, B. M., OWYHEE COUNTY,  
IDAHO

Section 7: Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$ ), Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) and Lot 4  
(SW $\frac{1}{4}$ SW $\frac{1}{4}$ )

Section 18: Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$ )

IN TOWNSHIP 16 SOUTH, RANGE 11 EAST, B. M., OWYHEE COUNTY,  
IDAHO

Section 15: N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 16: SE $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  LESS the following  
parcel:

A parcel of land in SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 16,  
Township 16 South, Range 11 East, B. M.,  
more particularly described as follows:  
COMMENCING at the Southwest corner of said  
SE $\frac{1}{4}$ SE $\frac{1}{4}$  and running thence North along the  
West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 14  
rods to a point; thence East along a line  
parallel to the South line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$   
a distance of 23 rods to a point; thence  
South along a line parallel to the West  
line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 14 rods to  
the South line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; thence West  
along the South line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance  
of 23 rods to the Place of Beginning.

Section 21: NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 22: NW $\frac{1}{4}$ NW $\frac{1}{4}$

PARCEL NO. 2

IN TOWNSHIP 16 SOUTH, RANGE 11 EAST, B. M., OWYHEE COUNTY,  
IDAHO

Section 16: A parcel of land in SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 16,  
Township 16 South, Range 11 East, B. M.,  
more particularly described as follows:

continued on page 2 of Exhibit A

RECEIVED

MAR 17 1995

WATER RESOURCES  
WESTERN REGION

COMMENCING at the Southwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  and running thence North along the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 14 rods to a point; thence East along a line parallel to the South line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 23 rods to a point; thence South along a line parallel to the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 14 rods to the South line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; thence West along the South line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 23 rods to the Place of Beginning.

All that certain lot, piece or parcel of land situate in the County of Elko, State of Nevada, described as follows:

TOWNSHIP 47 NORTH, RANGE 60 EAST, MDB&M

Section 13: S $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 23: N $\frac{1}{4}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; E $\frac{1}{4}$ NW $\frac{1}{4}$ ; N $\frac{1}{4}$ SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NE $\frac{1}{4}$   
Section 24: N $\frac{1}{4}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; N $\frac{1}{4}$ NW $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$

LR

EXCEPTING FROM all of the above described property, except the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 23 and the N $\frac{1}{4}$ SW $\frac{1}{4}$  and the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 24, all mineral deposits in the land so patented, as reserved by The UNITED STATES OF AMERICA, in patent, recorded February 3, 1981, in Book 345, Page 131, Official Records, Elko County, Nevada.

INDEXED

FEE 9.00 FILE # 364796

FILED FOR RECORD  
AT REQUEST OF

*Linda Lataus ret*  
FATC  
95 FEB 17 P3:59

RECORDED BY 884 09  
JERRY D REYNOLDS  
ELKO CO RECORDER

RECORDED BY  
*M. J. Hill*  
FEB 17 1995

ELKO COUNTY RECORDER  
*G. Schaubert*

95 FEB 16 PM 12 56

FILED - RECORDED

214926

364796

BOOK 884 PAGE 11

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

RECEIVED  
JAN 12 1989

Ident. Number: A51-00136  
Date Received: 1/11/1989  
Receipt No: S005856  
Received By:                     

Department of  
Water

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MEARLE W. ROW 208-857-2232  
Address:

ROGERSON, ID 83302

AND/OR

Name: CHRISTINA A. ROW 208-857-2232

Address: ROGERSON, ID 83302

2. Date of Priority: MAY 01, 1909

3. Source: BRUNEAU RIVER, EAST FORK Trib. to: BRUNEAU RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 14S      | 11E   | 13      | SE     | SE     | SE  |     | OWYHEE |

5. Description of diverting works:  
HEADGATE, DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 2.000 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A51-00136

Page 1

Date: 01/11/89

MICROFILMED  
AUG 10 1992

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 14S      | 10E   | 13      | NE     | NE  |     | IRR           | 40.0  |
|          |       |         | SE     | NE  |     | IRR           | 40.0  |
|          |       |         | NE     | SE  |     | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 120.0 |
|          | 11E   | 7       |        |     | 2   | IRR           | 40.0  |
|          |       |         |        |     | 3   | IRR           | 40.0  |
|          |       |         |        |     | 4   | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 120.0 |
|          |       | 18      | NW     | NW  | 1   | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 40.0  |
|          |       |         |        |     |     | Total Acres   | 280.0 |

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GRANDVIEW IRR. DIST.  
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C  
Decree Defendant

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   /   wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:                     

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Michael W. Row Date: 1-11-89

Date:                     

State of Idaho )  
County of TV ) SS.

Subscribed and sworn (or affirmed) before me this 11<sup>th</sup> day

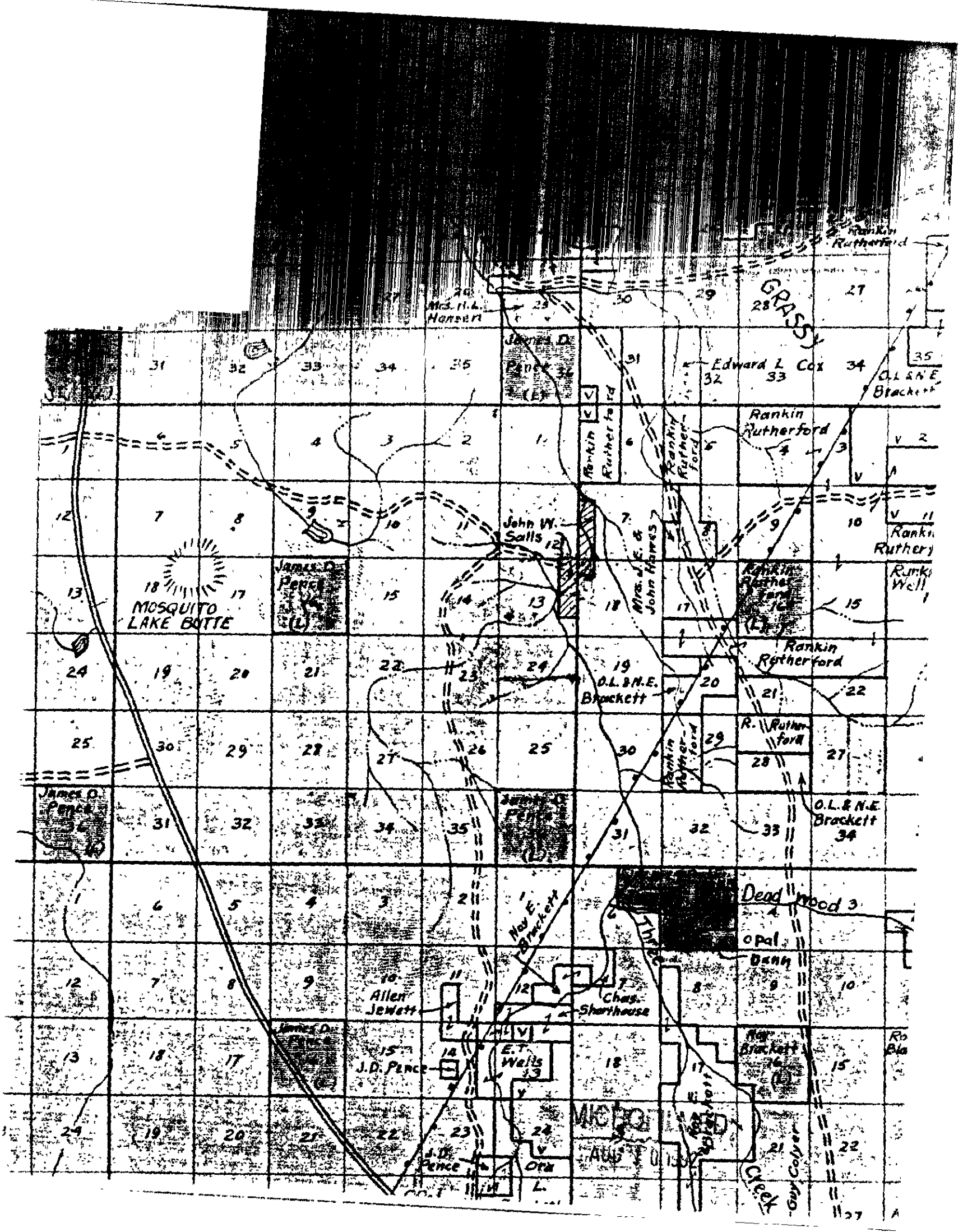
of Jan 19 89

Lori White  
Notary Public

Seal

Residing at TV

My Commission Expires 5/94



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JUL 11 2000

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

200 JUL 10 PM 3:01

DISTRICT COURT-SRBA  
FALLS 11-1900-0000

In Re SRBA

) Subcase 51-00136

Case No. 39576

) SPECIAL MASTER REPORT  
)  
)  
)

**Findings of Fact**

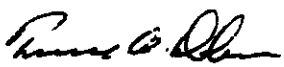
On November 24, 1998, the Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation and Other Uses, Reporting Area 6, Volume One (IDWR Basin 51)*. The Director recommended the claim to Brackett Ranches, Ltd., Flat Creek Ranch, c/o Bert Brackett, Rogerson, Idaho 83302, for 2 cfs from Clover Creek to irrigate 101.2 acres from April 1 to October 31 with a priority date of May 1, 1909, based on a decree.

The United States of America, Department of Interior, Bureau of Land Management, filed an *Objection* on March 31, 1999, objecting to place of use. However, on June 22, 2000, the claimant, the United States and IDWR filed a *Standard Form 5* agreeing to irrigation of 96.3 acres.

**Conclusions of Law**

Brackett Livestock, Inc., is entitled to a partial decree adjudicating a water right under claim 51-00136 as described in the *Standard Form 5* and the *Special Master Recommendation for Partial Decree for Water Right 51-00136*.

DATED July 10, 2000.

  
TERRENCE A. DOLAN  
Special Master  
Snake River Basin Adjudication

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JUL 11 2000

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

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 51-00136

200 JUL 10 PM 3:01

DISTRICT COURT-SRBA  
TWIN FALLS CO, IDAHO  
\_\_\_\_\_

NAME AND ADDRESS: BRACKETT RANCHES LTD  
FLAT CREEK RANCH  
ROGERSON, ID 83302

SOURCE: CLOVER CREEK TRIBUTARY: BRUNEAU RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/01/1909

POINT OF DIVERSION: T14S R10E S13 SUSESE Within Owyhee County  
R11E S07 NWSW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 2.00 CFS |

| PLACE OF USE: | Irrigation                                    | Within Owyhee County |
|---------------|-----------------------------------------------|----------------------|
|               | T14S R10E S13 NENE 3.3 SENE 19.0              |                      |
|               | NESE 14.0                                     |                      |
|               | R11E S07 LOT 02 (SNW) 16.0 LOT 03 (NWSW) 19.0 |                      |
|               | LOT 04 (SWW) 9.0                              |                      |
|               | S18 LOT 01 (NNW) 16.0                         |                      |
|               | 96.3 Acres Total                              |                      |

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. 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.

\_\_\_\_\_  
Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication

RECOMMENDATION

JUL 10 2000

\_\_\_\_\_

SPECIAL MASTER

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 51-00136

PAGE 1  
Jun-22-2000

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JUN 27 2000

WATER RESOURCES  
WESTERN REGION

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

)

Subcase 51-00136

)

(Insert Water Right Number)

)

Case 39576

)

STANDARD FORM 5

)

)

STIPULATED ELEMENTS OF A  
WATER RIGHT

)

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. 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 described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

Date: Feb 9, 2000

Brian H. Tompkins by Bart G. Gault  
(Claimant)

Larry C. Brown 6/21/00  
(Objector) FWP  
OF ATTORNEYS FOR THE UNITED STATES

Melinda Schulte 6-21-2000  
IDWR Concurrence

APPROVED AS TO FORM

Wick Spencer 6-21-00  
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: FEB-08-2000  
PAGE: A-1

RIGHTS FROM: SOURCE: CLOVER CREEK TRIBUTARY: BRUNEAU RIVER

RIGHT NUMBER: 51-00136

NAME AND ADDRESS: BRACKETT RANCHES LTD  
FLAT CREEK RANCH  
C/O BERT BRACKETT  
ROGERSON ID 83302

SOURCE: CLOVER CREEK

TRIBUTARY: BRUNEAU RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/01/1909

POINT OF DIVERSION: T14S R10E S13 SWSSE Within Owyhee County  
R11E S07 NWSWPURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
IRRIGATION 04-01 10-31 2.00 CFSPLACE OF USE: IRRIGATION Within Owyhee County  
T14S R10E S13 NENE 3.3 SENE 19 NESE 14  
R11E S07 Lot 2 (SWNW)16 Lot 3 (NWSW)19 Lot 4 (SWSW) 9  
S18 Lot 1 (NNWW)16  
R10E S12 SENE 2/7 NESE 1/9  
R11E S07 NWSW 0/2 SESW 0/2  
96.3 ACRES TOTAL  
10112 ACRES TOTAL

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
RIGHTS IN BASIN 51:WATER RIGHT NO. SOURCE  
NONE NONETHE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
RIGHTS IN THE SNAKE RIVER BASIN:WATER RIGHT NO. SOURCE  
NONE NONEALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES  
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED

IDAH0 DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-08-2000  
PAGE: A-2

-00136 (CONT.)

CONJUNCTIVELY.

PLANATORY MATERIAL: BASIS OF CLAIM - DECREE  
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO  
SECTION 42-1425, IDAH0 CODE.

BZ  
K  
MGA  
NBS  
Fwp

## CERTIFICATE OF MAILING

I certify that on 6-21, 2000, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 83720  
Boise, ID 83720-0098

IDWR Repository *by hand*  
P.O. Box 83720  
Boise, ID 83720-0098

BRACKETT LIVESTOCK, Inc. *by hand*

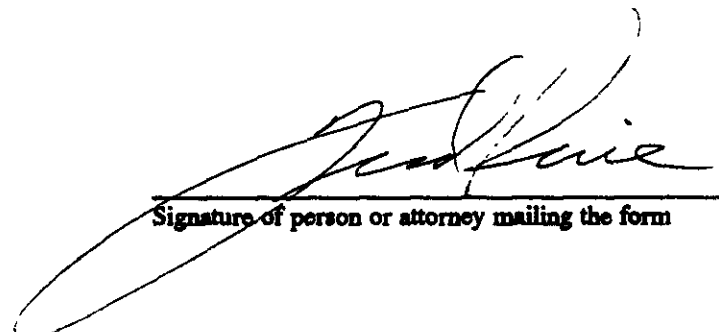
FLAT CREEK RANCH

ROGERSON, ID. 83302

CRAIG A. PRIDGEN *by hand*  
MCQUAID, METZLER, ET. AL.

221 MAIN ST., 16TH FLOOR

SAN FRANCISCO, CA. 94105

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

RECEIVED

APR 01 1999

Department of Water Resources

RECEIVED

JUN 23 2000

WATER RESOURCES  
WESTERN REGION

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

A. Subcase 51-00136

(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,  
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way  
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice: Environment and Natural Resource Division: General Litigation Section  
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Brackett Ranches, Ltd.; c/o Bert Brackett

Address: Flat Creek Ranch Rogerson, ID. 83302

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please

check the appropriate box(es)).

1. ☐ Name and Address Should be: \_\_\_\_\_

2. ☐ Source Should be: \_\_\_\_\_

3. ☐ Quantity Should be: \_\_\_\_\_

4. ☐ Priority Date Should be: \_\_\_\_\_

5. ☐ Point(s) of Diversion Should be: \_\_\_\_\_

6. ☐ Instream Flow Description Should be: \_\_\_\_\_

7. ☐ Purpose(s) of Use Should be: \_\_\_\_\_

8. ☐ Period of Year Should be: \_\_\_\_\_

9. ☒ Place of Use Should be: \_\_\_\_\_  
See attached

11. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

**VERIFICATION (Must be Completed)**

State of Idaho )

) ss.

County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price  
(Signature of person filing objection)

Larry C. Brown  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: Jan. 29, 1999

John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on MAR 31 1999, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

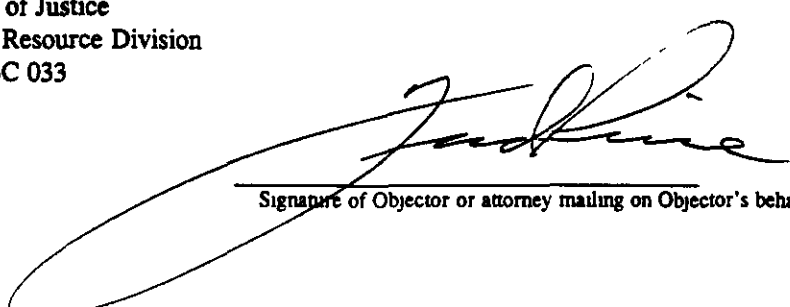
Name: Brackett Ranches, Ltd.; c/o Bert Brackett  
Address: Flat Creek Ranch Rogerson, ID. 83302  
Name:  
Address:  
Name:  
Address:  
Name:  
Address:

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

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

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-20-1999  
PAGE: A-265

-----  
 RIGHTS FROM: SOURCE: CLOVER CREEK TRIBUTARY: BRUNEAU RIVER  
 -----  
 RIGHT NUMBER: 51-00136  
 -----  
 NAME & ADDRESS: BRACKETT RANCHES LTD  
 FLAT CREEK RANCH  
 C/O BERT BRACKETT  
 ROGERSON ID 83302  
 -----  
 SOURCE: CLOVER CREEK TRIBUTARY: BRUNEAU RIVER  
 QUANTITY: 2.00 CFS  
 PRIORITY DATE: 05/01/1909  
 POINT OF DIVERSION: T14S R10E S13 SWSSE BLM Within Owyhee County  
 R11E S07 NWSW  
 PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
 IRRIGATION 04-01 10-31 2.00 CFS  
 PLACE OF USE: IRRIGATION Within Owyhee County  
 T14S R12E S12 SENE 2.7 BLM NESE 1.9 BLM  
 S13 NENE 3.3 SENE 19 NESE 14  
 R11E S07 Lot 2 (SNNW)16 NESW 0.1 BLM Lot 3 (NWSW)19 Lot 4 (SWSW) 9  
 S18 Lot 1 (NWNW)16  
 101.2 ACRES TOTAL

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
 IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
 RIGHTS IN BASIN 51:

|                 |        |
|-----------------|--------|
| WATER RIGHT NO. | SOURCE |
| NONE            | NONE   |

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
 IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
 RIGHTS IN THE SNAKE RIVER BASIN:

|                 |        |
|-----------------|--------|
| WATER RIGHT NO. | SOURCE |
| NONE            | NONE   |

ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES  
 OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED  
 CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

AJ5856NP

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

DATE: NOV-20-1999  
PAGE: A-266

-----  
RIGHTS FROM: SOURCE: CLOVER CREEK TRIBUTARY: BRUNEAU RIVER  
-----

RIGHT NUMBER: 51-00136 (CONT)

EXPLANATORY MATERIAL: (CONT)

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO  
SECTION 42-1425, IDAHO CODE.

AJ5856NP

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

DATE: NOV-20-1998  
PAGE: A-265

RIGHTS FROM: SOURCE: CLOVER CREEK TRIBUTARY: BRUNEAU RIVER

RIGHT NUMBER: 51-00136

NAME & ADDRESS: BRACKETT RANCHES LTD  
FLAT CREEK RANCH  
C/O BERT BRACKETT  
ROGERSON ID 83302

SOURCE: CLOVER CREEK

TRIBUTARY: BRUNEAU RIVER

QUANTITY: 2.00 CFS ?

PRIORITY DATE: 05/01/1909

POINT OF DIVERSION: T14S R10E S13  
R11E S07

SWSESE BLM  
NWSW

Within Owyhee County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04-01 10-31

QUANTITY  
2.00 CFS

1.93 ?

PLACE OF USE: IRRIGATION  
T14S R10E S12  
S13  
R11E S07  
S18  
-101.2 ACRES TOTAL  
96.3

Within Owyhee County

~~SENE 2.7 BLM~~  
NENE 3.3  
(SWNW) 16  
~~SENE 0.2 BLM~~  
(NNWN) 16

~~SENE 1.0 BLM~~  
SENE 19  
~~SENE 0.1 BLM~~

NESE 14  
(NWSW) 19

Lot 4 (SWSW) 9

Delete 4.9 acres  
NO TRANSFER

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
RIGHTS IN BASIN 51:

WATER RIGHT NO. SOURCE  
NONE NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO. SOURCE  
NONE NONE

ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES  
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED  
CONJUNCTIVELY.

2.7  
1.9  
.2  
.1  
4.9 acres  
86.2  
- 4.9  
96.3

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

AJ5856NP

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

DATE: NOV-20-1993  
PAGE: A-266

|               |                      |                          |
|---------------|----------------------|--------------------------|
| RIGHTS FROM:  | SOURCE: CLOVER CREEK | TRIBUTARY: BRUNEAU RIVER |
| RIGHT NUMBER: | 51-00136             | (CONT)                   |

EXPLANATORY MATERIAL: (CONT)

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO  
SECTION 42-1428, IDAHO CODE.

AJ0749NP  
No. R51-00136

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 02/08/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                                       | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | BRACKETT RANCHES LTD<br>FLAT CREEK RANCH<br>C/O BERT BRACKETT<br>ROGERSON ID 83302<br>(208) 857-2217 | 05/01/1909       | IRRIGATION | 04-01 10-31           | 2.000 CFS         |                     |
| TOTAL DIVERSION: |                                                                                                      |                  |            |                       | 2.000 CFS         |                     |

Water Source: CLOVER CREEK

Tributary to: BRUNEAU RIVER

Stage: DECREED

Point(s) of Diversion: T14S R10E S13  
R11E S07

OSWNEE County  
OSWNEE County

| Place of Use Legal Description for:               | NE | NW    | SW          | SE | SUM  |
|---------------------------------------------------|----|-------|-------------|----|------|
| 1 R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac | 19 | 02-16 | 03-19 04-09 | 14 | 36.3 |
| 14S 10E 13 :                                      | 03 |       |             |    | 44.0 |
| 14S 11E 7 :                                       |    |       |             |    | 16.0 |
| 14S 11E 18 :                                      |    |       |             |    | 96.3 |
| TOTAL ACRES                                       |    |       |             |    |      |

POU County: OSWNEE

Other Rights: NONE

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C14 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 51:
  - WATER RIGHT NO. SOURCE
  - NONE
  - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:
    - WATER RIGHT NO. SOURCE
    - NONE
    - ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: C  
Presumption Flag:

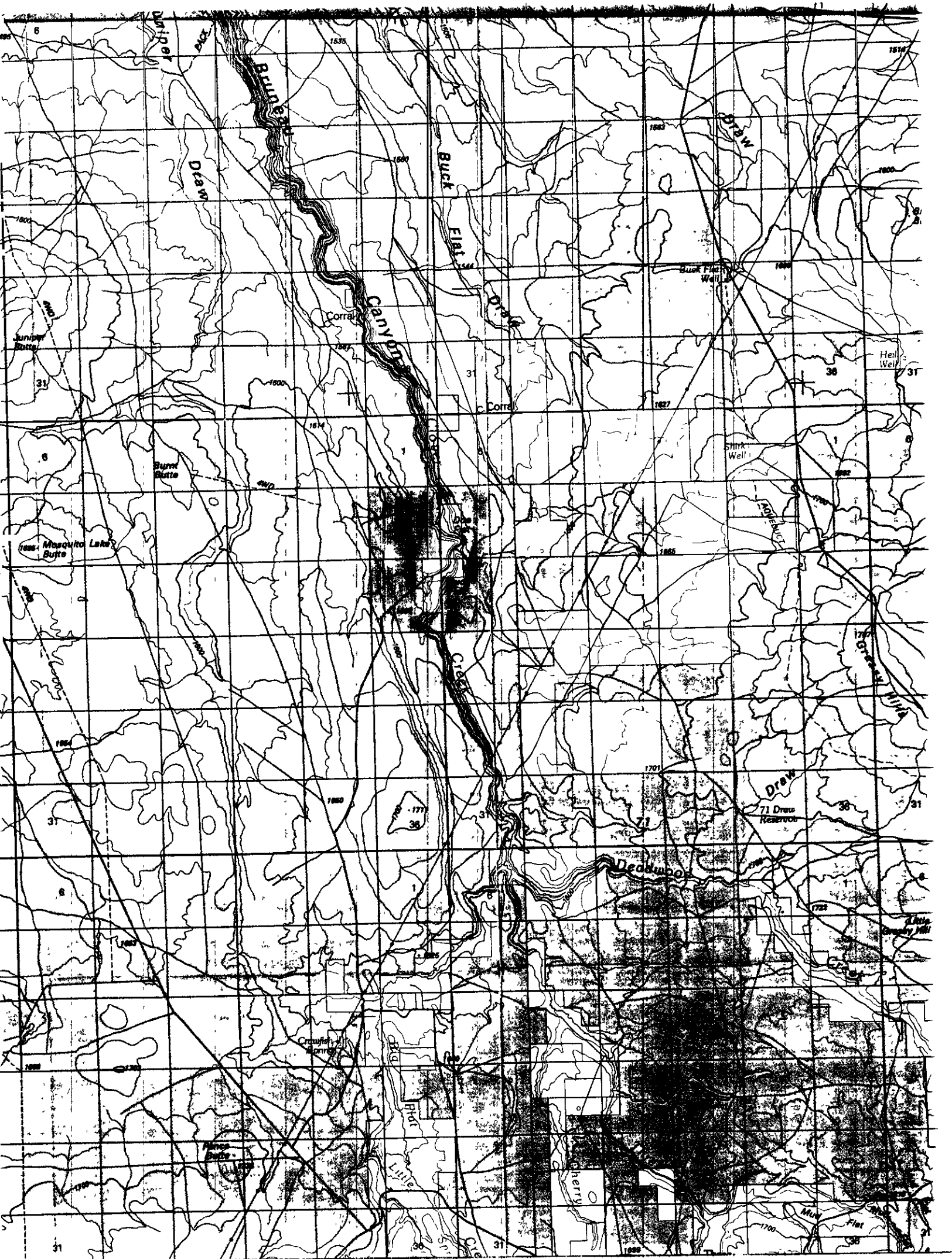
AJ0749NP  
No. R51-00136

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 02/08/00  
PAGE: 2

Comments: Date: 05/20/1998 User-ID: KVALKER Subject: COPIED FROM REMARKS  
OWNERSHIP CHANGED BY KW 3/30/95.  
Date: 07/30/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE  
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART  
OF RECORD THRU AJU10.

Audit: 02/08/00 MSCHULTE





AJ5809NP  
No. 51-00136

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/08/00  
PAGE: 3

OWNER CODE NAME & ADDRESS  
C BRACKETT RANCHES LTD  
FLAT CREEK RANCH  
C/O BERT BRACKETT  
ROGERSON ID 83302  
(208) 857-2217

Water Source: CLOVER CREEK Tributary to: BRUNEAU RIVER Stage: DECREED

Point(s) of Diversion: T14S R10E S13 SENSE  
R11E S07 WSW Owyhee County  
Owyhee County

| Place of use Legal Description for: IRRIGATION |    |    |    |    |    |    |    |    |       |
|------------------------------------------------|----|----|----|----|----|----|----|----|-------|
| NE                                             |    |    |    |    | SW |    |    |    |       |
| T                                              | R  | S  | NE | SE | NE | SW | SE | SW | SE    |
| Lt                                             | Ac | Lt | Ac | Lt | Lt | Ac | Lt | Lt | Ac    |
| 14S 10E 12                                     | :  | :  | 19 | :  | :  | :  | 14 | :  | 4.6   |
| 14S 10E 13                                     | :  | :  | :  | :  | :  | :  | :  | :  | 36.3  |
| 14S 11E 7                                      | :  | :  | :  | :  | :  | :  | :  | :  | 44.3  |
| 14S 11E 18                                     | :  | :  | :  | :  | :  | :  | :  | :  | 16.0  |
| TOTAL ACRES                                    |    |    |    |    |    |    |    |    | 101.2 |

96.3

POU County: Owyhee

Other Rights: NONE

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C14 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 51:
  - WATER RIGHT NO. SOURCE NONE
  - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:
    - WATER RIGHT NO. SOURCE NONE
    - ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Dates: Exam Made Date: 09/29/1993 Verified Date: 06/22/1998 Objection Filed Date: 03/31/1999

Misc: Water District Number: Field Inspection Flag: C  
Presumption Flag:

AJ5809NP  
No. 51-00136

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/08/00  
PAGE: 6

Comments: Date: 05/20/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS  
OWNERSHIP CHANGED BY KW 3/30/95.

Date: 07/30/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE  
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART  
OF RECORD THRU AJU10.

Audit: 05/20/98 KWALKER 05/22/98 KWALKER 06/22/98 KWALKER 07/30/98 AJU10-JS  
11/19/98 KWALKER 11/25/98 ADT-DSHA 04/02/99 UPD-SEGB

AJ0749WP  
No. 851-00136

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 06/22/98  
PAGE: 1

OWNER CODE: C  
NAME & ADDRESS: BRACKETT RANCHES LTD  
FLAT CREEK RANCH  
C/O BERT BRACKETT  
ROGERSON ID 83302  
(208) 857-2217

PRIORITY DATE: 05/01/1909  
WATER USE: IRRIGATION  
USE PERIOD FROM TO: 04-01 10-31  
DIVERSION RATE: 2.00 CFS  
DIVERSION VOLUME: 2.00 CFS  
TOTAL DIVERSION: 2.00 CFS

Water Source: CLOVER CREEK  
Tributary to: BRUNEAU RIVER  
Stage: DECREED  
Point(s) of Diversion: T14S R10E S13  
R11E S07  
SUSSE  
NMSW  
OWNEE County  
OWNEE County

Place of use Legal Description for: IRRIGATION

| NE          |     | NW |    | SW |    | SE    |       | SUM |       |
|-------------|-----|----|----|----|----|-------|-------|-----|-------|
| T           | R S | Lt | Ac | Lt | Ac | Lt    | Ac    | Lt  | Ac    |
| 14S 10E 12  | :   | :  | 02 | :  | :  | :     | :     | :   | 4.6   |
| 14S 10E 13  | :   | :  | 19 | :  | :  | :     | :     | :   | 36.3  |
| 14S 11E 7   | :   | :  | :  | :  | .1 | 03-19 | 04-09 | .2  | 44.3  |
| 14S 11E 18  | :   | :  | :  | :  | :  | :     | :     | :   | 16.0  |
| TOTAL ACRES |     |    |    |    |    |       |       |     | 101.2 |

POU County: OWNEE  
Other Rights: NONE  
Other Water Rights Listing Overlapping Place(s) of Use: AS1-00136

Conditions of Approval:  
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO  
- SECTION 42-1425, IDAHO CODE.

Dates: Exam Made Date: 09/29/1993 Verified Date: 06/22/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: C  
Presumption Flag:

Comments: Date: 05/20/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS  
OWNERSHIP CHANGED BY KW 3/30/95.

Audit: 06/22/98 KWALKER

AJ0749NP  
No. R51-00136

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 05/22/98  
PAGE: 1

OWNER CODE NAME & ADDRESS  
C BRACKETT RANCHES LTD  
FLAT CREEK RANCH  
C/O BERT BRACKETT  
ROGERSON ID 83302  
(208) 857-2217

Water Source: CLOVER CREEK Tributary to: BRUNEAU RIVER Stage: DECREED

Point(s) of Diversion: T14S R10E S13  
R11E S07

SUSESE  
MUSW

Place of Use Legal Description for: IRRIGATION

| NE  |     | NW |    | SW |    | SE |       | SUM |    |    |    |    |    |       |       |    |    |    |             |       |     |      |
|-----|-----|----|----|----|----|----|-------|-----|----|----|----|----|----|-------|-------|----|----|----|-------------|-------|-----|------|
| T   | R   | S  | Lt | Ac | Lt | Ac | Lt    | Ac  | Lt | Ac | Lt | Ac | Lt | Ac    | Lt    | Ac | Lt | Ac | Lt          | Ac    | SUM |      |
| 14S | 10E | 12 | :  | :  | 02 | :  | :     | :   | :  | 01 | :  | :  | :  | :     | :     | :  | :  | :  | :           | :     | :   | 4.6  |
| 14S | 10E | 13 | :  | :  | 19 | :  | :     | :   | :  | 14 | :  | :  | :  | :     | :     | :  | :  | :  | :           | :     | :   | 36.3 |
| 14S | 11E | 7  | :  | :  | :  | :  | 02-16 | :   | :  | :  | :  | :  | .1 | 03-19 | 04-09 | .2 | :  | :  | :           | :     | :   | 44.3 |
| 14S | 11E | 18 | :  | :  | :  | :  | 01-16 | :   | :  | :  | :  | :  | :  | :     | :     | :  | :  | :  | :           | :     | :   | 16.0 |
|     |     |    |    |    |    |    |       |     |    |    |    |    |    |       |       |    |    |    | TOTAL ACRES | 101.2 |     |      |

POU County: OMYHEE

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:  
A51-00136

Conditions of Approval:  
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO  
- SECTION 42-1425, IDAHO CODE.

Dates: Exam Made Date: 09/29/1993 Verified Date: 05/22/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: C  
Presumption Flag:

Comments: Date: 05/20/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS  
OWNERSHIP CHANGED BY KW 3/30/95.

Audit: 05/22/98 KWALKER

August 4, 1998

**NOTICE OF ERROR  
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 4, 1998**

Water right number: 51-00136

BRACKETT RANCHES LTD  
FLAT CREEK RANCH  
C/O BERT BRACKETT  
ROGERSON ID 83302

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
  
  
  
  
  
  
  
  
  
  
2. Describe the changes you wish to make in the proposed recommendation:
  
  
  
  
  
  
  
  
  
  
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation; no changes need to be made.

DATE: 8-20-98 SIGNATURE: Bert Brackett  
Please print your name: Bert Brackett

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705-5082, (208) 334-2190

# WESTERN REGION

CLAIM NUMBERS 51-00136

AGENT Kay DATE 6-8-98

TOTAL ACRES FROM RECOMMENDATION \_\_\_\_\_

GEOGRAPHIC INFO SYSTEM ACRES \_\_\_\_\_

READY FOR DECREE \_\_\_\_\_ (YES) SENT FOR DECREE \_\_\_\_\_ (YES)

| RIGHT<br>NO |     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-------------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|             | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| RECOM       |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| GIS         |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| RECOM       |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| GIS         |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

POLYGON CREATED ON 80 4

POLYGON # ( ) ( ) ( ) ( ) \_\_\_\_\_ UPDATED BY

ATTRIBUTES OF B51-POU.SHP ( 59 ) ( ) ( ) ( ) ( )

ATTRIBUTES OF B51-POD.SHP ( 64 ) ( 65 ) ( ) ( ) ( )

B51-DBPOU.DBF \_\_\_\_\_ UPDATED BY

B51-DBPOD.DBF \_\_\_\_\_ UPDATED BY

updated to mother 6/8/98

**IDAHO DEPARTMENT  
OF WATER RESOURCES**

**T14S, R10E & R11E**

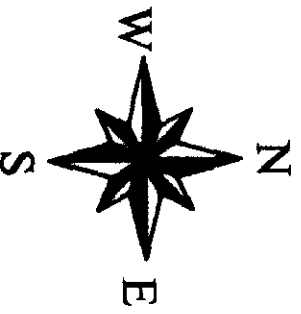
☒ **Section Lines**

☐ **PLACE OF USE**

☐ **1/4 1/4 Lines**

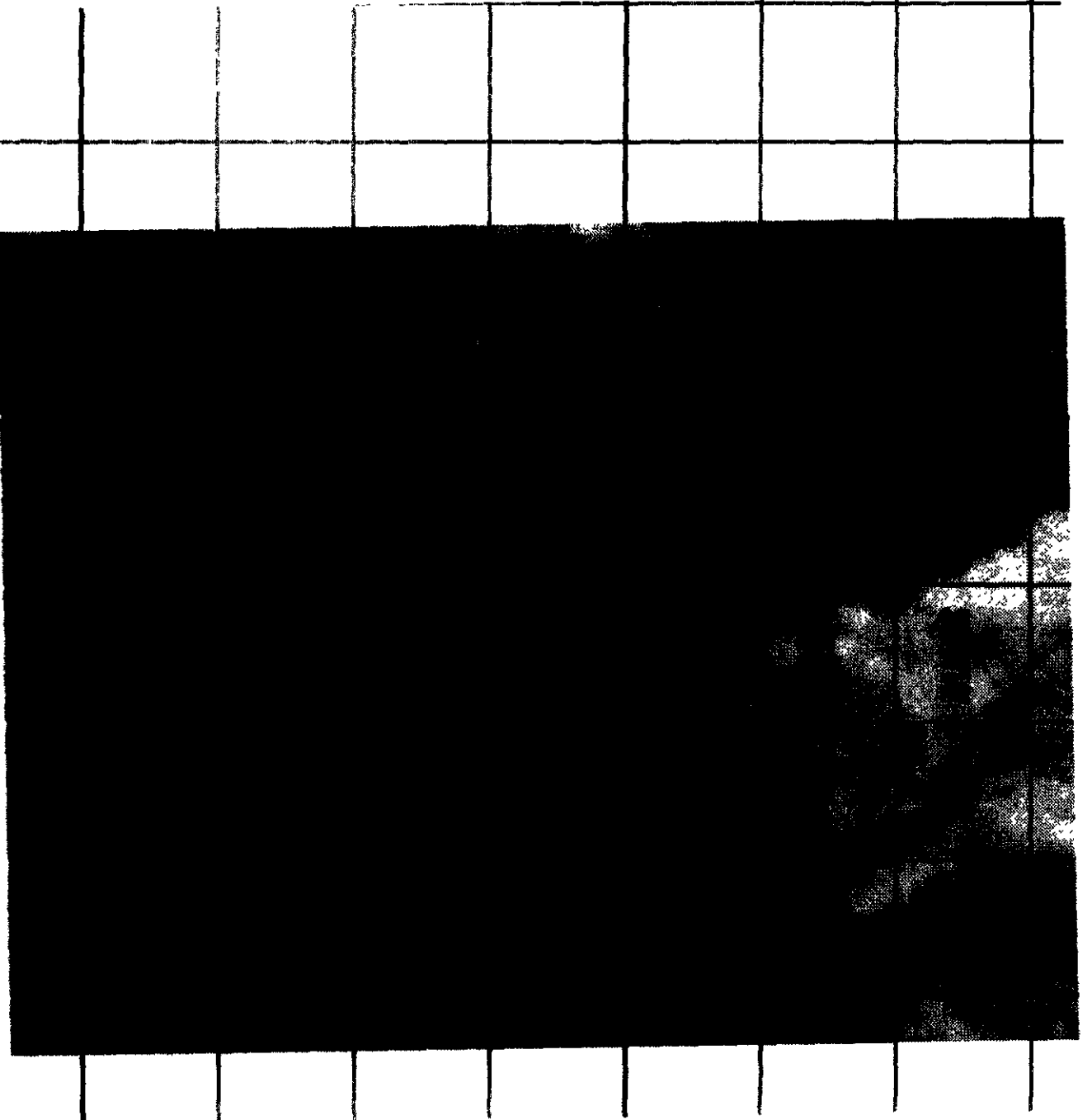
● **POINT(S) OF DIVERSION**

**Claim(s): 51-00136**  
**Owner(s): BRACKETT**  
**Prepared by: KAY WALKER**  
**Date: 5/20/1998**



1987 NAPP

0 0.25 0.5 0.75 1 1.25 Miles



10E

11E

GL2

16.0 ✓

✓ 2.7

GL3

19.0 ✓

✓ 1.9

0.1 ✓

GL4

9.0 ✓

0.2 ✓

12

7

13

18

GL1

✓

✓ 3.3

16.0

19 ✓

✓ 14.6

14S



no goat  
lots

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

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09/19/96  
17

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PROFILE REPORT

CLAIM NUMBER: A51-00136

| OWNER CODE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | NAME & ADDRESS       | PRIORITY DATE | WATER USE  | USE PERIOD FROM TO | DIVERSION RATE | DIVERSION VOLUME |      |       |    |  |    |  |    |  |     |    |    |    |    |    |    |    |    |             |        |             |      |             |      |             |      |       |             |      |             |      |             |      |             |      |       |             |  |  |  |  |  |  |  |       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|---------------|------------|--------------------|----------------|------------------|------|-------|----|--|----|--|----|--|-----|----|----|----|----|----|----|----|----|-------------|--------|-------------|------|-------------|------|-------------|------|-------|-------------|------|-------------|------|-------------|------|-------------|------|-------|-------------|--|--|--|--|--|--|--|-------|
| C                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | BRACKETT RANCHES LTD | 05/01/1909    | IRRIGATION | 04-15 10-15        | 2.00 CFS       | ✓                |      |       |    |  |    |  |    |  |     |    |    |    |    |    |    |    |    |             |        |             |      |             |      |             |      |       |             |      |             |      |             |      |             |      |       |             |  |  |  |  |  |  |  |       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                      |               |            | TOTAL DIVERSION:   |                | 2.00 CFS         |      |       |    |  |    |  |    |  |     |    |    |    |    |    |    |    |    |             |        |             |      |             |      |             |      |       |             |      |             |      |             |      |             |      |       |             |  |  |  |  |  |  |  |       |
| <p>Water Source: <u>Bruneau River</u> Tributary to: <u>BRUNEAU RIVER</u> Stage: <u>DECREED</u></p> <p>Point(s) of Diversion: <u>14S 11E S7 NWSW</u> <u>SESE</u> <u>SW</u> <u>SE</u></p> <p>Place of use Legal Description for: <u>IRRIGATION</u></p> <table border="1"> <thead> <tr> <th colspan="2">NE</th> <th colspan="2">NW</th> <th colspan="2">SW</th> <th colspan="2">SE</th> <th rowspan="2">SUM</th> </tr> <tr> <th>NE</th> <th>SW</th> <th>NE</th> <th>SW</th> <th>NE</th> <th>SW</th> <th>NE</th> <th>SW</th> </tr> </thead> <tbody> <tr> <td>14S 10E 13A</td> <td>40 3.3</td> <td>14S 11E 18A</td> <td>19.0</td> <td>14S 11E 18A</td> <td>19.0</td> <td>14S 11E 18A</td> <td>19.0</td> <td>120.0</td> </tr> <tr> <td>14S 11E 18A</td> <td>19.0</td> <td>14S 11E 18A</td> <td>19.0</td> <td>14S 11E 18A</td> <td>19.0</td> <td>14S 11E 18A</td> <td>19.0</td> <td>480.0</td> </tr> <tr> <td colspan="8">TOTAL ACRES</td> <td>120.0</td> </tr> </tbody> </table> |                      |               |            |                    |                |                  | NE   |       | NW |  | SW |  | SE |  | SUM | NE | SW | NE | SW | NE | SW | NE | SW | 14S 10E 13A | 40 3.3 | 14S 11E 18A | 19.0 | 14S 11E 18A | 19.0 | 14S 11E 18A | 19.0 | 120.0 | 14S 11E 18A | 19.0 | 14S 11E 18A | 19.0 | 14S 11E 18A | 19.0 | 14S 11E 18A | 19.0 | 480.0 | TOTAL ACRES |  |  |  |  |  |  |  | 120.0 |
| NE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                      | NW            |            | SW                 |                | SE               |      | SUM   |    |  |    |  |    |  |     |    |    |    |    |    |    |    |    |             |        |             |      |             |      |             |      |       |             |      |             |      |             |      |             |      |       |             |  |  |  |  |  |  |  |       |
| NE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SW                   | NE            | SW         | NE                 | SW             | NE               | SW   |       |    |  |    |  |    |  |     |    |    |    |    |    |    |    |    |             |        |             |      |             |      |             |      |       |             |      |             |      |             |      |             |      |       |             |  |  |  |  |  |  |  |       |
| 14S 10E 13A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 40 3.3               | 14S 11E 18A   | 19.0       | 14S 11E 18A        | 19.0           | 14S 11E 18A      | 19.0 | 120.0 |    |  |    |  |    |  |     |    |    |    |    |    |    |    |    |             |        |             |      |             |      |             |      |       |             |      |             |      |             |      |             |      |       |             |  |  |  |  |  |  |  |       |
| 14S 11E 18A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 19.0                 | 14S 11E 18A   | 19.0       | 14S 11E 18A        | 19.0           | 14S 11E 18A      | 19.0 | 480.0 |    |  |    |  |    |  |     |    |    |    |    |    |    |    |    |             |        |             |      |             |      |             |      |       |             |      |             |      |             |      |             |      |       |             |  |  |  |  |  |  |  |       |
| TOTAL ACRES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                      |               |            |                    |                |                  |      | 120.0 |    |  |    |  |    |  |     |    |    |    |    |    |    |    |    |             |        |             |      |             |      |             |      |       |             |      |             |      |             |      |             |      |       |             |  |  |  |  |  |  |  |       |

Lots Without 1/4 1/4 Description: IRRIGATION

14S 11E 7 02-68 03-68 04-68  
16 19 9

POU County: OMYHEE

Other Rights: NONE

Remarks: GEN OWNERSHIP CHANGED BY KU 3/30/95. comments  
 Dates: Exam Made Date: 9/29/93 Verified Date: 9/29/93 Objection Filed Date:  
 Misc: Water District Number: Field Inspection Flag: Presumption Flag:

No Gov't data 14S-10E - Sec. 13 or Sec 12

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

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QUICKLOOK INFORMATION

16  
CLAIM NUMBER: A51-00136

| WR ELEMENT             | DATA DISCREPANCY Y/N | CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE | FIELD EXAM BY WHOM/DATE | CHANGE CLAIM Y/N | ELEMENT DOCUMENTED WHOM/DATE | COMPLETED REVIEW WHOM/DATE | COMPLETED DATA ENTRY WHOM/DATE | VERIFIED DATE WHOM/DATE |
|------------------------|----------------------|-------------------------------------------|-------------------------|------------------|------------------------------|----------------------------|--------------------------------|-------------------------|
| PRIORITY DATE          |                      |                                           |                         |                  |                              |                            |                                |                         |
| POINT OF DIV           | Y                    |                                           |                         |                  |                              |                            |                                |                         |
| SOURCE                 |                      |                                           |                         |                  |                              |                            |                                |                         |
| PLACE OF USE           | Y                    |                                           |                         |                  |                              |                            |                                |                         |
| DIV. AMOUNT CFS/VOLUME | Y                    |                                           |                         |                  |                              |                            |                                |                         |
| CONSUMPTIVE USE        | -                    |                                           |                         |                  |                              |                            |                                |                         |
| PURPOSES OF USE        | Y                    |                                           |                         |                  |                              |                            |                                |                         |
| PERIOD OF USE          | Y                    |                                           |                         |                  |                              |                            |                                |                         |
| BASIS OF CLAIM         |                      |                                           |                         |                  |                              |                            |                                |                         |
| REMARKS                | Y                    |                                           |                         |                  |                              |                            |                                |                         |

BARCODE UPDATED  
WHOM/DATE

P/D not specified in decree -

Expanded acreage from 100 (~~or 108.75~~) to 280 acres

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

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09/19/96

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A51-00136

LAST: ROW  
ADDRESS: ROGERSON  
CITY: ID STATE: ID ZIP: 83302  
PHONE NUMBER: 208-857-2232

OWNER CODE: 0

✓ LAST: BRACKETT RANCHES LTD  
ADDRESS: FLAT CREEK RANCH  
CITY: ROGERSON  
PHONE NUMBER: 208-857-2217

OWNER CODE: C

LAST: ROW  
ADDRESS: ROGERSON  
CITY: ID STATE: ID ZIP: 83302  
PHONE NUMBER: 208-857-2232

OWNER CODE: 0

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: GEN OWNERSHIP CHANGED BY KW 3/30/95.

DATABASE

Y

FIELD

EXAMINER

Y(✓) N( )

CONTACT PERSON: \_\_\_\_\_ PHONE NUMBER: ( ) - -  
DATE OF FIELD EXAM: \_\_/\_\_/\_\_ APPOINTMENT MADE: Y( ) N( ) TIME: : A( ) P( )  
ACCOMPANIED BY: \_\_\_\_\_ PHONE NUMBER: ( ) - -  
RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / NOTES:

*Linda Undermon met with Neale Bow  
on 9-29-93 and conducted exam -  
See conversation memo below CVR*

A. AJ CLAIM: # A51-00136 PRIORITY DATE: 05-01-1909 STAGE: D  
B. WR RECORD: # 51-00136 PRIORITY DATE: 05-01-1909 STAGE: D  
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?  
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?  
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?  
(IF YES, DESCRIBE BELOW)

Y(✓) N( )  
Y( ) N(✓)  
Y( ) N(✓)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

N/A( ) Y( ) N( )  
N/A( ) Y( ) N( )  
N/A( ) Y( ) N( )  
N/A( ) Y( ) N( )

\* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,  
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE  
OF THE PRIORITY DATE REQUIRED?

N/A(✓) Y( ) N( )

\* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,  
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(✓) N( )

NOTES:

RECOMMENDED PRIORITY DATE:

05-01-1909

REVIEWED BY

DATE

10-16-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. RGE. | SEC. | 1/4 | 1/4  | 1/4 | POD<br>LOT FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|-----------|------|-----|------|-----|-----------------|--------|----------------|------------------|
| A51-00136 | 14S       | 11E  | 13  | 36.1 | SE  | SE              | OMYHEE |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX  
NONE

WR RECORDS IN SAME 40 ACRE TRACT  
NONE

SOURCE: BRUNEAU RIVER, EAST FORK

TRIB: BRUNEAU RIVER

B. WR POINT OF DIVERSION AND SOURCE:

5100136 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

TRIB: BRUNEAU RIVER

SOURCE: Clover Creek

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A ☒ Y ☐ N ☐

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A ☐ Y ☐ N ☒

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y ☒ N ☐

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A ☐ Y ☐ N ☒

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y ☒ N ☐

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y ☒ N ☐

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM) 9-29-93 NAME OF EXAMINER Linda Werner

OTHER (DESCRIBE IN NOTES BELOW)

See copy of decree attached to CVR-

no change in source - just clarification per topographical map. DD17

**NOTES:**

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ( )  

DOO

[illegible]

~~SOURCE: BRUNEAU RIVER, EAST FORK~~      ~~TRIB: BRUNEAU RIVER~~

~~BRUNEAU RIVER, EAST FORK~~  
Clover Creek

**REVIEWED BY:**

DATE: 10/21/96

SYSTEM DESCRIPTION: DESCRIBED BELOW ( ), SEE LICENSE FILE ( ), OR SEE ATTACHMENT ( )

A. ROOT WATER RIGHT NUMBERS: A51-00136

| B. POU LISTING |     |     |     |     | AJ<br>#/ACRES                          | WR<br>#/ACRES    | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|----------------|-----|-----|-----|-----|----------------------------------------|------------------|-----------------|----------------|------------------|
| TWP            | RNG | SEC | 1/4 | LOT | NAME                                   |                  |                 |                |                  |
| 14S            | 10E | 13  | NE  | NE  | BRACKETT RANCHES LTD                   | A51-00136 / 40.0 | 51-00136 /      | 9.0            | 3.3              |
| 14S            | 10E | 13  | SE  | NE  | BRACKETT RANCHES LTD                   | A51-00136 / 40.0 | 51-00136 /      | 20.0           | 19.0             |
| 14S            | 10E | 13  | NE  | SE  | BRACKETT RANCHES LTD                   | A51-00136 / 40.0 | 51-00136 /      | 16.0           | 14.0             |
| 14S            | 11E | 7   | S   | NW  | 2 BRACKETT RANCHES LTD                 | A51-00136 / 40.0 | - /             | 13.0           | 16.0             |
| 14S            | 11E | 7   | N   | WSW | 3 BRACKETT RANCHES LTD                 | A51-00136 / 40.0 | - /             | 23.0           | 19.0             |
| 14S            | 11E | 7   | S   | WSW | 4 BRACKETT RANCHES LTD                 | A51-00136 / 40.0 | - /             | 13.0           | 9.0              |
| 14S            | 11E | 18  | NW  | NW  | 1 BRACKETT RANCHES LTD<br>WALSH, W. R. | A51-00136 / 40.0 | 51-00136 /      | 14.0           | 18.0             |

ADDITIONAL POU FOUND

14S 10E 12 SENE 2.7  
NESE 1.9  
14S 11E 7 NESW 0.1  
SESW 0.2

TOTAL ACRES A51-00136 280.00 108.00 101.2

POU COUNTY: OMYHEE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

\* IF YES, ARE THESE TRACTS LISTED ABOVE (✓), OR ARE THEY LISTED ON AN ATTACHED SHEET ( )

Y(✓) N( )

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE ✓

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION ✓

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

\* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

Y( ) N(✓)

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A( ) Y( ) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A( ) Y( ) N( )

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y( ) N( )

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y( ) N( )

CHECK DOCUMENTS USED TO VERIFY POB:

☒ ORTHOPHOTOQUAD, IDMR NO. DD17; ☒ TOPOGRAPHIC QUAD, IDMR NO. DD17;  
☒ MAP, IDMR NO. DD17 NW; ☒ Aerial Photo; ( ) OTHER \_\_\_\_\_

NOTES:

Place of use decreed for 100 acres  
in a portion of the recommended place  
of use. Add "C05" to recommendation.  
OK to allow 101.2 acres as found  
on C05 shape file - less than 5%  
increase - no ~~exp~~ enlargement claim  
requested.

RECOMMENDATIONS:

TOTAL ACRES: 101.2 N/A ( )

REVIEWED BY: fw DATE: 5/20/98

## A. AJ CLAIMED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A51-00136 IRRIGATION        | FROM 04-15 TO 10-15       | 2.000 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 2.000 CFS              |                        |

## B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 51-00136 IRRIGATION         | FROM TO                   | 2.000 CFS              |                        |
| 51-00136 STOCKWATER         | FROM TO                   |                        |                        |
| 51-00136 DOMESTIC           | FROM TO                   |                        |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 2.000 CFS              |                        |

## C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(✓) N( )

## D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A( ) Y(✓) N( )

\* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

## E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(✓) N( )

## F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDMR STANDARDS?

Y(✓) N( )

## G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDMR STANDARDS?

Y(✓) N( )

\* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDMR STANDARDS, EXPLAIN IN NOTES BELOW.

## H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A( ) Y(✓) N( )

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

## I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A( ) Y( ) N(✓)

## J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(✓) Y( ) N( )

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

## K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(✓) Y( ) N( )

NOTES:

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AJ CLAIM TOTAL DIVERSION RATE: 2.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

\* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

\* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

FLOW MEASUREMENT

MEASUREMENT METHOD none, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES 104.2 x 0.02 CFS/ACRE = 2.08 CFS  
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y( ) N( )

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( )

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/A

ACRES        x DIVERSION VOL. AF/A FOR AREA        =

TOTAL DIVERSION VOLUME        AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = N/A AF/A

ACRES        x CONSUMPTIVE VOL. AF/A FOR AREA        =

TOTAL CONSUMPTIVE USE        AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW ( ) OR SEE ATTACHMENT ( )

N/A

1b. CALCULATIONS

allow 2.0 cfs  
as decreed

N/A( ) Y( ) N( )  
N/A( ) Y( ) N( )  
Decreed amount

Y( ) N( )

Y( ) N( )



| RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (✓) |                        |                            |                       |                          |  |  |  |  |  |
|-----------------------------------------------------------|------------------------|----------------------------|-----------------------|--------------------------|--|--|--|--|--|
| REC.<br>PURPOSE OF USE                                    | REC. PERIOD<br>FROM TO | REC. DIV<br>RATE CFS       | REC. DIV<br>VOL. AF/A | REC. CONS.<br>USE        |  |  |  |  |  |
| IRRIGATION ✓                                              | 04-15 ✓ 10-15 ✓        | DATABASE EXAMINER<br>2.000 | DATABASE EXAMINER     | DATABASE EXAMINER<br>0.0 |  |  |  |  |  |
|                                                           |                        |                            |                       |                          |  |  |  |  |  |
|                                                           |                        |                            |                       |                          |  |  |  |  |  |
|                                                           |                        |                            |                       |                          |  |  |  |  |  |
| TOTAL FOR THIS RIGHT                                      |                        | 8.0                        | N/A                   | N/A                      |  |  |  |  |  |

NON-IRRIGATION USES CLAIMED: N/A

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

REVIEWED BY: kw DATE: 5/20/98

FLAG: C

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

C05 -

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

## A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                        |            |        |
|------------------------|------------|--------|
| OWNERSHIP              | ACCEPTED   | NEEDS  |
| FORFEIT/ABANDON        | AS CLAIMED | REVIEW |
| ADDITIONAL DIV. AMOUNT | ( )        | ( )    |
|                        | ( )        | ( )    |
|                        | ( )        | ( )    |

## B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-00136

TOTAL DIVERSION RATE OF WR SPLITS

## SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A51-00136                | 2.000             | -                         |                  | 51-00136            | 2.000             |
| TOTAL CFS            |                          | 2.000             |                           |                  |                     | 2.000             |

## DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)  
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW ( ) OR SEE ATTACHMENT ( )?

## NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

*Ray Walker* *5/20/98*  
*Ray Walker* *Sr. Agent*

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

| TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)                             | IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION | COPY INCLUDED IN FILE? |
|-----------------------------------------------------------------------|--------------------------------------------------------|------------------------|
| <input checked="" type="checkbox"/> ORTHOPHOTOQUAD                    | DATE OF PHOTO <u>1979</u> IDWR ID NO. <u>DD17</u>      | Y( ) N( )              |
| <input checked="" type="checkbox"/> TOPOGRAPHIC                       | DATE FIELD CHECKED <u>1979</u> IDWR ID NO. <u>DD17</u> | Y( ) N( )              |
| <input checked="" type="checkbox"/> MAP                               | DATE OF PHOTO <u>8-4-87</u> IDWR ID NO. <u>DD17NW</u>  | Y( ) N( )              |
| <input checked="" type="checkbox"/> ASCS AERIAL PHOTO                 | DATE OF PHOTO <u>1988</u>                              | Y( ) N( )              |
| <input type="checkbox"/> ASCS COLOR SLIDE                             | DATE OF PHOTO                                          | Y( ) N( )              |
| <input type="checkbox"/> BLM OR USFS AERIAL PHOTO                     | DATE OF PHOTO                                          | Y( ) N( )              |
| <input checked="" type="checkbox"/> TOWNSHIP SURVEY (GOVERNMENT PLAT) | DATE OF SURVEY <u>2-18-1910</u>                        | Y( ) N( )              |
| <input type="checkbox"/> SCS SOIL SURVEY MAP                          | DATE ISSUED                                            | Y( ) N( )              |
| <input type="checkbox"/> SUBDIVISION PLAT MAP                         | DATE OF MAP                                            | Y( ) N( )              |
| <input type="checkbox"/> OTHER                                        | DATE                                                   | Y( ) N( )              |
| <input type="checkbox"/> OTHER                                        | DATE                                                   | Y( ) N( )              |
| <input type="checkbox"/> OTHER                                        | DATE                                                   | Y( ) N( )              |

LIST OF ATTACHMENTS (CHECK IF ATTACHED) IF ATTACHED, SUPPLY APPROPRIATE INFORMATION PAGES

| LIST OF ATTACHMENTS (CHECK IF ATTACHED)                     | IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | PAGES    | NOTES |
|-------------------------------------------------------------|---------------------------------------------|----------|-------|
| <input type="checkbox"/> LICENSING FIELD EXAM               | DATE OF FIELD EXAM                          |          |       |
| <input type="checkbox"/> WATER RIGHT LICENSE                | DATE LICENSE SIGNED                         |          |       |
| <input type="checkbox"/> IDWR APPROVED TRANSFER             | DATE TRANSFER APPROVED                      |          |       |
| <input type="checkbox"/> SYSTEM DESCRIPTION                 | DATE DRAWN                                  |          |       |
| <input type="checkbox"/> SPLIT RIGHT REVIEW                 | DATE(S) PHOTOS TAKEN                        |          |       |
| <input type="checkbox"/> HUBBLE ANALYSIS                    | DATE REVIEW COMPLETED                       |          |       |
| <input type="checkbox"/> CONVEYANCE LOSS ANALYSIS           | DATE ANALYSIS COMPLETED                     |          |       |
| <input type="checkbox"/> FLOW MEASUREMENT CALCULATIONS      | DATE ANALYSIS COMPLETED                     |          |       |
| <input checked="" type="checkbox"/> OTHER <u>Decree</u>     | DATE SYSTEM MEASURED <u>2/14/1925</u>       | <u>2</u> |       |
| <input checked="" type="checkbox"/> OTHER <u>Field Exam</u> | DATE <u>9/29/93</u>                         | <u>1</u> |       |

*Conversation Notes by Linda Werner*

*Exam made by discussion w/ Row prior rt. holder*

ADD 17

5266

5276

Salt  
Crossing

13

5244

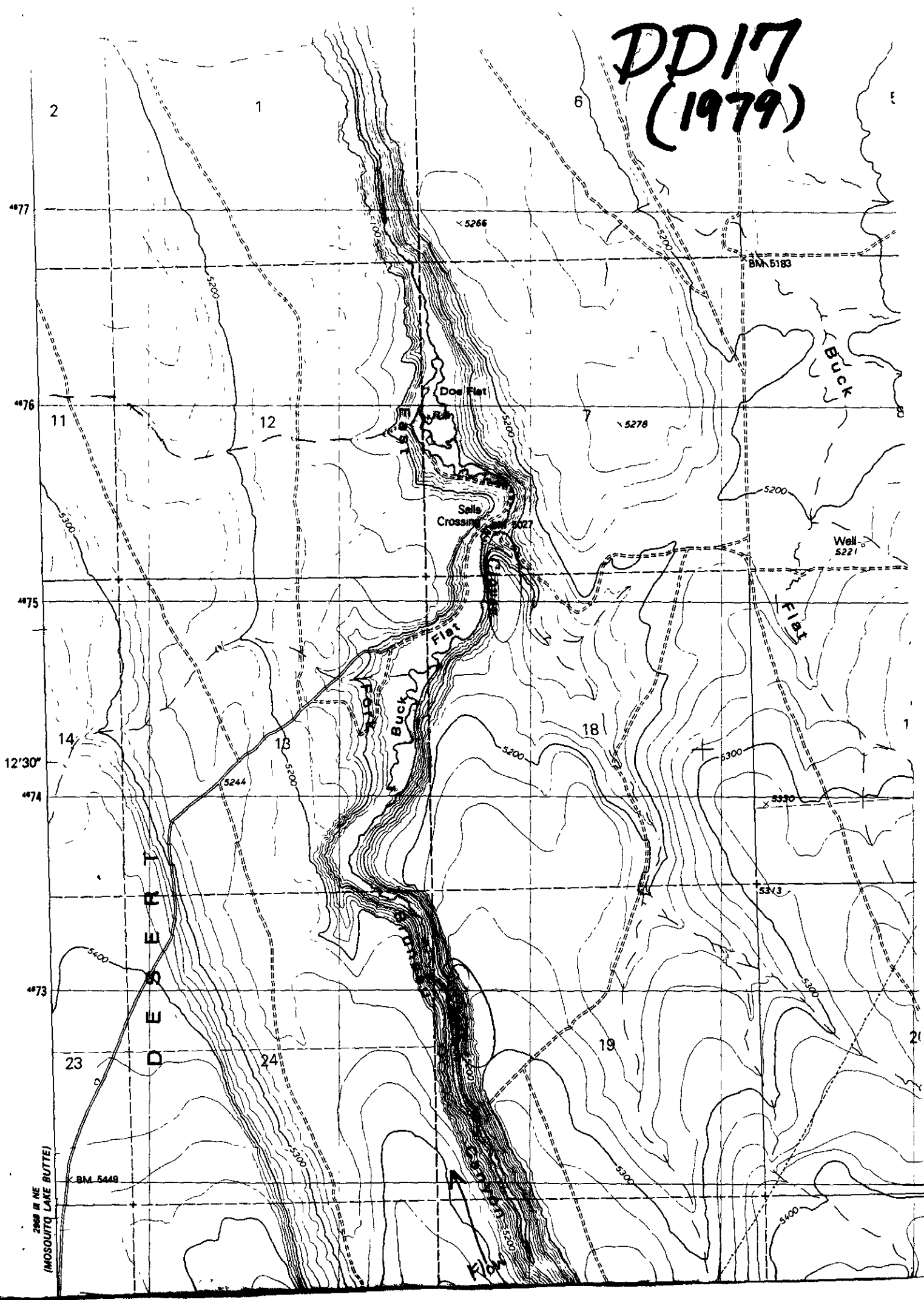
10

11

12

24

DD17  
(1979)



DD17 NW

8-4-87

Elk. Branch Canyon

145

210

18

1E

Row 145, 1/E (1988)

A51-00136

Ownership

GL2

GL2

GL4

IOE

1/E

|    |    |    |
|----|----|----|
| 12 | 12 | 7  |
| 13 | 13 | 18 |

GL1

BLK

PP

|    |    |    |
|----|----|----|
| 13 | 13 | 18 |
| 24 | 24 | 19 |

|    |    |
|----|----|
| 18 | 17 |
| 19 | 20 |

Acres determined per  
aerial photo & map acreage grid.  
kw 10/21/96

| NUMBER | TNS | RNG | SEC | NE  |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTAL | SYSTEM TOTAL |
|--------|-----|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
|        |     |     |     | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |              |
|        | 145 | 10E | 13  | 5.2 |    |    | 10 |    |    |    |    |    |    |    |    | 11 |    |    |    | 29.5  |              |
|        |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|        |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|        |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |

| NUMBER | TNS | RNG | SEC | NE |    |    |    | NW   |    |    |    | SW |    |    |    | SE |    |    |    | TOTAL | SYSTEM TOTAL |
|--------|-----|-----|-----|----|----|----|----|------|----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
|        |     |     |     | NE | NW | SW | SE | NE   | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |              |
|        | 145 | 11E | 7   |    |    |    |    |      |    | 16 |    | 8  | 3  |    |    |    |    |    |    | 27    |              |
|        |     |     | 18  |    |    |    |    | 6.14 |    |    |    |    |    |    |    |    |    |    |    | 14    | 70.5         |
|        |     |     |     |    |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    |       |              |
|        |     |     |     |    |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    |       |              |

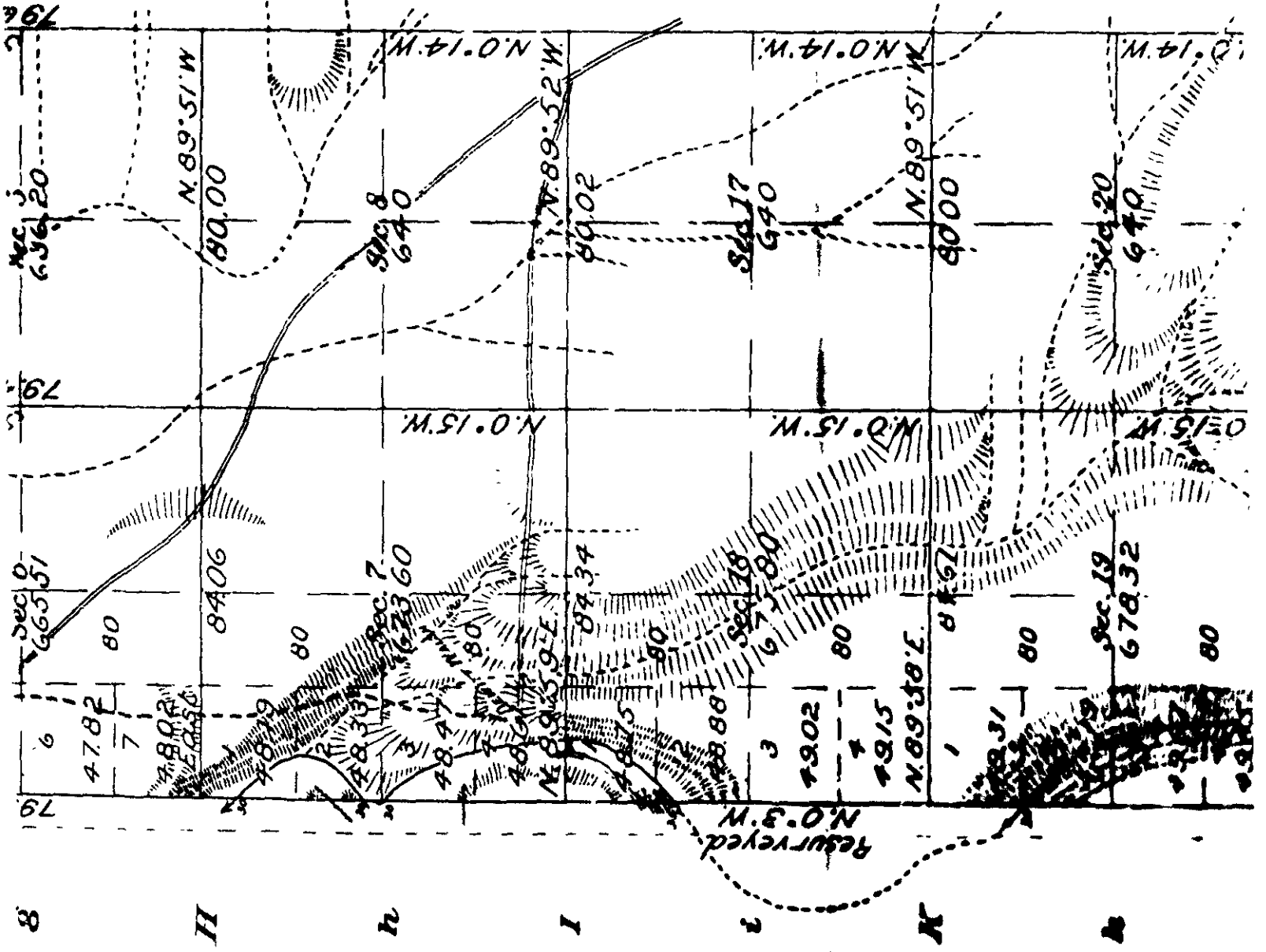
| NUMBER | TNS | RNG | SEC | NE  |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTAL | SYSTEM TOTAL |
|--------|-----|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
|        |     |     |     | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |              |
|        | 145 | 10E | 13  | 5.2 |    |    | 10 |    |    |    |    |    |    |    |    | 11 |    |    |    | 29.5  |              |
|        | 145 | 11E | 7   |     |    |    |    |    |    | 16 |    | 8  | 3  |    |    |    |    |    |    | 27    |              |
|        |     |     | 18  |     |    |    |    | 14 |    |    |    |    |    |    |    |    |    |    |    | 14    | 70.5         |
|        |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|        |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |

| NUMBER | TNS | RNG | SEC | NE  |    |    |     | NW |    |     |    | SW |     |    |    | SE  |    |    |    | TOTAL | SYSTEM TOTAL    |
|--------|-----|-----|-----|-----|----|----|-----|----|----|-----|----|----|-----|----|----|-----|----|----|----|-------|-----------------|
|        |     |     |     | NE  | NW | SW | SE  | NE | NW | SW  | SE | NE | NW  | SW | SE | NE  | NW | SW | SE |       |                 |
|        | 145 | 10E | 12  |     |    |    | 2.7 |    |    |     |    |    |     |    |    | 1.9 |    |    |    | 4.6   |                 |
|        |     |     | 13  | 3.3 |    |    | 19  |    |    |     |    |    |     |    |    | 14  |    |    |    | 36.3  |                 |
|        | 145 | 11E | 7   |     |    |    |     | 16 |    | 0.1 | 19 | 9  | 0.2 |    |    |     |    |    |    | 38.5  | 44.3            |
|        |     |     | 18  |     |    |    |     | 16 |    |     |    |    |     |    |    |     |    |    |    | 16    | <del>40.3</del> |

per  
GIS →  
shape  
file  
5/20/98-  
kw

~~117.2~~  
101.2

14S 11E



Sec. 8

Sec. 9

Sec. 16

Sec. 21

2/8/1910

# Conversation Memo 9/29/93

- ① Identify pld's on Cherry Cr.
- ② Excessive flow - inch/acre ok
- ③ P/U on ASCS photo - Discrepancy except the long strip served by high ditch.
- ④ Claim on East Fork Bruneau River when did expansion occur? (from 100 ac. to 280 ac.)

Bought property in 1965. Haven't changed since purchased & former owner Jack Salls used it the same way. Fred Smith owned before Salls did. Naws owned it before Smith

POD in Sec. 7, which uses land on east side of creek has been used as long as the POD in Sec. 13.

Stim Walph & dad had first patent & they put the ditches in.

River does not change cause of geology.

(OVER)

A51-2141

This POD conveys H<sub>2</sub>O by high ditch to irr. the lands directly below it

3 yrs since last used. Flood right

This high ditch runs  $\approx \frac{3}{4}$  of the length of the SESL. Not enough H<sub>2</sub>O to go any further

Sept 29 1923

Sept 29 1923

(2) x 100 ft @ Mule Row place

X  
SAMUEL C. DUNN (Sometimes known as Crandall C. Dunn and as Crandall Dunn): S $\frac{1}{2}$  SE $\frac{1}{4}$ , Sec. 20, NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 28, NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 29, all in Township 15 South, Range 12 East, Boise Meridian, in Owyhee County, Idaho; out of the waters of Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River; said waters to be diverted at the present point of diversion at or near the land above described:  
 51 0136 40 inches as of January 21, 1911.

X  
HARRY W. NOH:- W $\frac{1}{2}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 32, Township 15 South, Range 12 East, Boise Meridian, E $\frac{1}{2}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 5, Township 16 South, Range 12 East, Boise Meridian, in Owyhee County, Idaho; out of the waters of Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River; said waters to be diverted at the present point of diversion at or near the land above described:

51 0136 115 inches as of August 25, 1908.

X  
LINCOLN CURTIS:- SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 32, Township 15 South, Range 12 East, Boise Meridian, and E $\frac{1}{2}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 5, Township 16 South, Range 12 East, Boise Meridian in Owyhee County, Idaho; out of the waters of Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River; said waters to be diverted at the present point of diversion at or near the land above described:

51 0136 95 inches as of August 25, 1908.

X  
W. R. WALSH E $\frac{1}{2}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 13, Township 14 South, Range 10 East, Boise Meridian, NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 18, Township 14 South of Range 11 East, Boise Meridian, containing 168.75 acres in Owyhee County, Idaho, out of the waters of the East Fork of Bruneau River, a tributary of the Bruneau River; said waters to be diverted at or near the subdivision of land above described:

51-0136 cubic feet of water per second of time for the

**Irrigation of 100 acres of the lands hereinabove described as of May 1st, 1909.**

Subject to the prior rights of the plaintiff and the various defendants as herein set forth, defendant Idaho Farm Development Company has the right to divert from Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River, at a point located at or near south 19 degrees east 2150 feet from the northwest corner of Section 28, Township 15 South, Range 12 East, B.M., and to impound and store in the reservoir of said company located on Cedar Creek in Twin Falls County, Idaho, all of the waters of said creek and its tributaries to the extent of 5000 acre feet annually, the said water so to be stored in said reservoir to be thereafter released from said reservoir at said defendant's pleasure through the gates of its reservoir dam.

In the exercise of the rights herein defined, said Idaho Farm Development Company may, to the extent of its various appropriations as hereinafter decreed, impound in storage and divert the waters of Deadwood Creek at all times and at all seasons of the year when by so doing it does not interfere with any prior rights fixed by this decree, and the water stored and released from storage may be conveyed through the natural channels of streams and shall be protected under the provisions of this decree for the distribution designated by said defendant as though kept and conveyed within an artificial channel. From and after October 1st of each calendar year to the beginning of the subsequent irrigation season, to wit: May 15th, said defendant shall be permitted to divert and store in said reservoir all the waters

RECEIVED

JAN 09 1997

WATER RESOURCES  
WESTERN REGION

IN THE MATTER OF )  
NOTICE OF CLAIM TO )  
A WATER RIGHT NO. (S) )  
\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)  
State of Idaho )  
County of \_\_\_\_\_ )

AFFIDAVIT

Mearl Row being first duly sworn, deposes and says:

My name is Mearl Row and I have lived in the Three Creek area since 1951. My wife Christina Beaton Row was born in 1912 and has lived in the area all her life. We purchased the property known as the Salls Place from Jack and Laura Salls in 1965. We continued to use the irrigation system until we sold our ranch to the Bracketts in 1995. We rebuilt the upper diversion dam (Southern part of diversion) in 1975 at which time we moved it upstream approximately 50 feet. The lower part of diversion and the ditches are in the same location as when we purchased the property. To the best of our knowledge the irrigation system is the same as when Mr. Walsh, who received the patent for the property, was irrigating it.

Mearl W. Row  
(Signature)

Subscribed and sworn to before me this 18<sup>th</sup> day of December, 1996.

N. F. Le Moyne

Notary Public

Residing at Twin Falls

My Commission expires 6/10/97



# State of Idaho DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

October 29, 1996

Response Date: December 1, 1996

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RE: Notice of Claim to a Water Right No. A51-00136 - Clover Creek

Brackett Ranches Ltd.  
Flat Creek Ranch  
Rogerson, ID 83302

*← send corres. % Bert Brackett  
same address -  
per telecon 11/26/96  
kw*

Gentlemen:

Enclosed is a copy of the above referenced claim which was filed under the source of Bruneau River, East Fork. In reviewing the topographical map of this area, I found the actual source to be Clover Creek tributary to Bruneau River, which is what I will be recommending to be decreed.

The purpose of this letter is to advise you that I found only 70.5 acres irrigated under this claim. Enclosed is a copy of an ASCS photo of the lands I found irrigated. Please review this map and let me know if it is correct. The lands to be recommended are highlighted in green with the exception of the lands within the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 18 which are not owned by you according to the deeds we received. Mr. Row claimed 280 acres of irrigation under this right, but in looking at our NAPP photography and this ASCS photo, I do not see where the 280 acres could be located.

This right was decreed for 100 acres of irrigation at an inch of water per acre. The lands decreed were all located within the E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 13, Twp. 14S, Rge. 10E and the W $\frac{1}{2}$ NW $\frac{1}{4}$ , Sec. 18, Twp. 14S, Rge. 11E. The lands identified as irrigated in Sec. 7, Twp. 14S, Rge. 11E were not under the original decree. We need to have an affidavit or statement from someone with personal knowledge, which describes when the change in the place of use was completed. Enclosed, for your convenience, are a couple of blank affidavit forms which can be used. Also enclosed is an information sheet which describes the type of evidence that can be submitted. We do have notes in our file which Linda Werner wrote while visiting with Mr. Row in 1993 about this water right. However, an affidavit from him, describing the change in this water right, would be better evidence for the court's review.

*11-26-96  
Bert Brackett  
called - needs  
more time  
to respond.  
Will call &  
set up appt. to  
come in.*

*Not  
recommended  
kw  
5/20/98*

*nk.  
request  
copy of  
conversation  
memo - sent  
11/26*

If you have any questions in regard to this letter please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kay".

KAY WALKER  
Sr. Water Resource Agent  
Adjudication Bureau

KW:k  
Enclosures



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

March 31, 1995

PHILIP E. BATT  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

RE: Notice of Claims to Water Right Nos. A51-02141, A51-02222,  
~~A51-00136~~, A51-00116, A51-02221, and A51-02220

Brackett Ranches Ltd.  
Flat Creek Ranch  
Rogerson, ID 83302

Dear Mr. Brackett:

I have processed the Notice of Change of Water Right Ownership from Mearl Row to Brackett Ranches Ltd. Enclosed for your records are copies of the above referenced notices of claims.

The Notice of Change of Ownership form also contained number 51-02019 which was not claimed in the SRBA because it was superseded by Right 51-00116 in the Bruneau River Decree (see A51-00116 enclosed).

Following my correspondence of March 27, <sup>1995 kw</sup>~~1994~~, to you and Blick Ranches, Kenny Blick went into our Southern Regional Office in Twin Falls and amended Claim A51-10299 so that it did not include any of your property. In light of that, I did not make any changes on that claim either.

If you have any questions in regard to this, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER  
Sr. Water Resource Agent  
Adjudication Bureau

KW:k  
Enclosures



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

March 27, 1995

**PHILIP E. BATT**  
GOVERNOR

**R. KEITH HIGGINSON**  
DIRECTOR

RE: Notice of Claim to a Water Right No. A51-10299

**Blick Ranches**  
Rogerson, ID 83302

&/or

**Brackett Ranches Ltd.**  
Flat Creek Ranch  
Rogerson, ID 83302

Gentlemen:

I have received a Notice of Change of Water Right Ownership form which conveys property from Mearl Row to Brackett Ranches Ltd. In processing this ownership change, I found that the above referenced Notice of Claim may need to be split between the two ranches shown above. Enclosed is a copy of Claim A51-10299 for your information.

Also enclosed is a copy of a 1979 topographical map which shows the springs claimed under A51-10299. I have also marked on this map the ownership of the property pursuant to a telephone conversation with the Owyhee County Assessor's Office. I need to know if this claim should be split between the two ranches or if Blick Ranches may have filed on the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 15, Twp. 16S, Rge. 11E in error and may want to amend their claim to lands that they own.

Please advise this office within the next 30 days as to how this matter should be handled. If no response is received within the 30-day period, I will split this claim between the two ranches. If you have any questions in regard to this, please do not hesitate to contact me.

Sincerely,

KAY WALKER  
Sr. Water Resource Agent  
Adjudication Bureau

KW:k  
Enclosures

3-30  
Kenny Blick  
amended claim  
at Southern - w/Allen  
claim will be  
coming in  
mail - KW  
marritt

~~FILED~~  
APR 28 1995

MEMORANDUM

March 27, 1995

TO: FILE A51-10299

FROM: KAY WALKER *KW*

RE: OWNERSHIP OF LANDS UNDER CLAIM

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\*\*\*\*\*

Pursuant to a request for change of ownership of the above referenced claim, I found that one of the 40-acre tracts listed was not included in the sale from Mearl Row to Brackett, even though the claim number was included on the Notice of Change of Water Right Ownership form. The claim was submitted by Blick Ranches for use of a spring located on the line between the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  and NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 15, Twp. 16S, Rge. 11E. I contacted Owyhee County Assessor's Office to confirm ownership of these two 40-acre tracts and found that Blick Ranches owns the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 15; Brackett Ranches Inc. owns the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 15; all Twp. 16S, Rge. 11E.

I will correspond with both parties to find out how this should be handled.

~~CONFIDENTIAL~~

A51-00136 As Claimed



Water Right Number - 51-00136 ✓ Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
WALSH

W. R.

1 -  
2 -  
3 -  
City-  
Phone -

State- Zip-

+ - - Priority Date 05/01/1909 ✓ + - - Region 14 WESTERN + - - Stage DECEED ✓ + - - Status - - - +

+ - - Source BRUNEAU RIVER, EAST FORK ✓ + - - Tributary BRUNEAU RIVER ✓ +

+ - - Twin Rng Sec Tract Lot RFlg County Point of Diversion Stream Index (Blank if no Index Code) +

Code Description Period From Period To Water Use Diversion Rate Diversion Volume +

01 - IRRIGATION ✓

04 - STOCKWATER ✓

13 - DOMESTIC ✓

OUT &gt; NOT IN DECREE

2.000 ✓

+ - - Total Div. Rate - - + - - Total Div. Volume - - + - - Total Div. Capacity - - +  
2.000 ✓

+ - - Town Rng Sec Tract Lot Acres Code Description County +

|     |     |    |    |    |    |            |      |        |
|-----|-----|----|----|----|----|------------|------|--------|
| 14S | 10E | 13 | NE | NE | 01 | IRRIGATION | (73) | ONYHEE |
| 14S | 10E | 13 | SE | NE | 01 | IRRIGATION | (73) | ONYHEE |
| 14S | 10E | 13 | NE | SE | 01 | IRRIGATION | (73) | ONYHEE |
| 14S | 11E | 18 | NW | NW | 01 | IRRIGATION | (73) | ONYHEE |
| 14S | 11E | 18 | SW | NW | 01 | IRRIGATION | (73) | ONYHEE |

NOT CLAIMED

14S 11E Sec. 7, Lots 2, 3, 4 ← NOT IN DECREE

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - AC. IRR. = 100. Remarks - - - - - +

+ - - Old Water Right Numbers - - - - - +  
No Old Water Right Numbers found.+ - - Conditions of Approval - - - - - +  
No Conditions of Approval found.



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

July 26, 1993

RE: Claims filed in the Snake River Basin Adjudication

Mearle W. &/or Christina A. Row  
Rogerson, ID 83302

Dear Claimants:

The Department of Water Resources will be conducting beneficial use and water right claim verification examinations in your area this summer. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used, number of acres irrigated, and legal descriptions of the points of diversion and/or place of use.

In order to expedite these field examinations, which need to be completed this season, we request that you contact our office at 334-2190 within one week to make an appointment at a time convenient for you. The amount of time required to conduct these exams depends on the number of water rights you have filed. An approximate time can be given when you call to set up the appointment.

Although it is not mandatory that you accompany the field examiner, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system could accompany the examiner it would be beneficial.

To make an appointment, or if you have any questions or problems with scheduling the exam verification, please contact me as soon as possible.

Sincerely,

KAY WALKER  
Sr. Water Resource Agent  
Adjudication Bureau