

IDAHO DEPARTMENT OF WATER RESOURCES

T15S, R10E, S12, S13 & S14

T15S, R11E, S7



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

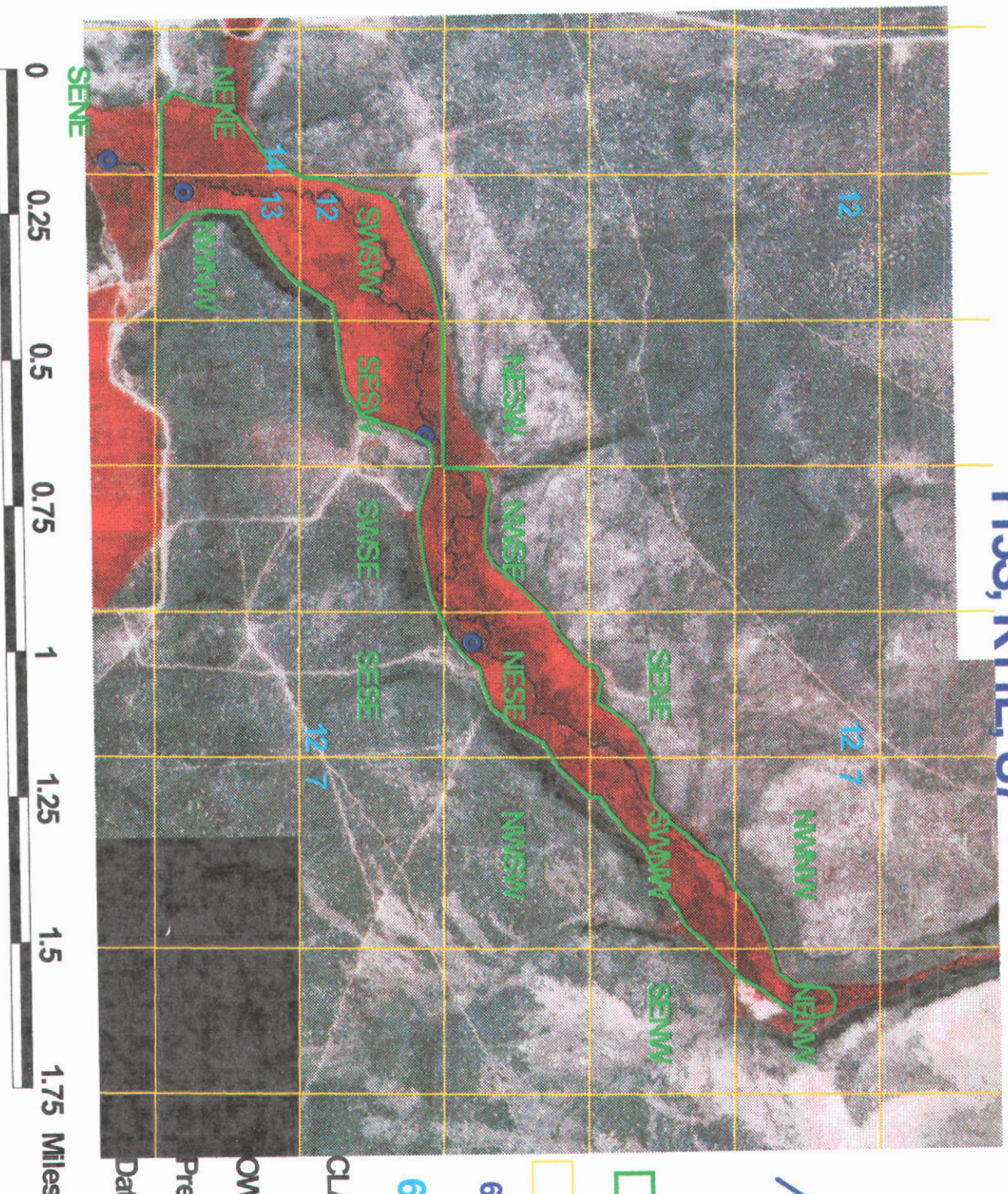
6 SECTION NUMBER

CLAIM(S) : 51-00095, 51-10346 &
51-10345

OWNER(S): BRACKETT LIVESTOCK

Prepared by: Mel Schulte

Date: 6/24/1998



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: A51-00095
Date Received: 1/13/89
Receipt No: 500593/
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRACKETT LIVESTOCK INC. 208-857-2217
Address: FLAT CREEK RANCH
ROGERSON, ID 83302
2. Date of Priority: APR 01, 1922
3. Source: BIG FLAT CREEK Trib. to: BRUNEAU RIVER, EAST FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 | of 1/4 | of 1/4 | Lot | County |
|----------|-------|---------|-----|--------|--------|-----|--------|
| 15S | 10E | 12 | NE | SE | SW | | OWYHEE |
| | | | SW | NE | SE | | OWYHEE |
| | | 13 | SW | NW | NW | | OWYHEE |
| | | 14 | SE | SE | NE | | OWYHEE |
5. Description of diverting works:
CHECKDAMS & DITCHES
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.100 | | |
7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 320.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

A51-00095

Page 1

Date: 01/12/89

INDEXED

AUG 10 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	10E	12	SE		NE		IRR	5.0
			NE		SW		IRR	6.0
			SW		SW		IRR	25.0
			SE		SW		IRR	22.0
			NE		SE		IRR	23.0
			NW		SE		IRR	15.0
			SW		SE		IRR	4.0
			Section Acres					
	13	NW		NW		IRR	14.0	
Section Acres							14.0	
	14	NE		NE		IRR	4.0	
Section Acres							4.0	
11E		7	NE		NW		IRR	7.0
			NW		NW	1	IRR	4.0
			SW		NW	2	IRR	27.0
			SE		NW		IRR	2.0
			NW		SW	3	IRR	2.0
Section Acres							42.0	
Total Acres							160.0	

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:

A51-00111, 00104, 00095, 00101, 10185

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

A51-00095

Page

2

Date: 01/12/89

MICROFILMED

AUG 10 1992

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: See Map A51-00111

For Organizations:

I do solemnly swear or affirm that I am President of Brackett Livestock Inc., that I have signed the foregoing document in the space below as President of Brackett Livestock Inc. and that the statements contained in the foregoing document are true and correct.

Bart Brackett
Signature of Authorized Agent
President Brackett Livestock Inc.
Title and Organization
Jan. 13, 1989
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of Jan 19 89

Lee D. Menta
Notary Public

Seal

Residing at Kimberly Id.
My Commission Expires 6/30/94

JUL 11 2000

27 JUL 10 PM 3:01

DISTRICT OF THE
TWIN FALLS

Subcase 51-00095

SPECIAL MASTER REPORT

Brckett Livestock, Inc., Flat Creek Ranch, Rogerson, Idaho 83302, filed a *Notice of Claim to a Water Right* on January 13, 1989, claiming .1 cfs from Big Flat Creek for irrigation of 160 acres from April 1 to November 1 with a priority date of April 1, 1922, 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 156.6 acres.

Brackett Livestock, Inc., is entitled to a partial decree adjudicating a water right under claim 51-00095 as described in the *Standard Form 5* and the *Special Master Recommendation for Partial Decree for Water Right 51-00095*.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

RECEIVED

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 51-00095

200 JUL 10 PM 3:01

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *[Signature]*

NAME AND ADDRESS: BRACKETT LIVESTOCK INC
FLAT CREEK RANCH
ROGERSON, ID 83302

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 0.10 CFS

PRIORITY DATE: 04/01/1922

POINT OF DIVERSION: T15S R10E S12 NESESW Within Owyhee County
S13 SWNESE
S14 SWNNW
NESENE

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 0.10 CFS

PLACE OF USE: Irrigation Within Owyhee County
T15S R10E S12 SENE 4.8 SWSW 29.0
SESW 21.0 NESE 26.0
NWSE 15.0 SWSE 5.3
S13 NNW 15.0
S14 NENE 13.0
R11E S07 NENW 5.9 LOT 02 (SWNW) 21.0
SENW 0.6
156.6 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 156.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-10185, 51-10345 AND
51-10346.

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

[Signature]
SPECIAL MASTER

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 51-00095

PAGE 1
Jun-22-2000

RECEIVED

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

Case No. 39576

)
)
)
)
)
)

Subcase No. 51-00095

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: June 21, 2000

Don Brubaker 6-21-2000
Signature

Larry A. Brown 6/21/00
Signature
of Attorney for the United States

Signature

Signature

Signature

Signature

Date: _____

Melvin J. Schulte 6-21-2000
Agent
IDWR Concurrence

APPROVED AS TO FORM

Wick Spencer 6-21-00
DEPUTY ATTY GEN'L IDWR

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

DATE: JUN-20-2000
PAGE: A-1

RIGHTS FROM: SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

RIGHT NUMBER: 51-00095

NAME AND ADDRESS: BRACKETT LIVESTOCK INC
FLAT CREEK RANCH
ROGERSON ID 83302

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 0.1 CFS

PRIORITY DATE: 04/01/1922

BB MDA FWP JLS NBS

POINT OF DIVERSION: T15S R10E S12 NESESW Within Owyhee County
S13 SWNESE
S14 SWNNW
NESENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 10-31	0.1 CFS 9/22 8/8

PLACE OF USE:	IRRIGATION	Within Owyhee County		
T15S R10E S12	SENE 4.8	SWSW 29	SESW 21	NESE 26
S13	NWSE 15	SWSE 5.3		
S14	NNNW 15			
R11E S07	NENE 13			
	NENW 5.9	Lot 2 (SWNW) 21	SENW 0.6	20% / 1 (NNNW) 2.16
	20% / 3 (NNSW) 2.16			
	<u>156.6 ACRES TOTAL</u>			
	<u>160.16 ACRES TOTAL</u>			

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 156.6 ACRES IN A SINGLE
THE IRRIGATION OF A COMBINED TOTAL OF 160.16 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-10185, 51-10345 AND
51-10346.

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:

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

DATE: JUN-20-2000
PAGE: A-2

1-00095 (CONT.)

WATER RIGHT NO.
NONE

SOURCE
NONE

BB FWP 1000 MTD. NBS

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.
NONE

SOURCE
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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 51-10346, 51-10345, & 51-10185.

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

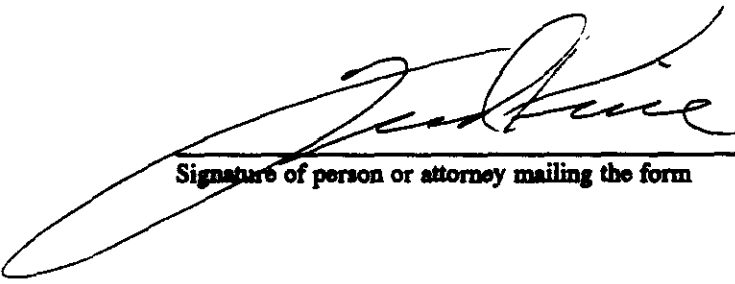
2. Copies to:

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*
MCQUINN, 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

APR 06 1999

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 51-00095

(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 Livestock, Inc.

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)

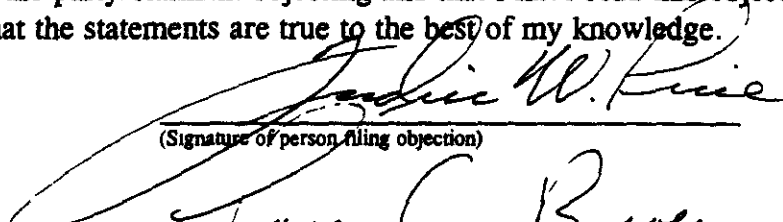
State of Idaho)

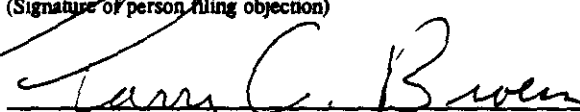
) ss.

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.


(Signature of person filing objection)


(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 MARCH 1 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 Livestock, Inc.

Address: Flat Creek Ranch Rogerson, ID. 83302

Name:

Address:

Name:

Address:

Name:

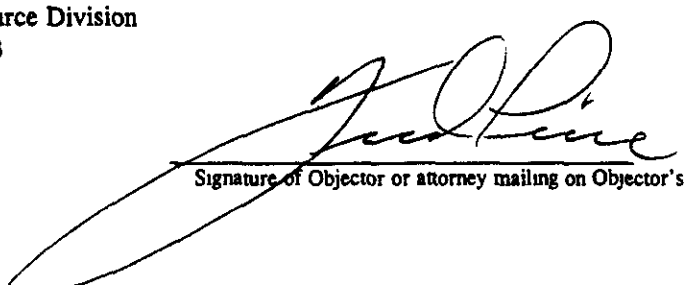
Address:

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

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

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

RIGHT NUMBER: 51-00095

NAME & ADDRESS: BRACKETT LIVESTOCK INC
FLAT CREEK RANCH
ROGERSON ID 83302

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY. 0.1 CFS

PRIORITY DATE: 04/01/1922

POINT OF DIVERSION:	T15S R10E S12	NESESW	Within OWYHEE County
	S13	SWNESE	
	S14	SWNNWN	
		NESENE	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE 04-01 10-31	QUANTITY 0.22 CFS
----------------------------	---------------------------	---------------------------	-------------------

PLACE OF USE:	IRRIGATION	Within CUYEHEE County			
	TIES RICE S12	SENE 4.8	SWSW 29	SESW 21	NESE 26
		NWSE 15	SWSE 5 3		
	S13	NWSW 15			
	S14	NENE 13			
	RICE SO ⁷	NENW 5.3	Lot 1 (NWNW) 2.4	Lot 2 (SWNW) 21	SENW 0 6
		Lot 3 (NWSW) 1.6	BLM		
	160 6 ACRES TOTAL				

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 160.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-10185, 51-10345 AND 51-10346.

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

RIGHTS FROM: SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

RIGHT NUMBER: 51-00095 (CONT)

OTHER PROVISIONS: (CONT)

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
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 51-10346, 51-10345, & 51-10185.

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

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

RIGHTS FROM: SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

RIGHT NUMBER: 51-00095

 NAME & ADDRESS: BRACKETT LIVESTOCK INC
 FLAT CREEK RANCH
 ROGERSON ID 83302

SOURCE: BIG FLAT CREEK

QUANTITY: 0.1 CFS

PRIORITY DATE: 04/01/1922

POINT OF DIVERSION: T1SS R10E S12

 S13
 S14

 NESESW
 SWNESE
 SWNNW
 NESENE

Within Owyhee County

 PURPOSE AND
 PERIOD OF USE: PURPOSE OF USE
 IRRIGATION

 PERIOD OF USE
 04-01 10-31

 QUANTITY
 0.22 CFS

 PLACE OF USE: IRRIGATION
 T1SS R10E S12

Within Owyhee County

SENE 4.8

SWSW 29

SESW 21

NESE 26

S13

NWSE 15

SWSE 5.3

NNNW 15

NENE 13

R11E S07

NENE 5.9

Lot 1 (NNW) 2.4

Lot 2 (SWN) 21

92NW 6.6

160.6 ACRES TOTAL

156.6

 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
 THE IRRIGATION OF A COMBINED TOTAL OF 160.6 ACRES IN A SINGLE
 IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-10185, 51-10345 AND
 51-10346.

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

 IS THIS PARTICULAR RIGHT
 LIMITED TO A CERTAIN NO.
 OF ACRES?

NO

 2.4
 1.6
 4.0

 160.6
 - 4.0
 156.6

 include something (51-10185)
 like this? has this

NO

different?

 Delete 4.0 acres
 NO TRANSFER

AJ5856NP

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

DATE: NOV-20-1999
PAGE: A-21

RIGHTS FROM: SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

RIGHT NUMBER: 51-00095 (CONT)

OTHER PROVISIONS: (CONT)

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
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 51-10346, 51-10345, & 51-10185.

AJ0749NP
No. R51-00095

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

DATE: 02/08/00
PAGE: 2

Remarks: DIVERSION DESCRIBED ABOVE: 51-10346, 51-10345, & 51-10185.

Dates: Exam Made Date: Verified Date: 02/08/2000 Objection Filed Date:

Misc: Water District Number: 51A Field Inspection Flag: D
Presumption Flag:

Comments: 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

AJ5809WP
No. 51-00095

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/08/00
PAGE: 1

OWNER
CODE NAME & ADDRESS
C BRACKETT LIVESTOCK INC
FLAT CREEK RANCH
ROGERSON ID 83302
(208) 857-2217

PRIORITY DATE WATER USE
04/01/1922 IRRIGATION
USE PERIOD FROM TO
04-01 10-31
DIVERSION RATE
0.220 CFS
DIVERSION VOLUME
0.100 CFS

Water Source: BIG FLAT CREEK

Tributary to: CLOVER CREEK

Stage: DECREED

Point(s) of Diversion:

T15S R10E S12
S13
S14

NESENE
SUNAMW
NESENE

OUTYHEE COUNTY
OUTYHEE COUNTY
OUTYHEE COUNTY

Place of use Legal Description for: IRRIGATION

NE										SW										SE									
NENE NUNE SUNE										NENW NUNW SUNW										NENE NUNE SESE									
NE										NW										SW									
T R S										T R S										T R S									
Lt Ac										Lt Ac										Lt Ac									
04										04										04									
15S 10E 12										15S 10E 12										15S 10E 12									
15S 10E 13										15S 10E 13										15S 10E 13									
15S 10E 14										15S 10E 14										15S 10E 14									
15S 11E 7										15S 11E 7										15S 11E 7									
05 01-02 02-21										05 01-02 02-21										05 01-02 02-21									
.6										.6										.6									
29										29										29									
21										21										21									
26										26										26									
15										15										15									
05										05										05									
101.1										101.1										101.1									
15.0										15.0										15.0									
13.0										13.0										13.0									
31.5										31.5										31.5									
TOTAL ACRES										TOTAL ACRES										TOTAL ACRES									
160.6										160.6										160.6									

POU County: ONYHEE

Other Rights: 51-10346 & 51-10345

Conditions of Approval:

- 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.

Remarks: POU1

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 160.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-10185, 51-10345 AND
51-10346.

EXP

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 51-10346, 51-10345, & 51-10185.

AJ5809NP
No. 51-00095

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/08/00
PAGE: 2

Objection Filed Date: 03/31/1999

Dates: Exam Made Date: Verified Date: Field Inspection Flag: D
Misc: Water District Number: 51A Presumption Flag: D

Comments: 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: 06/25/98 MSCHULTE 07/22/98 MSCHULTE 07/30/98 AJU10-JS 11/19/98 CPD SHAFF
11/25/98 ADT-DSHA 04/02/99 UPD-SEGB

DATE: 07/22/98
PAGE: 1

DIVERSION
VOLUME

Stage: DECREE

Only NEE County
Only NEE County
Only NEE County

100

A51-00094	A51-00095	A51-00101	A51-00104	A51-00105	A51-00111	A51-10185	A51-10345	A51-10346	R51-10185
R51-10345	R51-10346								

Misc: Water District Number: 51A Field Inspection Flag: D
Presumption Flag: D

AJ0749WP
No. R51-00095

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

DATE: 07/22/98
PAGE: 2

Audit: 07/22/98 MSCNULTE

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: 51-00095

BRACKETT LIVESTOCK INC
FLAT CREEK RANCH
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

Sep 451-10345

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?☐ ORTHOPHOTOQUAD

DATE OF PHOTO

IDWR ID NO.

Y() N()

☐ TOPOGRAPHIC

DATE FIELD CHECKED

IDWR ID NO.

Y() N()

☒ *airmap GTS map*

DATE OF PHOTO

IDWR ID NO.

Y() N()

☐ ASCS AERIAL PHOTO

DATE OF PHOTO

IDWR ID NO.

Y() N()

☐ ASCS COLOR SLIDE

DATE OF PHOTO

Y() N()

Y() N()

☐ BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

Y() N()

Y() N()

☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

Y() N()

Y() N()

☐ SCS SOIL SURVEY MAP

DATE ISSUED

Y() N()

Y() N()

☐ SUBDIVISION PLAT MAP

DATE OF MAP

Y() N()

Y() N()

☐ OTHER

DATE

Y() N()

Y() N()

☐ OTHER

DATE

Y() N()

Y() N()

☐ OTHER

DATE

Y() N()

Y() N()

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

NOTES

☐ LICENSING FIELD EXAM

DATE OF FIELD EXAM

Y() N()

Y() N()

☐ WATER RIGHT LICENSE

DATE LICENSE SIGNED

Y() N()

Y() N()

☐ IDWR APPROVED TRANSFER

DATE TRANSFER APPROVED

Y() N()

Y() N()

☐ SYSTEM DESCRIPTION

DATE DRAWN

Y() N()

Y() N()

☐ PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

Y() N()

Y() N()

☐ SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

Y() N()

Y() N()

☐ HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

Y() N()

Y() N()

☐ CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

Y() N()

Y() N()

☐ FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

Y() N()

Y() N()

☐ OTHER

DATE

Y() N()

Y() N()

☐ OTHER

DATE

Y() N()

Y() N()

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:30:55
06/25/98

PAGE: 2
QUICKLOOK INFORMATION

CLAIM NUMBER: AS1-00095

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	-		LU 6-23-93	N		MS 6-25-98		
POINT OF DIV	-			N				
SOURCE	-			N				
PLACE OF USE	-			Y (PAU)				
DIV. AMOUNT CFS/VOLUME	-			N				
CONSUMPTIVE USE	-			NA				
PURPOSES OF USE	-			N				
PERIOD OF USE	-			Y				
BASIS OF CLAIM	-			N				
REMARKS	-			Y				

BARCODE UPDATED
WHOM/DATE

MS 6-25-98

RIGHTS IN EAST FORK OF BRUNEAU RIVER AND ITS TRIBUTARIES.

BARNEY CURRENS:- $8\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 12, NE $\frac{1}{2}$ NE $\frac{1}{4}$ Sec.

13, Township 15 South, Range 10 East, Boise Meridian, containing 160 acres. Out of the waters of Big Flat Creek, a tributary of Three Creek, a tributary of Bruneau River:

51 0091

8 inches as of April 1, 1885.

51 0095

5 inches as of April 1, 1922.

CYNTHIA CONWAY:- NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, E $\frac{1}{2}$

SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14, Township 15 South, Range 10 East, Boise Meridian, containing 240 acres. Out of the Big Flat Creek, a tributary of Three Creek, a tributary of Bruneau River:

51 0096

80 inches as of April 15, 1906.

A. DELGADO:- Lot 1 and 2 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6 and

the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5 Township 15 South, Range 11 East, Boise Meridian, containing 200 acres. Out of the waters of Deadwood, Three Creek and Flat Creek, tributaries of Bruneau River, Deadwood and Flat Creek being tributaries of Three Creek:

51 0097

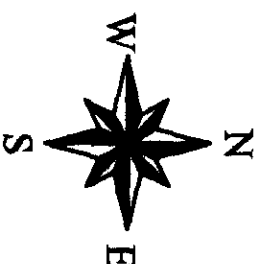
40 inches as of April 1, 1895.

SAMUEL C. DUNN:- Lots 1, 2, and 3; NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$

NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, Township 16 South, Range 11 East, Boise Meridian; also SE $\frac{1}{4}$ SW $\frac{1}{4}$ Lots 1, 2 and 4 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7, Township 16 South, Range 11 East, Boise Meridian; also E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 6, Township 16 South, Range 11 East, Boise Meridian, containing 620 acres. Out of the waters of Flat Creek, tributary of Three Creek, tributary of Bruneau River:

IDAHO DEPARTMENT OF WATER RESOURCES

T15S, R10E, S12, S13 & S14 T15S, R11E, S7



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

6 SECTION NUMBER

CLAIM(S) : 51-00095, 51-10346 &
51-10345

OWNER(S): BRACKETT LIVESTOCK

Prepared by: Mel Schulte

Date: 6/24/1998

SCALE



IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

DATE: 01/30/91
PAGE: 12

RIGHT
NUMBER

NAME & ADDRESS
BRACKETT LIVESTOCK INC.
FLAT CREEK RANCH
ROGERSON ID 83302

A51-00095

PRIORITY
DATE

04/01/1922 IRRIGATION

USE PERIOD
FROM TO

04-01 11-01

MAXIMUM
DIVERSION

0.10 CFS DECREASED

SOURCE: BIG FLAT CREEK
OTHER RIGHTS: A51-00111, 00104, 00095, 00101, 10185
CONDITIONS OF APPROVAL:

TRIBUTARY: BRUNEAU RIVER, EAST FORK

REMARKS:

POINT OF DIVERSION:

T155 R10E S12

S13

S14

S15

PLACE OF USE: IRRIGATION

T155 R10E S12

S13

S14

S15

160.0 ACRES TOTAL

NESEW 13
SWNESE 14
SWNNW 15
SESENE 15

SENE 5.0
NWSE 15.0
NNW 14.0
NENE 4.0
NENW 7.0

NESEW 6.0
SWSE 4.0

SWSW 25.0

SESW 22.0

NESE 23.0

SENE 15

Lot 1 (NWNW) 4.0 Lot 2 (SWNW) 27.0

SENE 2.0

Lot 3 (NWSW) 2.0

made in 1960
Planning

*Added POD's - when were the POD's added?
Chg. in POC - when?*

*51-00094, 104, 111 covers portions of the same P.O.U. but were
not claimed. Does he want to file?*

*log structures installed in
1960.*

on 6-23-91

Water Right Number - 51-00095

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +

+ - - - - First Name - - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

CURRENS

BARNEY

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - +

04/01/1922

+ - - Region - - - +

14 WESTERN

+ - - Stage - - - +

D - DECEED

+ - - Status - - - +

+ - - Source - - - - +

BIG FLAT CREEK

+ - - Tributary - - - - +

BRUNEAU RIVER, EAST FORK

+ - - Point of Diversion - - - - +

Stream Index (Blank if no Index Code)

TwN Rng Sec Tract Lot Rflg County

+ - - Description

Code

01 - IRRIGATION

04 - STOCKWATER

43 - DOMESTIC

+ - - Water Use

Period From

Period To

Diversion Rate

Diversion Volume

0.100

+ - - Total Div. Rate - - +

0.100

+ - - Total Div. Volume - - +

+ - - Total Div. Capacity - - +

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
15S	10E	12	SW SE	40.0	01	IRRIGATION	(73)	ONYHEE	(73)
15S	10E	12	SE SE	40.0	01	IRRIGATION	(73)	ONYHEE	(73)
15S	10E	13	NE SE	40.0	01	IRRIGATION	(73)	ONYHEE	(73)
15S	10E	13	NW NE	40.0	01	IRRIGATION	(73)	ONYHEE	(73)
Total Acres:					160.0				

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - -

No Remarks found.

+ - - Old Water Right Numbers - - - - -

No Old Water Right Numbers found.

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808WP
(00-26)

Water Right Number - 51-00094 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CURRENS

BARNEY
1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1885 14 WESTERN D - DECREED
+ - - Source - - - - - + + - - Tributary - - - - - +
BIG FLAT CREEK BRUNEAU RIVER, EAST FORK
+ - - - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - +

| Tw | Rng | Sec | Tract | Lot | Rflg | County | Period From | Water Use | Period To | Diversion Rate | Diversion Volume |
|--|-----|-----|-------|-----|------|--------|-------------|-----------|-----------|----------------|------------------|
| Code Description Place of Use Code Description County | | | | | | | | | | | |
| 01 - IRRIGATION 01 IRRIGATION (73) OUYHEE | | | | | | | | | | | |
| 04 - STOCKWATER 01 IRRIGATION (73) OUYHEE | | | | | | | | | | | |
| 43 - DOMESTIC 01 IRRIGATION (73) OUYHEE | | | | | | | | | | | |
| 15S 10E 12 SW SE 40.0 01 IRRIGATION (73) OUYHEE | | | | | | | | | | | |
| 15S 10E 12 SE SE 40.0 01 IRRIGATION (73) OUYHEE | | | | | | | | | | | |
| 15S 10E 13 NE NE 40.0 01 IRRIGATION (73) OUYHEE | | | | | | | | | | | |
| 15S 10E 13 NW NE 40.0 01 IRRIGATION (73) OUYHEE | | | | | | | | | | | |
| Total Acres: 160.0 | | | | | | | | | | | |

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
0.160 0.160

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - - - - - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

| | | | | | |
|-------------------|--------------|------------------|--------------|------------------|-------|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 00/00/0000 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - 51A |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 02/14/1925 | Presumption Flag | - | | |

+-----+ Conditions of Approval -----+
 +-----+ No Conditions of Approval found. -----+

| | | | | | |
|-------------------|--------------|------------------|--------------|------------------|-------|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 00/00/0000 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - 51A |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 12/08/1925 | Presumption Flag | - | | |

Water Right Number - 51-00111

Prefix Translation: WATER RIGHT

Old (D) Number -

Last Name - + - - - - +

First Name - - - - - +

Address - - - - - +

*** C - CURRENT OWNER ***

WALTERS

FRED

1 -

2 -

3 -

City- State- Zip-

Phone -

Priority Date - - - +

04/01/1885

Region - - - +

14 WESTERN

Stage - - - +

D - DECREED

Status - - - +

Source - - - - - +

BIG FLAT CREEK

Tributary - - - - - +

BRUNEAU RIVER, EAST FORK

Point of Diversion - - - - - +

Stream Index (Blank if no Index Code)

Twoness Rng Sec Tract Lot Rflg County

Code Description

Period From Period To

Water Use

Diversion Rate

Diversion Volume

01 - IRRIGATION

04 - STOCKWATER

43 - DOMESTIC

2.060

Total Div. Rate - + - - - - +

2.060

Total Div. Volume - + - - - - +

2.060

Total Div. Capacity - + - - - - +

| Tract | Rng | Sec | Lot | Acres | Place of Use | Description | County |
|-------|-----|-----|-------|-------|--------------|-------------|-------------|
| 15S | 10E | 12 | SE NE | 40.0 | 01 | IRRIGATION | (73) OMYHEE |
| 15S | 10E | 12 | NE SE | 40.0 | 01 | IRRIGATION | (73) OMYHEE |
| 15S | 10E | 12 | NW SE | 40.0 | 01 | IRRIGATION | (73) OMYHEE |
| 15S | 11E | 7 | SW NW | 2 | 01 | IRRIGATION | (73) OMYHEE |

Total Acres: 160.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks -

No Remarks found.

Old Water Right Numbers -

No Old Water Right Numbers found.

1
2
3
4
5
6
7
8
9
10

+ - Decree Date - +
02/14/1925

1
2
3
4
5
6
7
8
9
10

+



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

June 18, 1993

BERT BRACKETT
FLAT CREEK RANCH
ROGERSON ID 83302

Dear Mr. Brackett;

Just a reminder-I will be at your place on June 23 to conduct the field exam for the Notice of Claims you filed in the Adjudication. If there is a scheduling problem please be sure to contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section