

IDAHO DEPARTMENT OF WATER RESOURCES

T15S, R10E, S13, S14 & S24



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

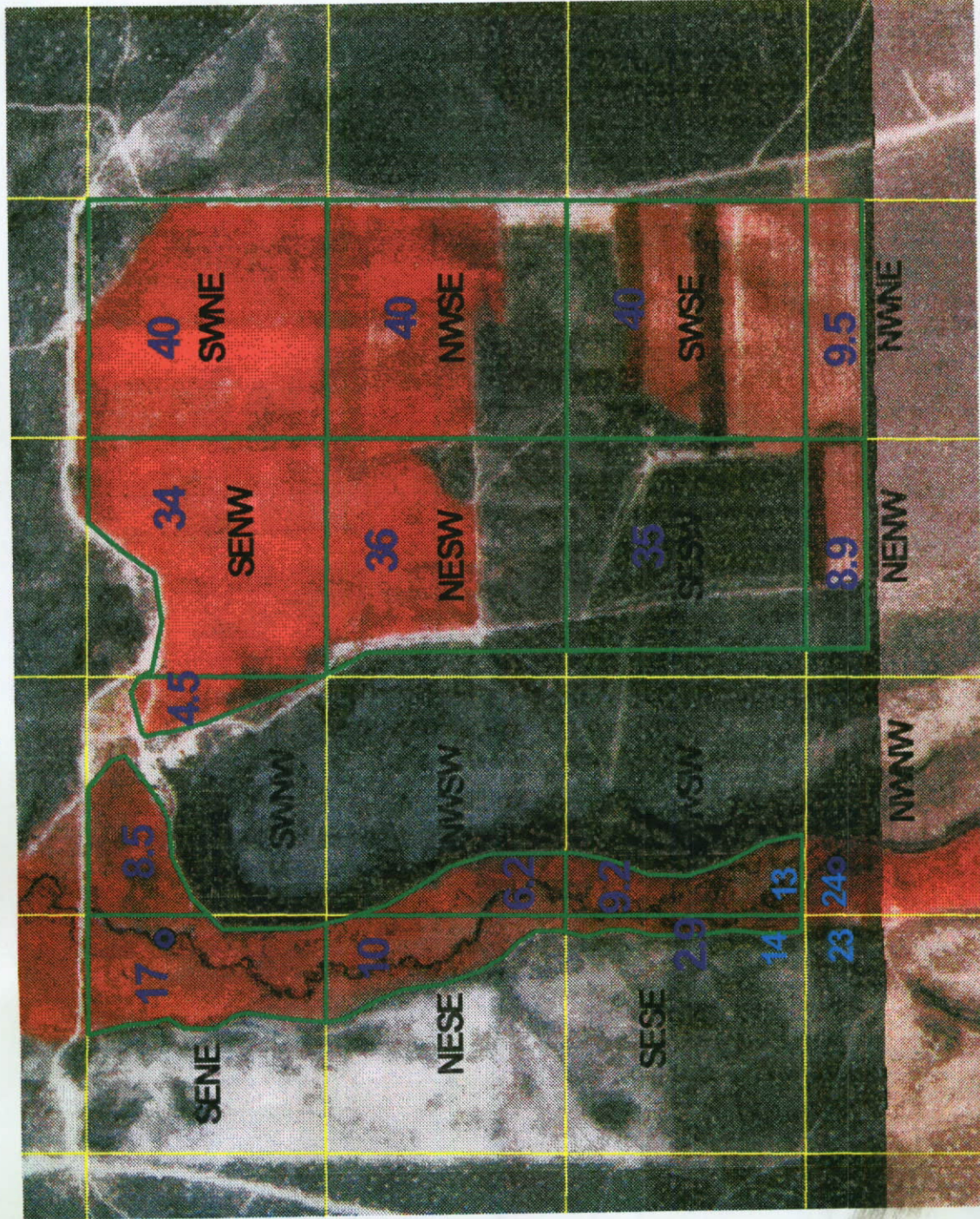
6 SECTION NUMBER

CLAIM(S) : 51-00096, 51-07085 AND
PERMIT 51-07267

OWNER(S): BRACKET LIVESTOCK

Prepared by: Mel Schulte

Date: 6/16/1998



1 Miles

0.75

0.5

0.25

0

A51-07085 & A51-00096

Extra file copy

155, 10E

6b





IDAHO DEPARTMENT OF WATER RESOURCES

T15S, R10E, S13, S14 & S24

1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

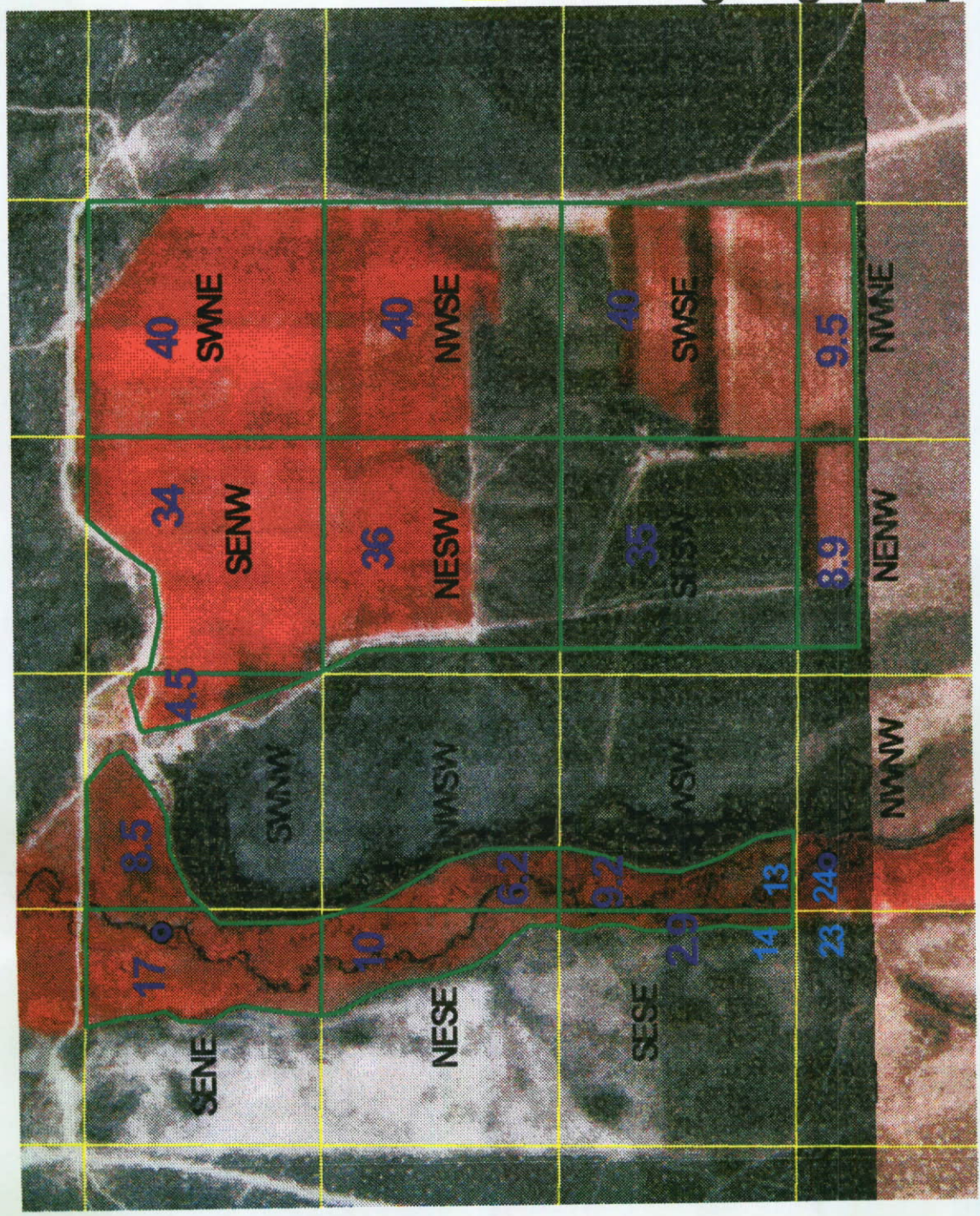
6 SECTION NUMBER

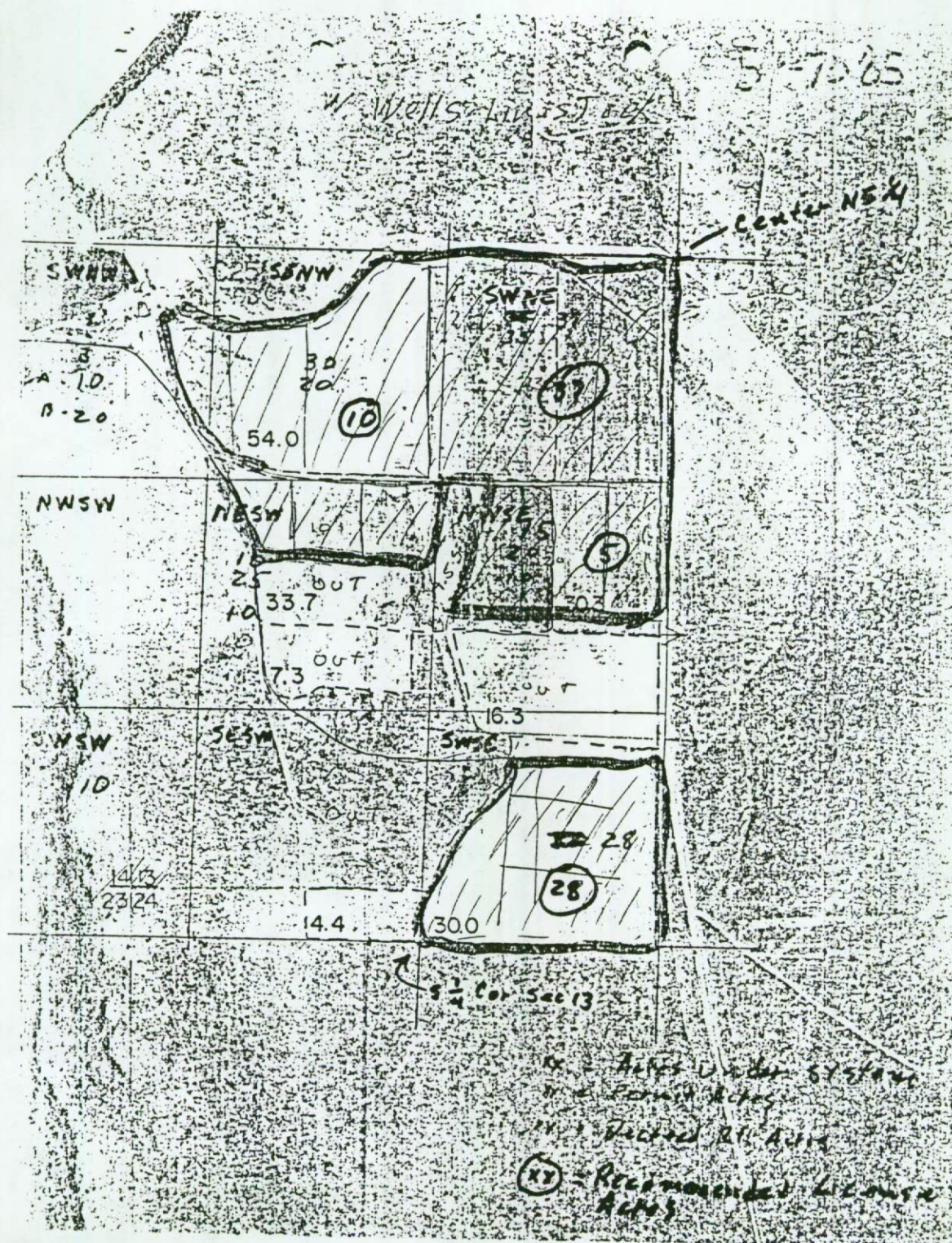
CLAIM(S) : 51-00096, 51-07085 AND PERMIT 51-07267

OWNER(S): BRACKET LIVESTOCK

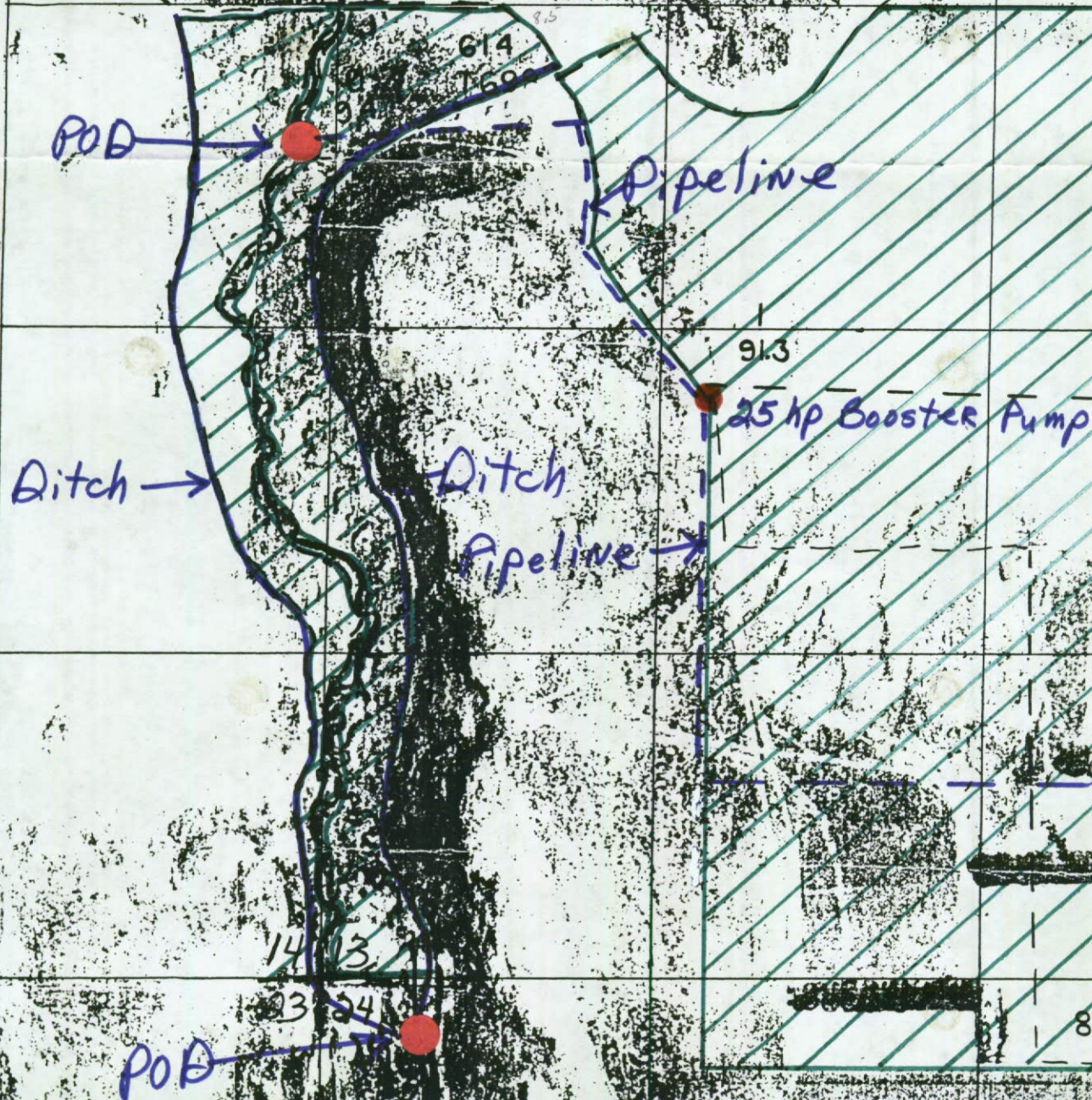
Prepared by: Mel Schulte

Date: 6/16/1998



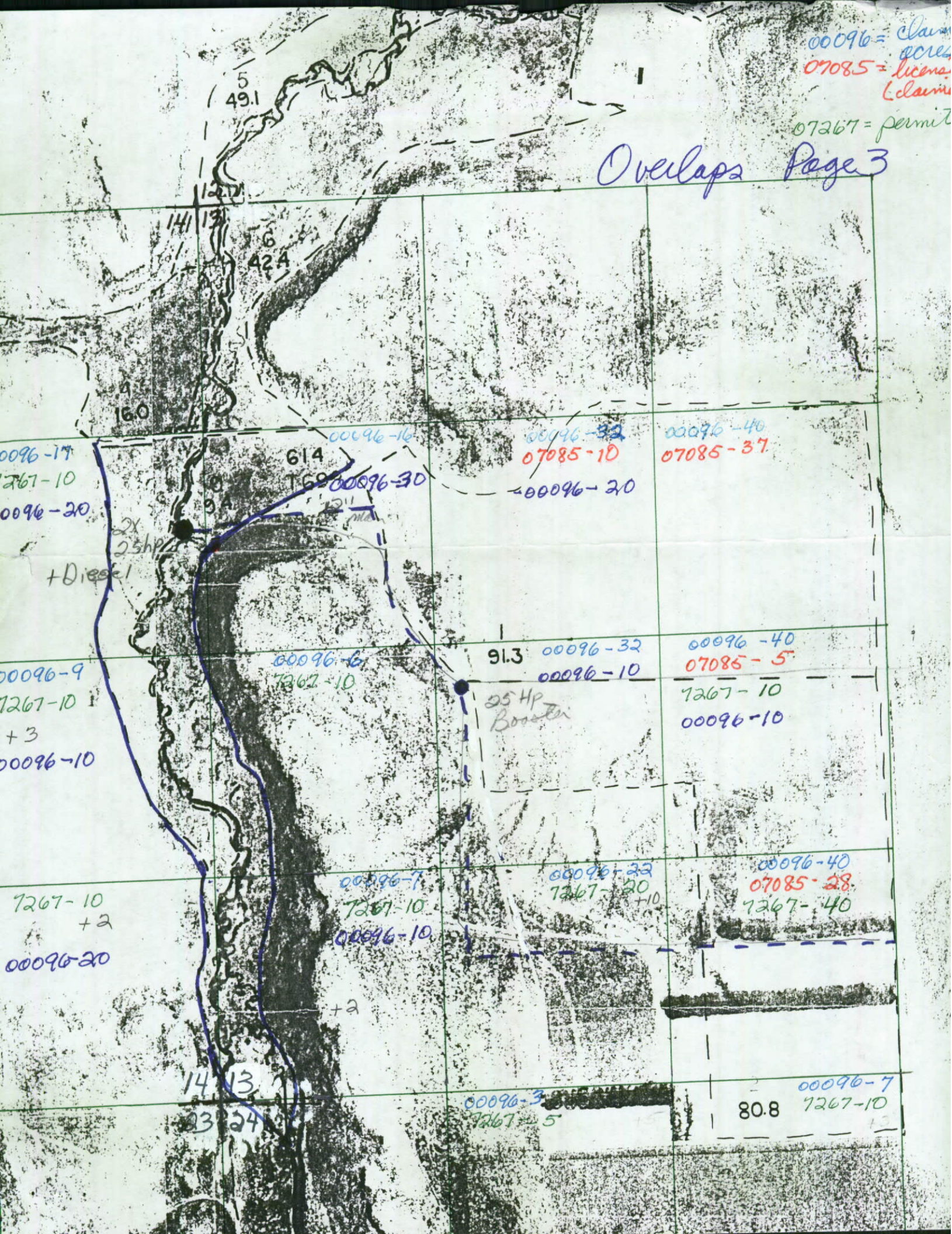


SYSTEM DIAGRAM



00096 = claim
07085 = license
07267 = permit

Overlaps Page 3



5
49.1

6
42.4

160

61.4

91.3

80.8

00096-17
7267-10
00096-20

+ Diesel

00096-9
7267-10
+3
00096-10

7267-10
+2
00096-20

14 13
23 24

00096-16
00096-30

00096-6
7267-10

00096-7
7267-10
00096-10

+2

00096-32
07085-10
00096-20

25 HP
Booster

00096-32
7267-20
+10

00096-3
7267-5

00096-40
07085-37

00096-40
07085-5
7267-10
00096-10

00096-40
07085-28
7267-40

00096-7
7267-10

A51-00096 & A51-07085

Photos 6-23-93

Poll viewed
from pumps
at POD #1



Poll looking
West from
POD #1



A51-00096 & A51-07085

Photos 6-23-93



POD

NWNW, S24



POD #1

SENE, S14

A51-00096 & A51-07085

Photos 6-23-93



Booster pump
in NESW, S13
used to
pressurize
sprinkler
system in
S13.



Poll in
SE NW, S13

A51-00096 & A51-07085

Photos 6-23-93



Measurement
site in
West ditch



Measurement
site in
East ditch

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: A51-07085
Date Received: 1/13/1989
Receipt No: 5005932
Received By: AO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BERT BRACKETT 208-857-2217
Address: FLAT CREEK RANCH
ROGERSON, ID 83302-0000
AND/OR
Name: PAULA BRACKETT 208-857-2217
Address: FLAT CREEK RANCH
ROGERSON, ID 83302-0000

2. Date of Priority: MAR 08, 1974

3. Source: BIG FLAT CREEK Trib. to: THREE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	10E	14	NE	SE	NE		OWYHEE

5. Description of diverting works:
CHECK DAM WITH PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	1.600		

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

8. Total consumptive use is 160.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A51-07085

Page 1

Date: 01/13/89

MICROFILMED
AUG 10 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	10E	13	SW	NE		IRR	35.0
			NE	SW		IRR	25.0
			NW	SE		IRR	20.0
						Section Acres	80.0
						Total Acres	80.0

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:
A51-00096

14. Remarks:

CLAIM BASED ON FIELD EXAM BY IDWR ON 6/8/88 WHICH FOUND 129 ACRES
IRRIGATED HOWEVER LEGAL DESCRIPTION OF LANDS IRRIG. IN EXAM
APPEAR TO BE INCORRECT. THE WATER IS USED OVER THE ENTIRE SEASON
INSTEAD OF THE PERIOD DESCRIBED IN THE PERMIT.

15. Basis of Claim: PERMIT

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

Number of attachments: See Map A51-00096

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): Bert Bradett Date: 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

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/89

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

2000 JUL 10 PM 3:

DISTRICT COURT - 5TH
TWIN FALLS COUNTY
FILED

In Re SRBA

Subcase 51-07085

Case No. 39576

SPECIAL MASTER REPORT

Findings of Fact

On January 13, 1989, Bert and Paula Brackett, Flat Creek Ranch, Rogerson, Idaho 83302, filed a *Notice of Claim to a Water Right* claiming 1.6 cfs from Big Flat Creek to irrigate 80 acres from April 1 to October 1 with a priority date of March 8, 1974, based on a permit.

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 as filed but to irrigate 301.7 acres from April 1 to October 15 based on a license.

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*.

Conclusions of Law

Bert and Paula Brackett are entitled to a partial decree adjudicating a water right under claim 51-07085 as described in the *Standard Form 5* and the *Special Master Recommendation for Partial Decree for Water Right 51-07085*.

DATED July 10, 2000.


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 51-07085

200 JUL 10 PM 3:01
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED *[Signature]*

NAME AND ADDRESS: BERT BRACKETT
PAULA BRACKETT
FLAT CREEK RANCH
ROGERSON, ID 83302

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 1.60 CFS
240.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 51-00096 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.20 CFS.
USE OF THIS RIGHT WITH RIGHT NO. 51-07267 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.44 CFS.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.04 CFS. COMBINED RIGHT NOS.:
51-07267 & 51-00096.

PRIORITY DATE: 03/08/1974

POINT OF DIVERSION: T15S R10E S14 SENE Within Owyhee County
S24 NWNW

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-15 1.60 CFS
240.00 AFY

PLACE OF USE: Irrigation Within Owyhee County
T15S R10E S13 SWNE 40.0 SWNW 13.0
SENE 34.0 NESW 36.0
NWSW 6.2 SWSW 9.2
SESW 35.0 NWSE 40.0
SWSE 40.0
S14 SENE 17.0 NESE 10.0
SESE 2.9
S24 NWNE 9.5 NENW 8.9
301.7 Acres Total

THE USE OF WATER WITHIN T15S R10E S24 NWNE AND NENW IS
LIMITED TO THE N1/2 N1/2 OF THOSE PLACES OF USE.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 301.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00096 & 51-07267.

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).

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 51-07085

RECOMMENDATION

JUL 10 2000

[Signature]
SPECIAL MASTER

08/11/2000

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

RIGHT NUMBER: 51-7085

NAME AND ADDRESS: BERT BRACKETT
PAULA BRACKETT
FLAT CREEK RANCH
ROGERSON, ID 83302

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 1.6 CFS
240 AFY

USE OF THIS RIGHT WITH RIGHT NO. 51-00096 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.20 CFS
USE OF THIS RIGHT WITH RIGHT NO. 51-07267 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.44 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.04 CFS. COMBINED RIGHT NOS.:
51-07267 & 51-00096

PRIORITY DATE: 03/08/1974

POINT OF DIVERSION: T15S R10E S14 LOT 0 SENE Within Owyhee County
T15S R10E S24 LOT 0 NWNW Within Owyhee County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-15	1.6 CFS 240 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN
AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO
ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE
IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT

PLACE OF USE:

<u>IRRIGATION Within Owyhee County</u>			
T15S R10E S13	SWNE	40	T15S R10E S13 SWNW 13
T15S R10E S13	SENE	34	T15S R10E S13 NESW 36
T15S R10E S13	NWSW	6.2	T15S R10E S13 SWSW 9.2
T15S R10E S13	SESW	35	T15S R10E S13 NWSE 40
T15S R10E S13	SWSE	40	T15S R10E S14 SENE 17
T15S R10E S14	NESE	10	T15S R10E S14 SESE 2.9
T15S R10E S24	NWNE	9.5	T15S R10E S24 NENW 8.9

301.7 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 301.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00096 & 51-07267

THE USE OF WATER WITHIN T15S, R10E, S24, NWNE AND NENW IS
LIMITED TO THE 1/2N1/2 OF THOSE PLACES OF USE.

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 - License

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 51-00096 & 51-07267

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

Subcase 51-07085

(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 10, 2000

[Signature]

(Claimant)

[Signature] 6/21/00
(Objector) FWP
OF ATTORNEYS FOR THE UNITED STATES

[Signature] 6-21-2000
IDWR Concurrence

APPROVED AS TO FORM

[Signature] 6-21-00
Attorney for IDWR

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

DATE: FEB-08-2000

PAGE: A-1

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

RIGHT NUMBER: 51-07085

NAME AND ADDRESS: BERT BRACKETT
PAULA BRACKETT
FLAT CREEK RANCH
ROGERSON ID 83302

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 1.6 CFS
240.0 AFY

BB MTA FWP JES NBS

USE OF THIS RIGHT WITH RIGHT NO. 51-00096 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.20 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 51-07267 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.44 CFS.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.04 CFS. COMBINED RIGHT NOS.:
51-07267 & 51-00096.

PRIORITY DATE: 03/08/1974

POINT OF DIVERSION: T15S R10E S14 SENE Within Owyhee County
S24 NWN

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY-
IRRIGATION		04-01 10-15	1.6 CFS
			240.0 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL
WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE
AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT.

PLACE OF USE:	IRRIGATION	Within Owyhee County		
T15S R10E S13	SWNE 40	SNNW 13	SENE 34	NESW 36
	NWSW 6.2	SWSW 9.2	SESW 35	NWSE 40
	SWSE 40			
S14	SENE 17	NESE 10	SESE 2.9	

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

DATE: FEB-08-2000

PAGE: A-2

1-07085 (CONT.)

S24 NWNE 9.5 NENW 8.9 NWSE 9.5
301.7 ACRES TOTAL *THE USE OF WATER WITHIN T15S R10E S24 NWNE AND
NENW IS LIMITED TO THE NY2NY2 OF THOSE PLACES OF USE.*

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 301.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00096 & 51-07267.

B3
FWP JES
MPTA
NBS

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 - LICENSE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 51-00096 & 51-07267.

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

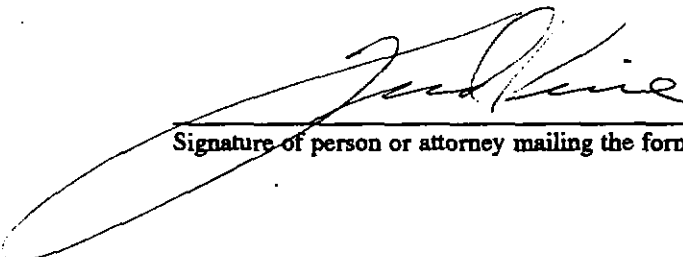
BRACKETT LIVESTOCK, Inc. *by hand*

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

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APR 0 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 51-07085

(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: Bert Brackett; Paula 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

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:

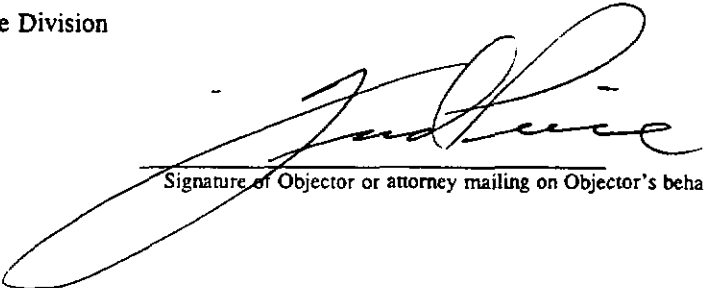
Name: Bert Brackett; Paula Brackett
Address: Flat Creek Ranch Rogerson, ID. 83302
Name:
Address:
Name:
Address:
Name:
Address:

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

AJ5956N9

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-20-1998
PAGE: A-32

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

RIGHT NUMBER: 51-07095

NAME & ADDRESS: BERT BRACKETT
PAULA BRACKETT
FLAT CREEK RANCH
ROGERSON ID 833020000

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 1.6 CFS
240.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 51-00096 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.20 CFS.
USE OF THIS RIGHT WITH RIGHT NO. 51-07267 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.44 CFS.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.04 CFS. COMBINED RIGHT NOS.:
51-07267 & 51-00096.

PRIORITY DATE: 03/09/1974

POINT OF DIVERSION: T15S R10E S14 SENE Within Owyhee County
S24 NWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 10-15	1.6 CFS 240.0 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL
WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE
AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT.

PLACE OF USE:	IRRIGATION	Within Owyhee County			
T15S R10E S13		SWNE 40	SWNW 13	SENW 34	NESW 36
		NWSW 6.2	SWSW 9.2	SESW 35	NWSE 41
		SWSE 40			
S14		SENE 17	NESE 10	SESE 2.9	
S24		SENE 8.2 BLM/WT	NWSE 9.5 BLM		
301.7 ACRES TOTAL					

Private ↑ Typo - should be NWNE

AJS856NP

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

DATE: NOV-20-1998
PAGE: A-33

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

RIGHT NUMBER: 51-07085 (CONT)

PLACE OF USE: (CONT)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 301.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00096 & 51-07267.

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 - LICENSE
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 51-00096 & 51-07267.

AJ5809NP
No. 51-07085

IDAHO DEPARTMENT OF WATER-RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/08/00
PAGE: 1

OWNER CODE NAME & ADDRESS
C BERT BRACKETT
C PAULA BRACKETT
FLAT CREEK RANCH
ROGERSON ID 833020000
(208) 857-2217

PRIORITY DATE WATER USE
03/08/1974 IRRIGATION

USE PERIOD FROM TO
04-01 10-15

DIVERSION RATE
1.600 CFS

DIVERSION VOLUME
240.00 AFA

TOTAL DIVERSION:
1.600 CFS 240.00 AFA

Water Source: BIG FLAT CREEK Tributary to: CLOVER CREEK Stage: LICENSE

Point(s) of Diversion: T15S R10E S14 S24 SENE NNW

Place of use Legal Description for: IRRIGATION

T R S	NE			NW			SW			SE			SUM
	NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE	
15S 10E 13	40	17	08	13	34	36	06	09	35	10	40	40	253.4
15S 10E 14													29.9
15S 10E 24													18.4
													301.7

POU County: Owyhee
Other Rights: 51-00096 & 51-07267

- 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: QNT

USE OF THIS RIGHT WITH RIGHT NO. 51-00096 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.20 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 51-07267 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.44 CFS.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.04 CFS. COMBINED RIGHT NOS.: 51-07267 & 51-00096.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS

Remarks: EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 301.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00096 & 51-07267.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 51-00096 & 51-07267.

Dates: Exam Made Date: 11/11/1998 Verified Date: 11/11/1998 Objection Filed Date: 03/31/1999
Misc: Water District Number: 51A Field Inspection Flag: C
Presumption Flag:

Comments: Date: 06/19/1998 User-ID: MSCHULTE Subject: COPIED FROM REMARKS CLAIM BASED ON FIELD EXAM BY IDWR ON 6/8/88 WHICH FOUND 129 ACRES IRRIGATED HOWEVER LEGAL DESCRIPTION OF LANDS IRRIG. IN EXAM APPEAR TO BE INCORRECT. THE WATER IS USED OVER THE ENTIRE SEASON INSTEAD OF THE PERIOD DESCRIBED IN THE PERMIT.

Date: 07/31/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 06/19/98 MSCHULTE 07/17/98 SBOCK 07/22/98 MSCHULTE 07/30/98 AJU10-JS
11/11/98 JSHURTE 11/19/98 CPDSHAFF 11/25/98 ADT-DSHA 04/02/99 UPO-SEGB

DATE: 02/08/00
PAGE: 1

Water Source: BIG FLAT CREEK

S14 S24

Point(s) of Diversion:

POW County: OWYHEE

Other Rights: 51-00096 & 51-07267

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
- 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.

Remarks:	QNT
USE OF THIS RIGHT WITH RIGHT NO. 51-00096 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.20 CFS.	
USE OF THIS RIGHT WITH RIGHT NO. 51-07267 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.44 CFS.	
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.04 CFS. COMBINED RIGHT NOS.: 51-07267 & 51-00096.	

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

AJ0749NP
No. R51-07085

Remarks: USE

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 301.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00096 & 51-07267.

EXP

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 51-00096 & 51-07267.

Dates:

Exam Made Date:

Verified Date:

02/08/2000

Objection Filed Date:

Misc:

Water District Number: 51A

Field Inspection Flag:

Presumption Flag: C

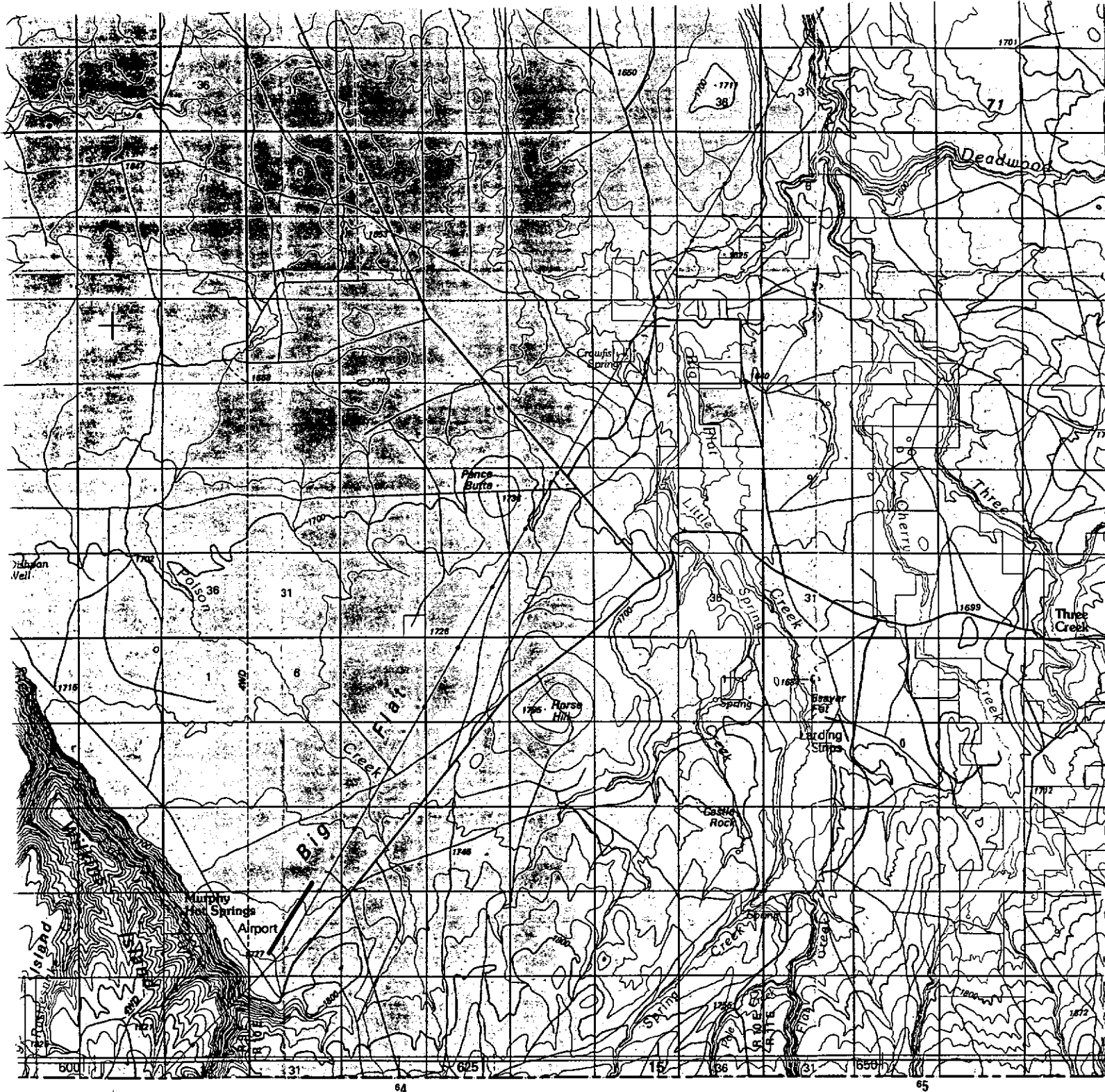
Comments:

Date: 06/19/1998 User-ID: MSCHULTE Subject: COPIED FROM REMARKS CLAIM BASED ON FIELD EXAM BY IDWR ON 6/8/88 WHICH FOUND 129 ACRES IRRIGATED HOWEVER LEGAL DESCRIPTION OF LANDS IRRIG. IN EXAM APPEAR TO BE INCORRECT. THE WATER IS USED OVER THE ENTIRE SEASON INSTEAD OF THE PERIOD DESCRIBED IN THE PERMIT.

Date: 07/31/1998 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



51-00096 & 51-07085

Department of Energy ☐ NONE

State & California Lands (O&C Lands) ☐ NONE

Lands Administered By US Forest Service ☐ NONE

State & Air Facilities ☐ NONE

Other ☐ NONE

State, County, City, Wildlife,
Park and Outdoor Recreation Areas. ☐ NONE

Acquired Lands
(By Administering Agency) ☐ NONE

	Primary	Source	AR	Uses	Acres
51-00096 A	4-15-1906	Big 2 lat	.30	Don stock In	80
-00096 B	4-15-1906	Big 2 lat	1.30	In	50
			.20	Stock	950 ac.
P) A 51-00096	4-15-1906	Big 2 lat	1.60	In	271
51-07085	3-8-1974	Big 2 lat	1.60	In	80
4) A 51-07085	3-8-1974	Big 2 lat	1.60	In	80
P) 51-07267	8-14-1983	Big 2 lat	1.60	In	135 ac.

AJ0749NP
No. R51-07085

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

DATE: 07/22/98
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME
C BERT BRACKETT 03/08/1974 IRRIGATION 04-01 10-15 1.60 CFS 240.00 AFA
C PAULA BRACKETT
FLAT CREEK RANCH
ROGERSON ID 833020000
(208) 857-2217
TOTAL DIVERSION: 1.60 CFS 240.00 AFA

Water Source: BIG FLAT CREEK Tributary to: CLOVER CREEK Stage: LICENSE

Point(s) of Diversion: T15S R10E S14 SENE
S24 NWNW

ONYHEE County
ONYHEE County

Place of use Legal Description for: IRRIGATION													
NE						SW							
		NENE		NWNE		SENE		NENW		SENW			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
15S	10E	13			40				13	34			
15S	10E	14			17								
15S	10E	24											
9.5						10							
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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

AJ0749NP
No. R51-07085

Remarks: DIVERSION DESCRIBED ABOVE: 51-00096 & 51-07267.

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

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

Comments: Date: 06/19/1998 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
CLAIM BASED ON FIELD EXAM BY IDWR ON 6/8/88 WHICH FOUND 129 ACRES
IRRIGATED HOWEVER LEGAL DESCRIPTION OF LANDS IRRIG. IN EXAM
APPEAR TO BE INCORRECT. THE WATER IS USED OVER THE ENTIRE SEASON
INSTEAD OF THE PERIOD DESCRIBED IN THE PERMIT.

Audit: 07/22/98 MSCHULTE

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: 51-07085

BERT BRACKETT
PAULA BRACKETT
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:

I 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:46:38
06/18/98

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A51-07085

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	Y		LN 6-23-93	N		MS 6-20-98	MS 6-20-98	
POINT OF DIV				Y				
SOURCE				N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE				NA				
PURPOSES OF USE				N				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM				N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

MS-6-20-98

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

1979

IDWR ID NO.

DD67

Y() N(☒)

() TOPOGRAPHIC

DATE FIELD CHECKED

IDWR ID NO.

Y() N()

(☒) ~~MAP~~ GIS maps

DATE OF PHOTO

6-16-88

IDWR ID NO.

Y() N()

() ASCS AERIAL PHOTO

DATE OF PHOTO

Y() N()

() ASCS COLOR SLIDE

DATE OF PHOTO

Y() N()

() BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

Y() N()

() TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

Y() N()

() SCS SOIL SURVEY MAP

DATE ISSUED

Y() N()

() SUBDIVISION PLAT MAP

DATE OF MAP

Y() N()

(☒) OTHER GIS Table

DATE 6-16-88

Y() N()

(☒) OTHER Overlap

DATE

3 pages

Y() N()

(☒) OTHER BU field Report

DATE 6-18-88

51-07267

Y() N()

NO. OF
PAGES

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NOTES

(☒) LICENSING FIELD EXAM

DATE OF FIELD EXAM

6-8-88

5

(☒) WATER RIGHT LICENSE

DATE LICENSE SIGNED

8-27-90

4

() IDWR APPROVED TRANSFER

DATE TRANSFER APPROVED

1

(☒) SYSTEM DESCRIPTION

DATE DRAWN

4

(☒) PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

6-23-93

() SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

4

() HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

4

() CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

4

(☒) FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

6-23-93

2

() OTHER

DATE

11a

() OTHER

DATE

11a

6a e 6b

6c

CONTACT PERSON: Bart Buckett

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 6/23/1993

APPOINTMENT MADE: Y() N()

TIME: - : - A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A51-07085	PRIORITY DATE: 03-08-1974	STAGE: P
B. WR RECORD: # 51-07085	PRIORITY DATE: 03-08-1974	STAGE: L
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?		Y() N()
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?		Y() N()
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)		Y() N()
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?		
PROOF OF BENEFICIAL USE SUBMITTED		N/A() Y() N()
FIELD EXAM COMPLETED		N/A() Y() N()
FIELD EXAM SENT TO STATE OFFICE		N/A() Y() N()
LICENSE ISSUED		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: 3-8-1974

REVIEWED BY: *Michael Schultz*

DATE: 6-18-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-07085	15S	10E	14	NE	SE	NE			OWYHEE		

OTHER AJ CLAIMS WITH SAME AJ POD
 A PREFIX
 R PREFIX
 A51-00095
 A51-00096
 A51-00101
 A51-10184
 A51-10185
 A51-10345
 A51-10346

WR RECORDS IN SAME 40 ACRE TRACT
 51-04097

SOURCE: BIG FLAT CREEK

TRIB: THREE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
51-07085	15S	10E	14	SE	NE				OWYHEE		

OTHER WR RECORDS WITH SAME WR POD
 A PREFIX
 R PREFIX
 A51-00095
 A51-00096
 A51-00101
 A51-10184
 A51-10185
 A51-10345
 A51-10346

AJ CLAIMS IN SAME 40 ACRE TRACT
 51-04097

SOURCE: BIG FLAT CREEK

TRIB: THREE 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()

14:46:38
06/18/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION
CLAIM NUMBER: A51-07085

LAST: BRACKETT
ADDRESS: FLAT CREEK RANCH
CITY: ROGERSON
PHONE NUMBER: 208-857-2217
FIRST: BERT
STATE: ID ID 833020000

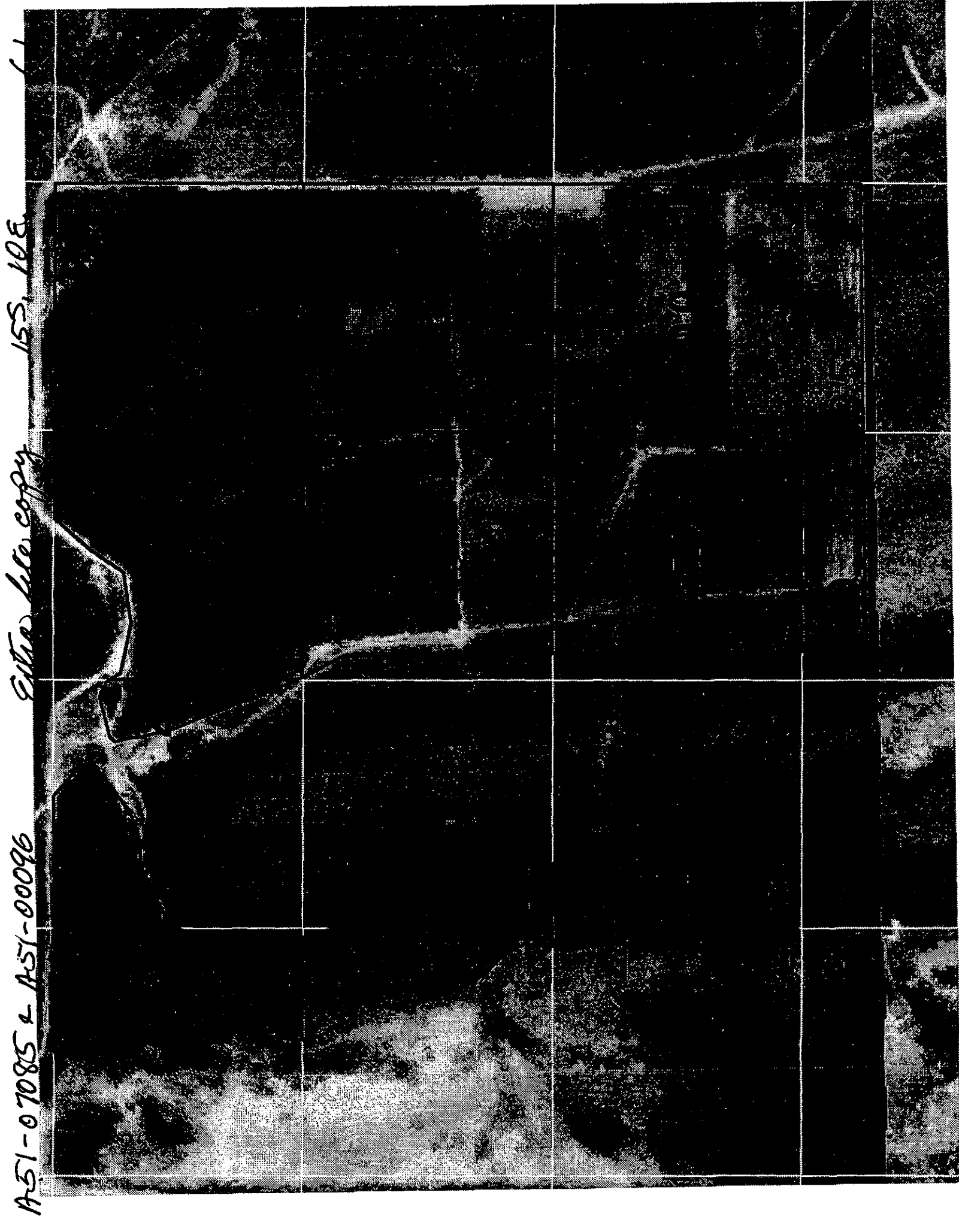
OWNER CODE: C

LAST: BRACKETT
ADDRESS: FLAT CREEK RANCH
CITY: ROGERSON
PHONE NUMBER: 208-857-2217
FIRST: PAULA
STATE: ID ID 833020000

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y() N() FIELD EXAMINER Y() N()

CLAIM REMARKS: GEN CLAIM BASED ON FIELD EXAM BY IDWR ON 6/8/88 WHICH FOUND 129 ACRES IRRIGATED HOWEVER LEGAL DESCRIPTION OF LANDS IRRIG. IN EXAM APPEAR TO BE INCORRECT. THE WATER IS USED OVER THE ENTIRE SEASON INSTEAD OF THE PERIOD DESCRIBED IN THE PERMIT.



A51-07085 & A51-00096

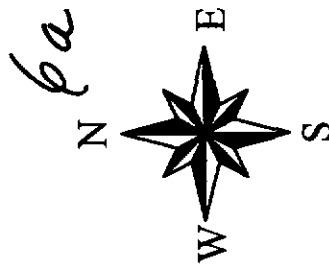
Extra black copy

155, 108

11

IDAHO DEPARTMENT OF WATER RESOURCES

T15S, R10E, S13, S14 & S24



1987 NAPP PHOTO

SECTION LINES



POD



POU



1/4 1/4 LINES

ACRES

SECTION NUMBER

CLAIM(S) : 51-00096, 51-07085 AND PERMIT 51-07267

OWNER(S): BRACKET LIVESTOCK

Prepared by: Mel Schulte

Date: 6/16/1998



6c

WESTERN REGION

CLAIM NUMBERS A51-00096, A51-07085, Permit 51-07267AGENT Mal Schulte DATE 6-16-88

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES 301.7

READY FOR DECREE ____ (YES)

SENT FOR DECREE ____ (YES)

RIGHT 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~~	15S	10E	13			40				13	34	36	6.2	9.2	35		40	40		25.2
GIS			14				17									10			2.9	29.1
			24		9.5			8.9												18.4
~~RECOM~~																				301.
GIS																				

POLYGON CREATED ON 80 _____

POLYGON # () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (²¹⁰~~202~~) (²¹¹~~203~~) () () ()ATTRIBUTES OF B51-POD.SHP (²⁰⁹~~213~~) (²¹³~~214~~) () () ()

B51-DBPOU.DBF _____ UPDATED BY

B51-DBPOD.DBF 8-6-88 UPDATED BY MS

RDH GPSTABLE

NO RIGHTS WITH SAME POJ BUT NOT USED FOR IRRIGATION

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

Y(☒) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A51-00096

Permit 51-07267

E. IS THE CLAIMED POJ 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 POJ, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

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

N/A(☐) Y(☒) N(☐)

G. SHOULD THE CLAIMED POJ 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 POJ: ☒ ORTHOPHOTOQUAD, IDMR NO. 0067; ☐ TOPOGRAPHIC QUAD, IDMR NO. _____;

☒ ^{GIS} ~~MAP~~, IDMR NO. _____; ☒ TRACS PHOTO; ☐ OTHER _____

NOTES: Combined with 51-00096 and 51-07267 into a 301.7
acre PPV. Limited to 80 acres.

RECOMMENDATIONS:

TOTAL ACRES: 301.7 N/A()

REVIEWED BY: Mel Schulte DATE: 6-18-98

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-07085 IRRIGATION	FROM 04-01 TO 10-01	1.600 CFS	
TOTAL DIVERSION RATE/VOLUME	15	1.600 CFS	

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-07085 IRRIGATION	FROM 04-01 TO 10-15	1.600 CFS	240.00 AF/A
TOTAL DIVERSION RATE/VOLUME		1.600 CFS	240.00 AF/A

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 IDWR STANDARDS? Y() N(✓)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N(✓)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR 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:

** Leave as licensed*

AJ CLAIM TOTAL DIVERSION RATE: 1.600 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.600 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* 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? Y() N()

* 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? Y() N()

FLOW MEASUREMENT

E. MEASUREMENT METHOD

None - See 1988 BY field report & Open Channel (See 1/a)

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 80 x 0.02 CFS/ACRE = 160 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 = 80 AF/A

ACRES 80 x DIVERSION VOL. AF/A FOR AREA 3.5 = 280

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 160.0 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 ()

1b. CALCULATIONS

$$Q = 566 \text{ cfs}$$

.0 .10 .20 .30 .40 .50 .60 .70 .75 .80

NOTES:

QNT - E01 - 00096 @ 3.20 cfs
E01 - 07207 @ 3.44 cfs
E04 - 00096 @ 7207 = 5.04

P041 - 406 - 80 ac.

EXP - 106 -

C05

WR RECORD CONDITIONS/REMARKS:

- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- R29 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 51A.

delet

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
	FROM	TO			
IRRIGATION	04-01	10-01 -15	1.600	240	148.0
TOTAL FOR THIS RIGHT			1.600	240	148.0

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: Mel Schultz DATE: 6-20-98

FLAG: C

STANDARD CONDITIONS (CODE):

See page 12

STANDARD REMARKS (CODE):

See Page 12

Season of Use = licensed

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-07085

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	DATABASE	EXAMINER	CFS	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-07085	1.600	1.600				51-07085	1.600

TOTAL CFS 1.600

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:

Form 219
6/86

FEB 28 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources **BENEFICIAL USE FIELD REPORT**

A. GENERAL INFORMATION

1. Owner: Best Brackett

Permit No. 81-7085

Phone No. 857-2217

Current Address: _____

2. Accompanied by: Dale Neaderhiser

EXAM. DATE: 6/8/88

Address: _____

Phone No. No phone

Relationship to Permit Holder: Employee

3. Source: Big Flat Creek tributary to Three Creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: 51-0096A, 51-0096B

Western will need to get copies.

☐ Copies Attached

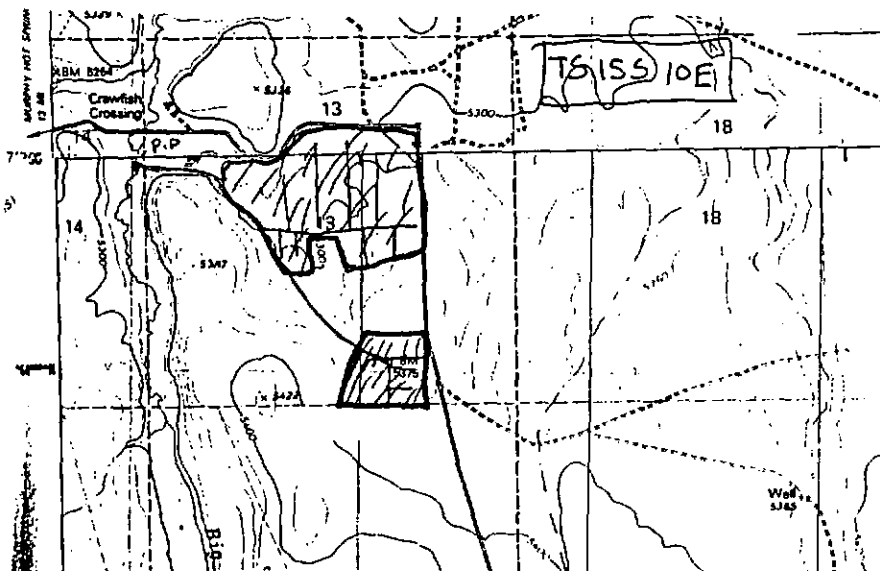
2. Other water rights with same point of diversion: _____

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Cop. of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Anubar	10.02"			091421	10.02"	

2. Measurements:

With anubar and manometer; $Q = 1.73$ cfs was measured @ 30 psi. Normal operating pressure is 70 psi. Therefore this measurement doesn't represent the normal operating capacity; however each pump has a 425 gpm capacity; combined open discharge flow ≈ 1.9 cfs. measured flow seems reasonable.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$$Q = 1.73 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$Q = \frac{8.8 \times 25 \times 30}{3 + 2.31 \times 70} \times 2 = 1.9 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 70 psi $\times 2.31 = 161.7$ ft (1); Dynamic pumping level: 3 ft (2)

Total Head: (1) + (2) = 164.7 (3) ; Flow rate: _____ cfs (4)

Water HP: (3) $\times$ (4) $\div 8.8 =$ _____ (5)

Meter Input KW: 3.6×0.6 KH $\times$ _____ CTR or 40 MULT $\times$ 1 PTR $\times$ _____ N/ _____ T = _____ (6)

Meter Input HP: (5) $\times 1.34 =$ _____ (7)

Panel Input KW: _____ Ave PF $\times$ _____ Ave Volts $\times$ _____ Ave Amps $\times .001732 =$ _____ (6)

Panel Input HP: (6) $\times 1.34 =$ _____ (7)

Efficiency: (5)/(7) $\times 100 =$ _____ %

P# 1860

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 129 \text{ ac.} \times 3.0 = 387 \text{ AFA}$$

$$V_{da} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (1.73) \times 183 \times 1.9835 = 628 \text{ AFA}$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{da} = 387 \text{ AFA} \quad 240 \text{ AFA.}$$

2. Volume Calculations for Other Uses:

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Two 25 HP centrifugal pumps in Parallel, intake water at creek and deliver to 8 lines with a total of 69 heads. Normal operating pressure at the pumps is 70 psi, but when the exam was conducted pressure only reached 30 psi. Apparently, one of the pumps ~~was~~ became plugged; Yet, measured flow contradicts capacity with only one pump running.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	General Electric	25	8141077	Berkely	425 GPM
#2	Century Electric	25	SC-286UC9-RZ	Berkely	425 GPM

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
					~~SW 1/4 13~~	~~15S~~	~~10E~~	~~Owyhee~~	~~Quadr. Map~~
					NESE NE 14	15S	10E	Owyhee	aerial photo

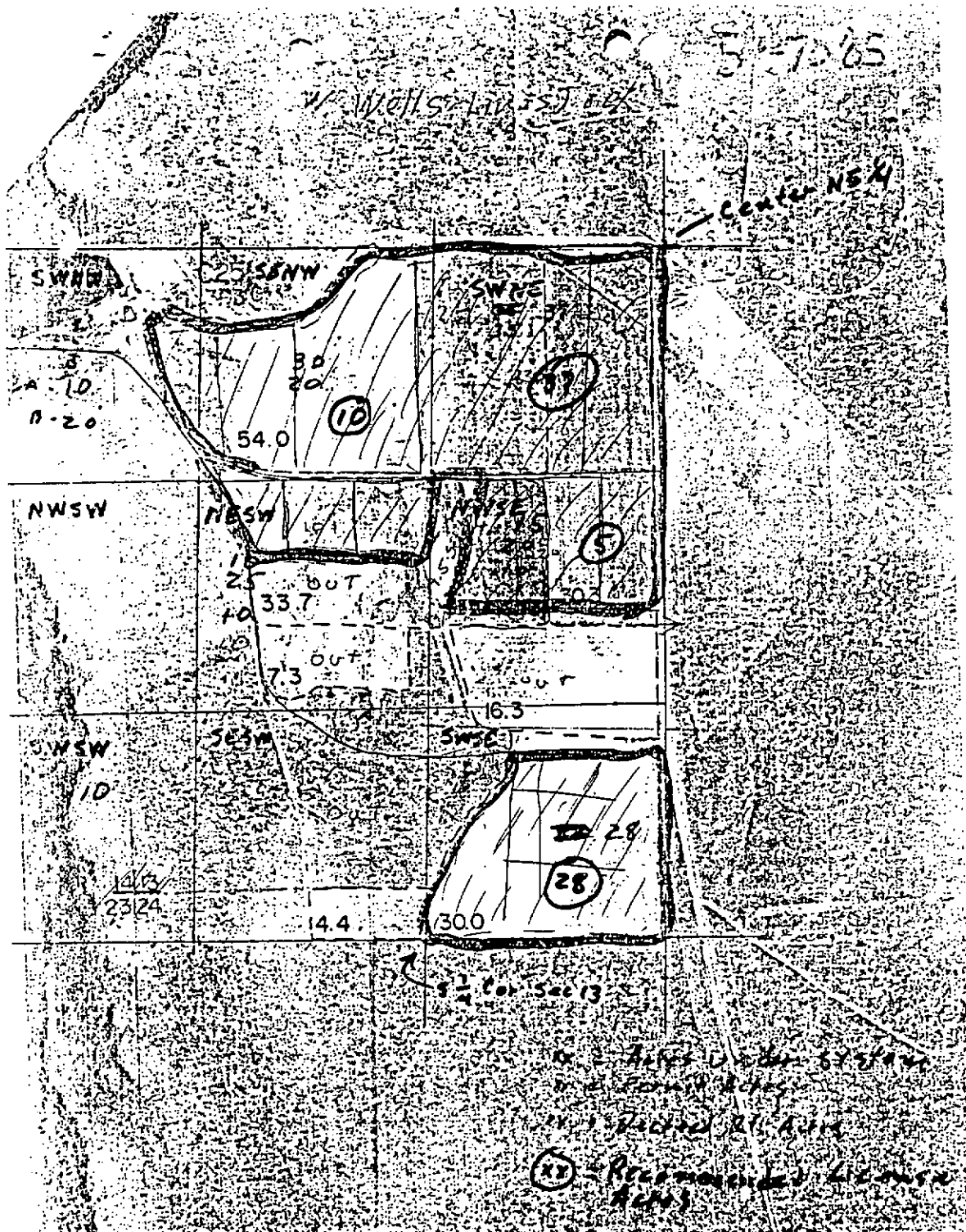
6. Place(s) of Use:

Indicate Method of Determination Aerial Photo

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
		~~13~~			9				15	23	29	15		9		12	10		119
		~~14~~			3			7											10
Under → SYSTEM	15S	10E	13			37				3	30	10				15	28		123
License →	15S	10E	13			37				10						5	28		80
																			129

Corrected 6/9/89 *Ph.*

Do not use this space



H. REMARKS AND OVERLAY REVIEW ANALYSIS

An overlap may exist, but we don't have the files here at Southern.

At time of measure, the system was never fully pressurized; however, measurement seems reasonable based on capacity of pumps at free discharge.

6/9/89 Report Reviewed & Corrected - Mislocated Section Corner - on Aerial Photos. Land list for license is distributed on the assumption that lands under the system not under Permit are Part H. Contained with Revised right 51-0096 A&B.
Ref.

I. RECOMMENDATIONS

1. Recommended Amounts

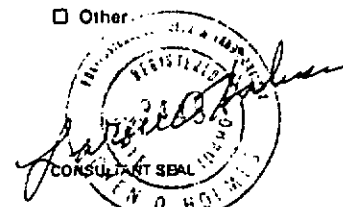
Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	Apr 1	June 15	1.6 cfs	240 287 AFA
Irrigation	Aug 15	Oct 15	1.6 cfs	240 287 AFA
			Totals:	1.6 cfs 240 387 AFA

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Carl Reeb
 Signature Carl E Reeb
 Certification Date 4/6/89
 Field Report Preparation Date 6/8/88



- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

State of Idaho
Department of Water Resources

RECEIVED
AUG 29 1990

Department of Water Resources
Western Regional Office

WATER RIGHT LICENSE
WATER RIGHT NO. 51-07085

Priority: March 8, 1974

Maximum Diversion Rate: 1.60 CFS
Maximum Diversion Volume:¹ 240.0 AF

This is to certify, that BERT BRACKETT
THREE CREEK
ROGERSON, ID 833020000

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated March 8, 1974; and
has submitted Proof of Beneficial Use on April 30, 1975. An examination indicates
that the works have a diversion capacity of 1.730 cfs of water from:

BIG FLAT CREEK tributary to THREE CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/15	1.60 CFS	240.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 14, Township 15S, Range 10E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15S	10E	13	SWNE 37	SENE 10	NWSE 5	80
			SWSE 28			

Total number of acres irrigated: 80

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 51-07085

CONDITIONS/REMARKS:

5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
7. Use of water under this water right is subject to control by the watermaster of State Water District No. 51A

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 22nd day of AUGUST, 1990.

Acting for R. Keith Higginson, Director

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 51-07085

RECEIVED
APPROVED
AUG 15 1990

Department of Water Resources

Date of Priority: March 8, 1974

Maximum Diversion Rate: 1.60 CFS
Maximum Diversion Volume:¹ 240.0 AF

Comes now
THREE CREEK
ROGERSON, ID 833020000

BERT BRACKETT

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 51-07085, and requests that the permit be changed as follows:

Source: BIG FLAT CREEK tributary to THREE CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/15	1.60 CFS	240.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 14, Township 15S, Range 10E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15S 10E 13	SWNE 37	SENW 10	NWSE 5	
	SWSE 28			80

Total number of acres irrigated: 80

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Three Cr, this 10 day of Aug, 1990.

Bert Brackett
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 51-07085

FOR DEPARTMENT USE ONLY

Preliminary check by SC Fee ☒ \$20.00

Receipted by J. Q. Date 8/15/90 #CO18020

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 51-07085 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

Witness my hand this 27TH day of AUGUST, 1990.

Acting for

R. Keith Higginson, Director

BLM

P.D.

Time

Ditch

Ditch

Pipeline

~~25 hp Booster Pump~~

POB

~~80.8~~

[illegible][illegible][illegible]

Page 1

51-00096A

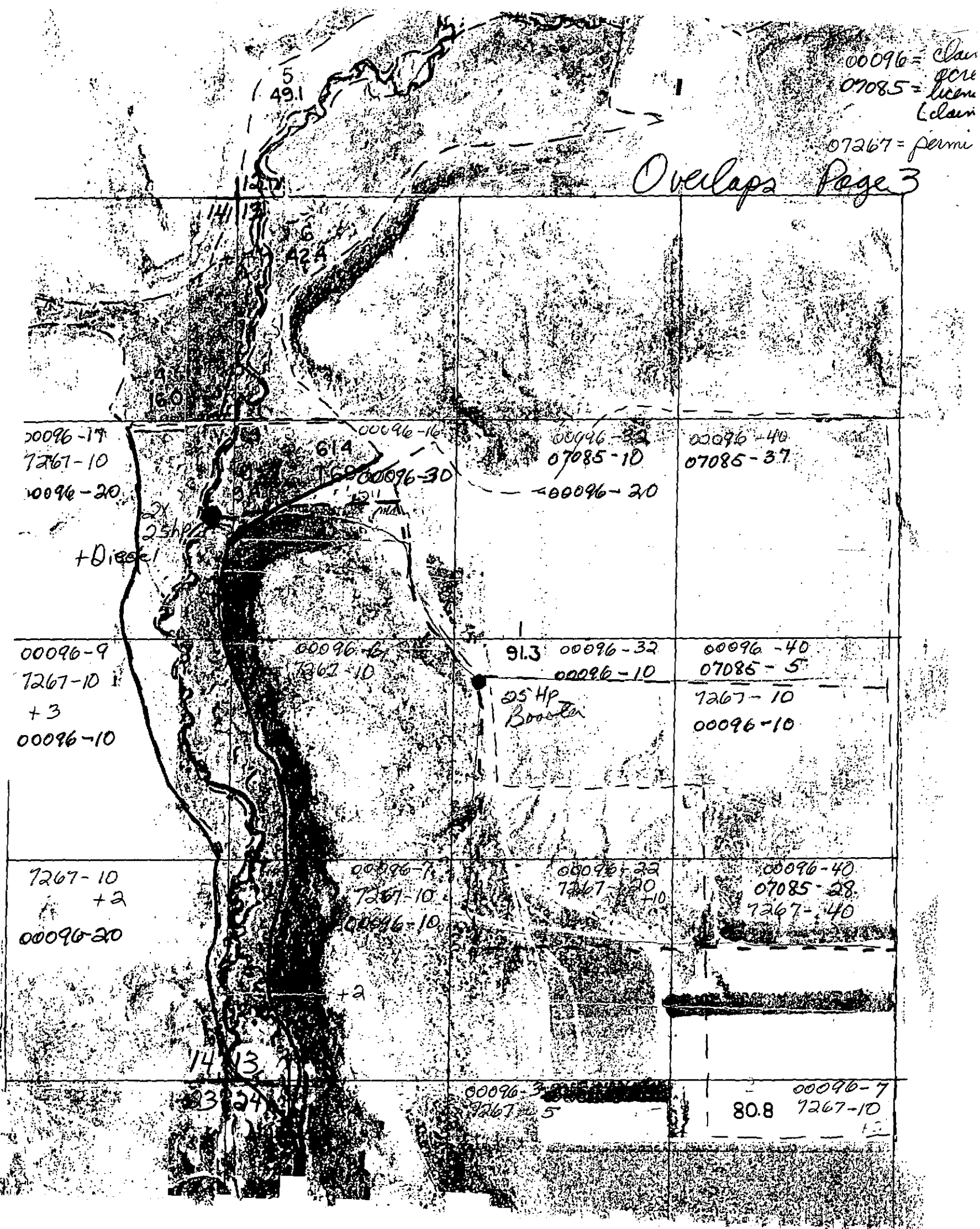
NUMBER	INS	RNG	SEC.	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	155	10E	B																		
			13							10				10	10					30	
			14			20											10		20	50	

51-00096B

[illegible][illegible][illegible]

00096 = class
 07085 = license
 07267 = permit

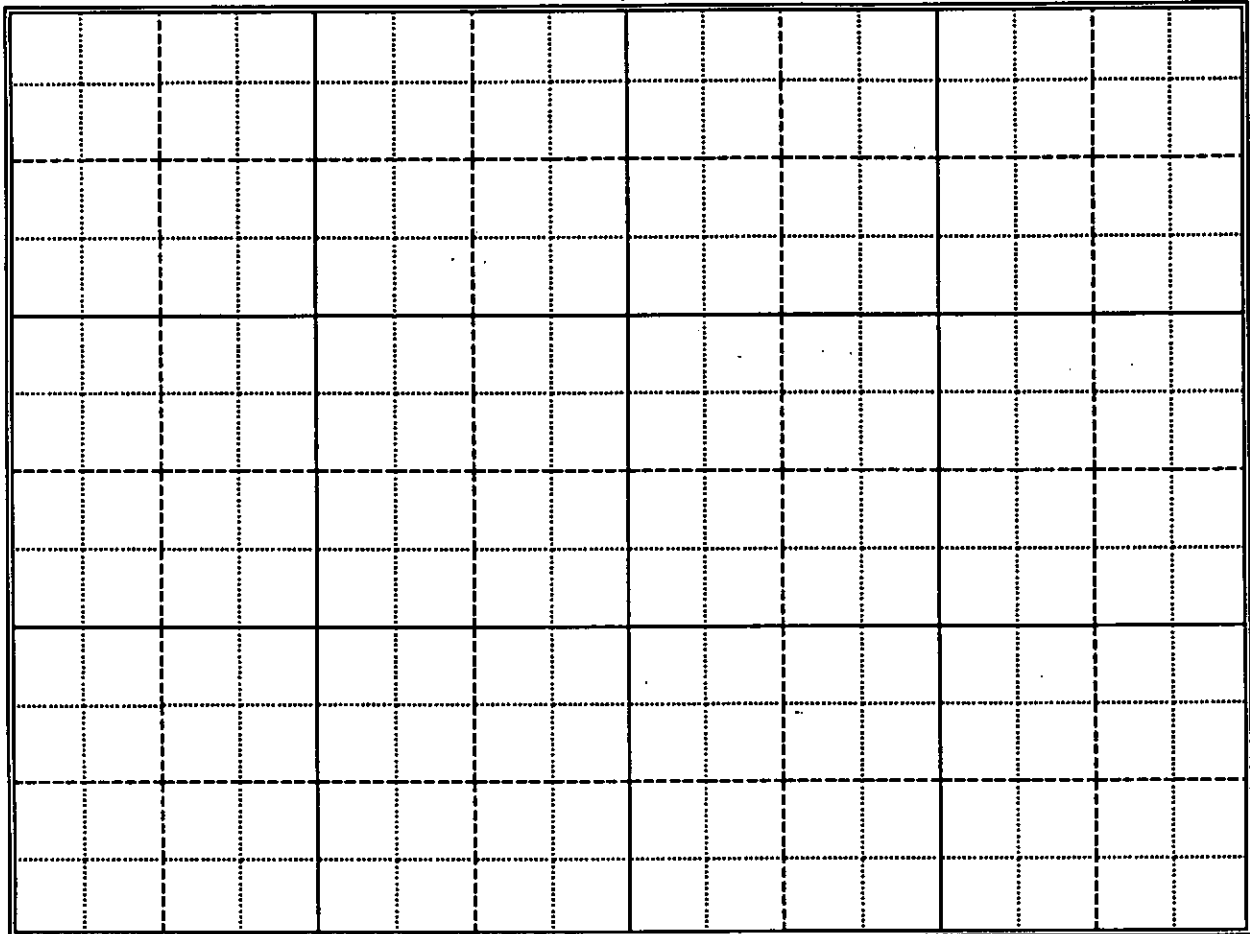
Overlaps Page 3



[illegible]

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.

See attached



Scale: 1" = _____

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
<i>at creek</i>	<i>GE</i>	<i>25</i>	<i>8141077</i>	<i>Baskley</i>	<i>rated @ 425 gpm</i>
<i>" "</i>	<i>GE</i>	<i>25</i>	<i>SC-286UC7-FLZ</i>	<i>" "</i>	<i>" "</i>
<i>Booster</i>	<i>Unknown</i>	<i>25</i>	<i>Unknown</i>	<i>Unknown</i>	<i>" "</i>

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: *2 open channel measurements on ditches from POB in NWNW, S24. See attached, BU Field Report for 51-07085 for pumping system in SENE, S14. Booster pump rated at 425 gpm.*

E. NARRATIVE/REMARKS/COMMENTS

See attached System diagram.

This permit overlaps parts of 51-00096 and 51-07085. It is intended to cover the additional acres not covered by these rights. (See overlap map and Tables) All of these three rights are used in a permissible place of use totalling 301.7 acres. (See attached GIS map and Table)

The 25 hp booster pump was added to the system since 51-07085 was licensed and examined. The two existing 25 hp pumps were measured at 1.90 cfs. and the booster adds another 425 gpm (.93 cfs).

Summary of Rights and conditions:

51-00096	1.60 cfs		130 acres.
51-07085	1.60 cfs	240 AF	80 "
51-07267	1.84 cfs	322 AF	92 "
	5.04	562 AF	302 acres

This right combined with 51-07085 is limited to a combined 3.44 cfs.
 " " " " 51-00096 " " to a " 4.44 cfs.
 " " " " 51-00096 and 51-07085 is limited
 To a combined 5.04 cfs.

This right is limited to 92 acres in the PPU of 302 acres.

The on stream diversion point in the NWNW, 524 is being added by the PPU.

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

See D.2

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 92 \times 3.5 = 322$$

$$V_{D.R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.84 \times 214 \times 1.9835 = 781$$

$$V = \text{Smaller of } V_{I.R} \text{ and } V_{D.R} = 322$$

2. Volume Calculations for Other Uses:

NA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Irrigation</u>	<u>4-1</u>	<u>10-31</u>	<u>1.84 cfs</u>	<u>322</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>1.84 cfs.</u>	<u>322 AF</u>

2. Recommended Amendments

☐ Change P.D. as reflected above ☒ Add P.D. as reflected above* ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name

Linda Weaver
by Mel Schulte Date 6-18-98

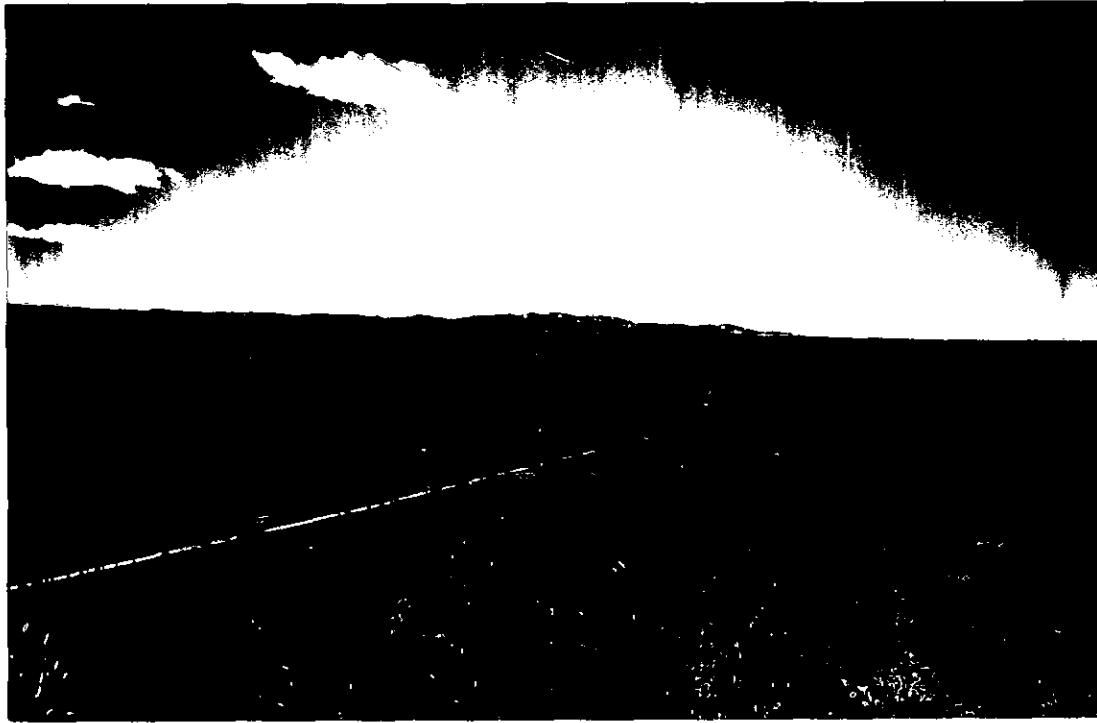
Reviewer _____

Date _____

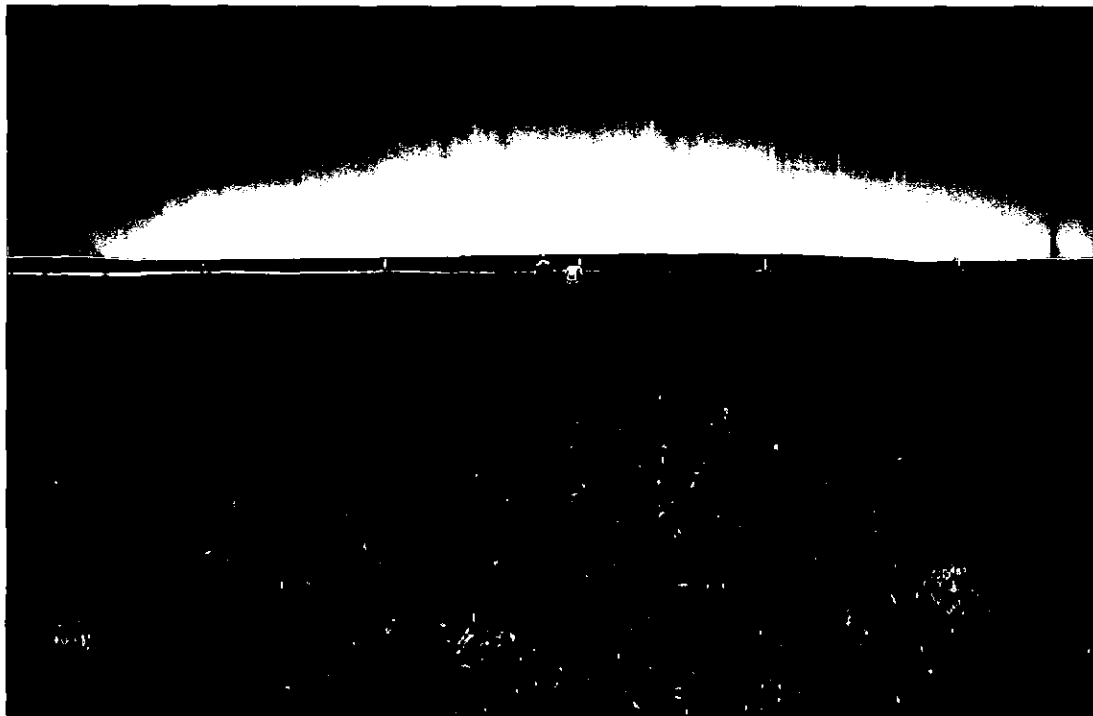
SEAL

A51-00096 & A51-07085

Photos 6-23-93



Poll viewed
from pumps
at POD #1



Poll looking
West from
POD #1

A51-00096 & A51-07085

Photos 6-23-93



POD

NWNW, S24

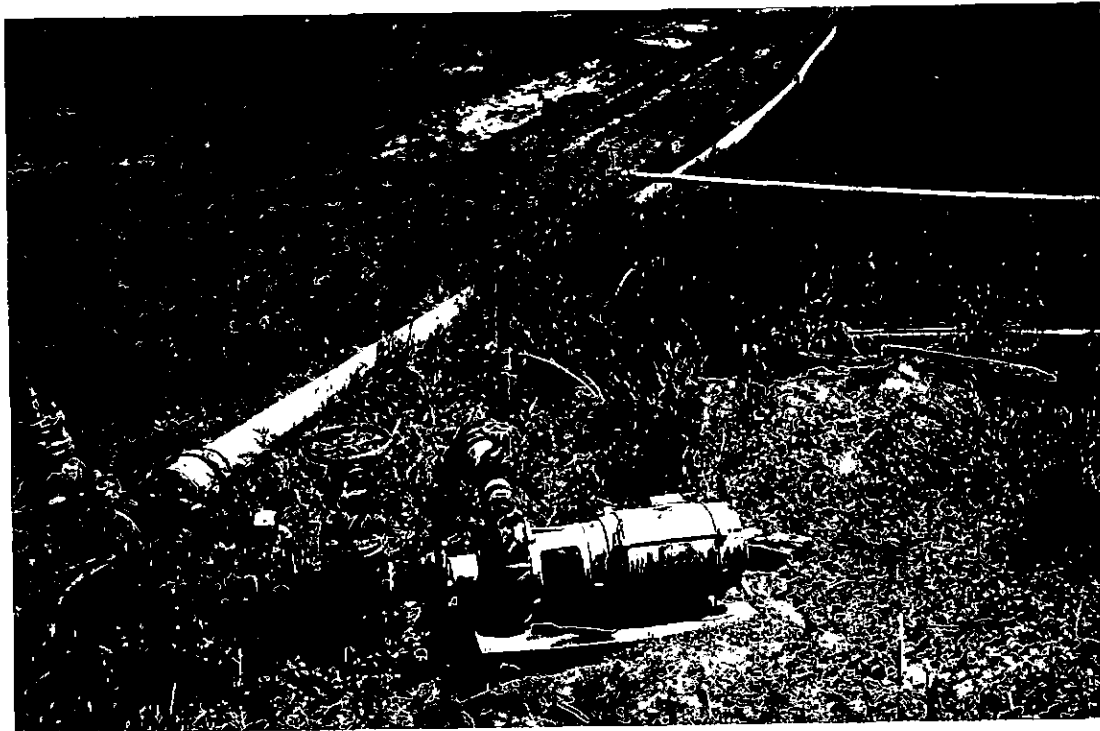


POD #1

SENE, S14

A51-00096 & A51-07085

Photos 6-23-93



Booster pump
in NESW, S13
used to
pressurize
sprinkler
system in
S13.



Poll in
SE NW, S13

A51-00096 & A51-07085

Photos 6-23-93



Measurement
site in
West ditch



Measurement
site in
East ditch

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE Lt Ac	NW Lt Ac	SE Lt Ac	SW Lt Ac	NE Lt Ac	NW Lt Ac	SE Lt Ac	SW Lt Ac	NE Lt Ac	NW Lt Ac	SE Lt Ac	SW Lt Ac	SUM
A5100096	T15S R10E S13 BIG FLAT CREEK	40												235
NO MATCHES FOR THIS POU IN AJ-POU-TEMP														
5100094	BIG FLAT C	40	40											80
5100095	BIG FLAT C	40	40											80
A5100095	BIG FLAT C				14									14
A5100096	BIG FLAT C													
5100096A	BIG FLAT C				10		10							30
5100096B	BIG FLAT C				20	20						10		50
A5100101	BIG FLAT C													14
5100105	BIG FLAT C				14									14
5104097	BIG FLAT C				40									40
5107085	BIG FLAT C				07									7
A5107085	BIG FLAT C	37				10								80
5107267	BIG FLAT C	35					25					05	28	80
A5110184	BIG FLAT C							10	10	20		20		90
A5110185	BIG FLAT C				08			06	07			10	40	21
A5110345	BIG FLAT C													14
A5110346	BIG FLAT C				14									14
A5110346	BIG FLAT C				14									14

A5100096	T15S R10E S14 BIG FLAT CREEK	17												26
NO MATCHES FOR THIS POU IN AJ-POU-TEMP														
A5100095	BIG FLAT C	04												4
5100096A	BIG FLAT C													50
A5100101	BIG FLAT C	04												4
5100105	BIG FLAT C	40												40
5104036	CRAWFISH S		S	S										
A5104036	CRAWFISH S		S	S										
R5104036	CRAWFISH S		S	S										
5104045	CRAW FISH	35			25									70
A5104045	CRAW FISH	26			17									43
5104097	BIG FLAT C	09												9
5107267	BIG FLAT C													30
A5110184	BIG FLAT C				10									26
A5110185	BIG FLAT C				17									4
A5110345	BIG FLAT C	04												4
A5110346	BIG FLAT C	04												4
A5112370	UNNAMED ST													
A5112375	UNNAMED ST		S											
A5112441	UNNAMED ST					S								

A5100096	T15S R10E S24 BIG FLAT CREEK	07												10
----------	------------------------------	----	--	--	--	--	--	--	--	--	--	--	--	----

NO MATCHES FOR THIS POU IN AJ-POU-TEMP

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 01/08/97
PAGE: 2

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

[illegible]

MR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/11/97 11:39:08
Page 1

Water Right Number - 51-07085

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
BRACKETT

BERT

1 - THREE CREEK

2 -

3 -

City- ROGERSON

Phone -

State- ID Zip- 833020000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/08/1974 14 WESTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG FLAT CREEK THREE CREEK

+ - - - - Point of Diversion - - - - - Diversion Name Diversion Rate Diversion No.
Twn Rng Sec Tract Lot Rflg County

15S 10E 14 SE NE (73) OWYHEE

+ - - - - Description Period From Period To Diversion Rate Diversion Volume
Code

01 - IRRIGATION 04/01 10/15 1.600 240.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.600 240.00 1.730

+ - - - - Place of Use - - - - - Description County
Twn Rng Sec Tract Lot Acres Code

15S 10E 13 SW NE 37.0 01 IRRIGATION (73) OWYHEE
15S 10E 13 SE NW 10.0 01 IRRIGATION (73) OWYHEE
15S 10E 13 NW SE 5.0 01 IRRIGATION (73) OWYHEE
15S 10E 13 SW SE 28.0 01 IRRIGATION (73) OWYHEE

Total Acres: 80.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

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

+ - - - - Conditions of Approval - - - - -
R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.
R29 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.0 afa per acre for the

