

# IDAHO DEPARTMENT OF WATER RESOURCES

## T15S, R10E, S23, S24, S25 & S26



1987 NAAPP PHOTO

 SECTION LINES

 POD

 POU

 1/4 1/4 LINES

6 ACRES

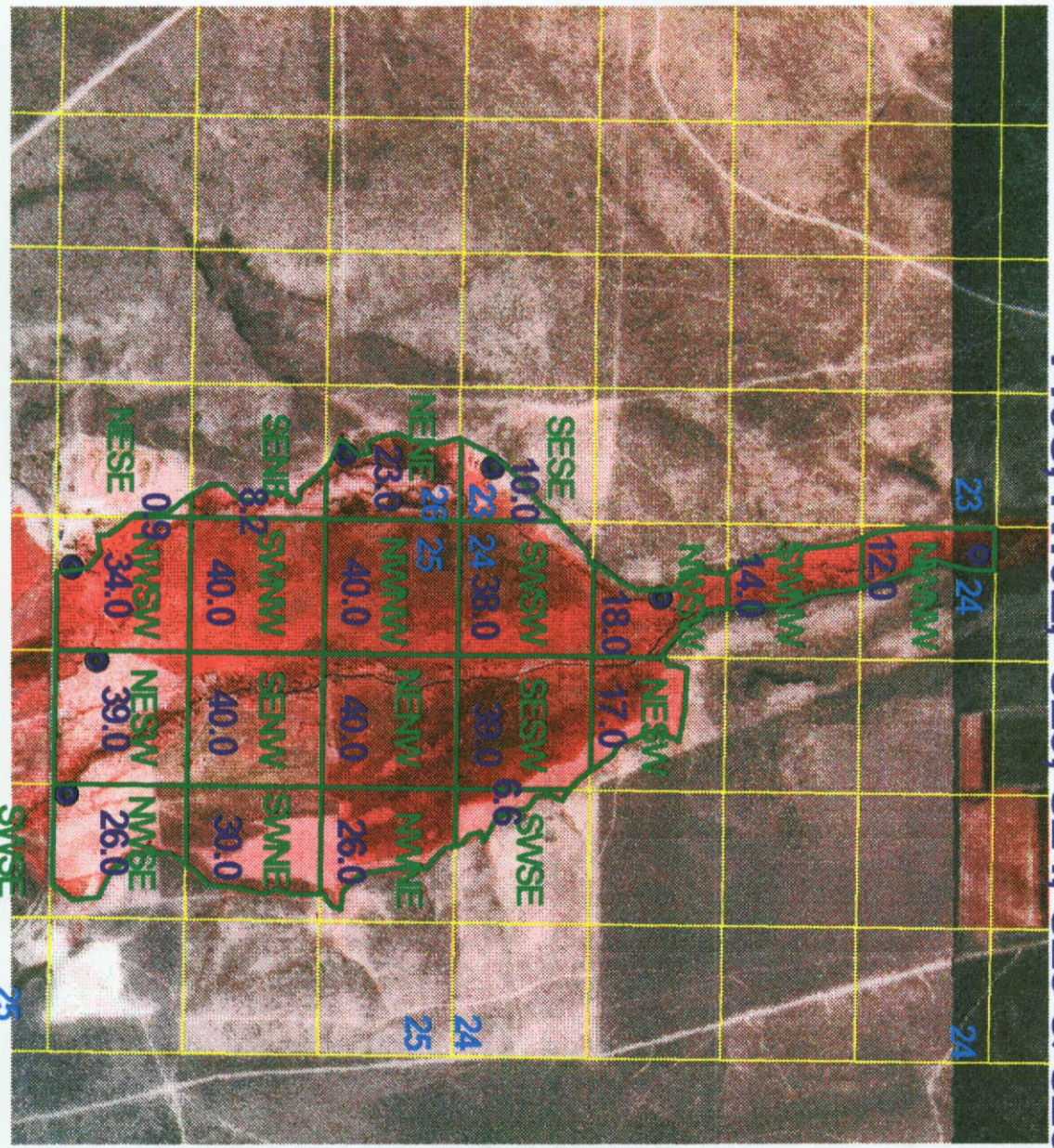
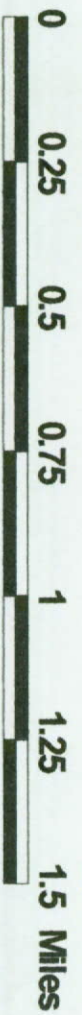
6 SECTION NUMBER

CLAIM(S) : 51-10182

OWNER(S): BRACKETT LIVESTOCK

Prepared by: Mel Schulte

Date: 6/26/1998



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

RECEIVED  
JAN 20 1989

Ident. Number: A51-10182  
Date Received: 1/13/89  
Receipt No: 500593/  
Received By: AM

Department of Water Resources  
Western Regional Office

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, 1934
3. Source: BIG FLAT CREEK Trib. to: BRUNEAU RIVER, EAST FORK  
LITTLE SPRING CREEK BIG FLAT CREEK  
SPRINGS LITTLE SPRING CREEK
4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |        |  |
|----------|-------|---------|--------|--------|--------|-----|--------|--------|--|
| 15S      | 10E   | 21      | SE     | NW     | SW     |     | OWYHEE |        |  |
|          |       |         | SW     | NW     | SW     |     | OWYHEE |        |  |
|          |       |         | SE     | NW     | SW     |     | OWYHEE |        |  |
|          |       |         | SW     | NE     | SE     |     | OWYHEE |        |  |
|          |       |         | SW     | SW     | SE     |     | OWYHEE |        |  |
|          |       |         | SW     | NE     | NE     |     | OWYHEE |        |  |
|          |       | 26      | SW     | NE     | NE     |     | OWYHEE |        |  |
|          |       |         | 36     | NE     | NE     | NW  |        | 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 | 07/01 | 10.080 |      |        |
7. Total Quantity Appropriated is:  
10.080 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 1008.0 Acre Feet Per Annum.
9. Non-irrigation uses:  
NONE

A51-10182

Page 1

Date: 01/11/89

MICROFILMED  
AUG 11 1982

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 15S      | 10E   | 23      | SE     | SE  |               | IRR | 6.0   |
|          |       |         |        |     | Section Acres |     | 6.0   |
|          |       | 24      | NW     | NW  |               | IRR | 13.0  |
|          |       |         | SW     | NW  |               | IRR | 15.0  |
|          |       |         | NE     | SW  |               | IRR | 17.0  |
|          |       |         | NW     | SW  |               | IRR | 14.0  |
|          |       |         | SW     | SW  |               | IRR | 36.0  |
|          |       |         | SE     | SW  |               | IRR | 40.0  |
|          |       |         | SW     | SE  |               | IRR | 9.0   |
|          |       |         |        |     | Section Acres |     | 144.0 |
|          |       | 25      | NW     | NE  |               | IRR | 27.0  |
|          |       |         | SW     | NE  |               | IRR | 30.0  |
|          |       |         | NE     | NW  |               | IRR | 40.0  |
|          |       |         | NW     | NW  |               | IRR | 40.0  |
|          |       |         | SW     | NW  |               | IRR | 40.0  |
|          |       |         | SE     | NW  |               | IRR | 40.0  |
|          |       |         | NE     | SW  |               | IRR | 39.0  |
|          |       |         | NW     | SW  |               | IRR | 35.0  |
|          |       |         | NW     | SE  |               | IRR | 24.0  |
|          |       |         |        |     | Section Acres |     | 315.0 |
|          |       | 26      | NE     | NE  |               | IRR | 26.0  |
|          |       |         | SE     | NE  |               | IRR | 11.0  |
|          |       |         | NE     | SE  |               | IRR | 2.0   |
|          |       |         |        |     | Section Acres |     | 39.0  |
|          |       |         |        |     | Total Acres   |     | 504.0 |

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:  
A51-10181

14. Remarks:

THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH HAVE DECREED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL 1"/ ACRE USED DURING THE FLOOD PERIOD.

14. Remarks: Continued

15. Basis of Claim: BENEFICIAL USE

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 A51-10181

**For Organizations:**

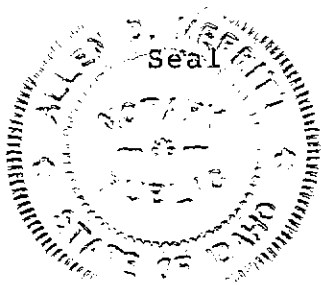
I do solemnly swear or affirm that I am President of  
Brackett Livestock Inc, that I have signed the foregoing  
Organization  
document in the space below as President of  
Brackett Livestock Inc and that the statements contained in the  
Organization  
foregoing document are true and correct.

Bert 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 13<sup>th</sup> day  
of Jan 19 89

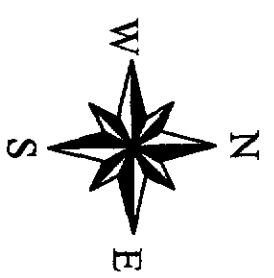
Al D. Menter  
Notary Public



Residing at Kimberly, Ida  
My Commission Expires 6/30/94

# IDAHO DEPARTMENT OF WATER RESOURCES

## T15S, R10E, S23, S24, S25 & S26



1987 NAPP PHOTO

 SECTION LINES

● POD

 POU

1/4 1/4 LINES

6 ACRES

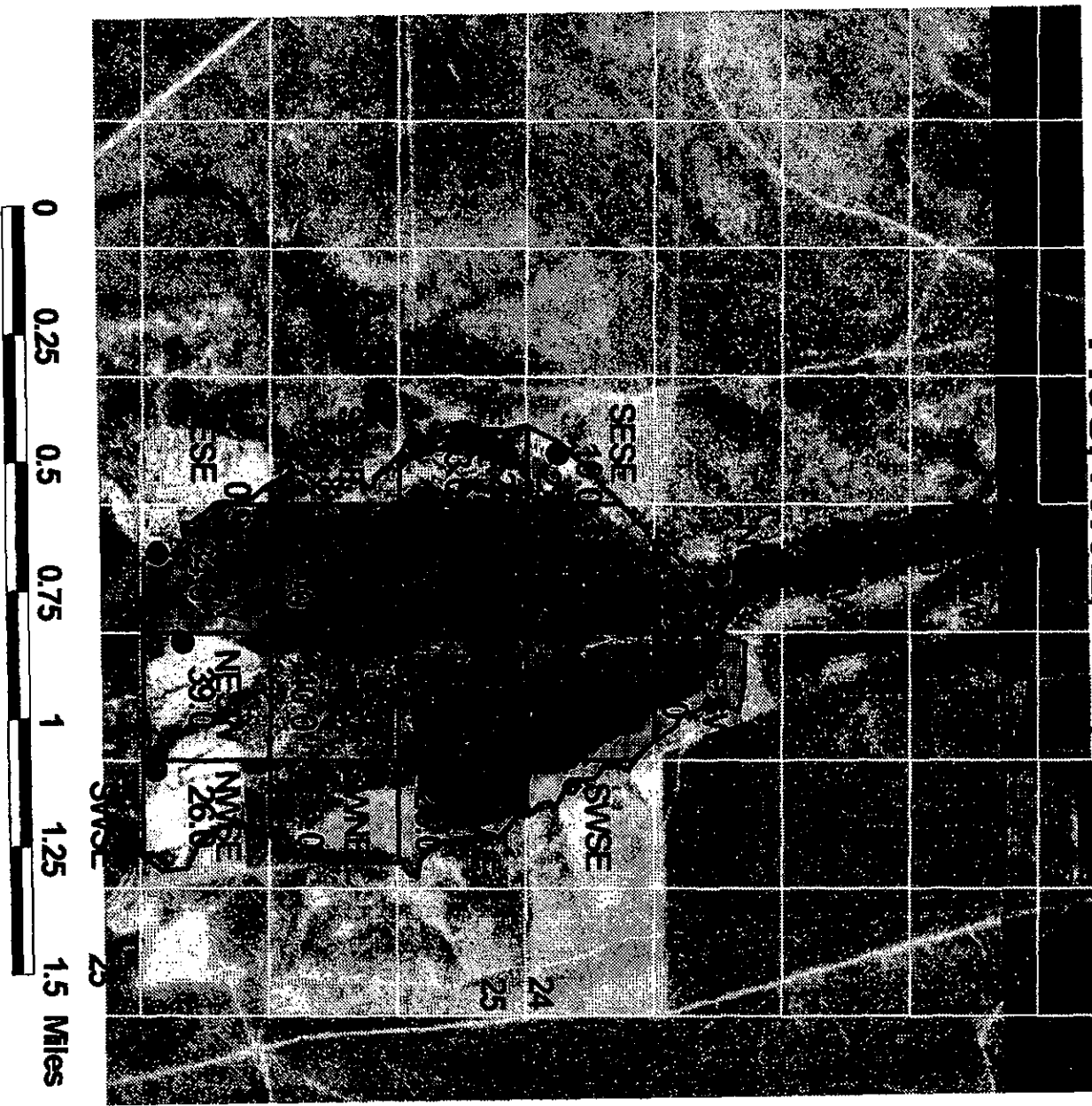
6 SECTION NUMBER

CLAIM(S) : 51-10182

OWNER(S): BRACKETT LIVESTOCK

Prepared by: Mel Schulte

Date: 6/26/1998



DIVERSION  
VOLUME

**Stage: BENEFICIAL USE**

OWYHEE County  
OWYHEE County  
OWYHEE County  
OWYHEE County  
OWYHEE County

**SB**

## 501.7

**POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO**

AJ0749NP  
No. R51-10182

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

DATE: 11/11/98  
PAGE: 2

Remarks:

THE IRRIGATION OF A COMBINED TOTAL OF 501.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-10182 & 51-10181.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 51-10181 & 51-10182.

Dates:

Exam Made Date: Verified Date: 11/11/1998 Objection filed Date:

Misc:

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

Comments:

Date: 06/26/1998 User-ID: MSCHULTE Subject: FLOOD WATER RIGHT  
THIS IS A FLOOD WATER RIGHT TO BE USED IN ADDITION TO THE DECREED  
RIGHT APPURTENANT TO THE SAME PLACE OF USE AS 51-10181 & 51-00101

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

Date: 11/11/1998 User-ID: JSHURTE Subject: SEASON OF USE CHANGE  
CHANGED SEASON OF USE FROM 4-1 TO 7-01 TO 4-1 TO 10-31 PER IDWR  
STANDARD FOR THIS AREA. THIS RIGHT WILL STILL BE CONSIDERED A  
FLOOD WATER RIGHT DUE TO ITS PRIORITY DATE.

Audit:

11/11/98 JSHURTE

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: 51-10182

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:

☒ 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

| MR 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                    |                                           | <i>Wanner</i><br>7-13-93 | N                |                              | <i>MS</i><br>6-26-98       | <i>MS</i><br>6-26-98           |                         |
| POINT OF DIV           | Y                    |                                           | 7-22-93                  | Y                |                              |                            |                                |                         |
| SOURCE                 | Y                    |                                           |                          | N                |                              |                            |                                |                         |
| PLACE OF USE           | Y                    |                                           |                          | Y                |                              |                            |                                |                         |
| DIV. AMOUNT CFS/VOLUME | Y                    |                                           |                          | N                |                              |                            |                                |                         |
| CONSUMPTIVE USE        | -                    |                                           |                          | NA               |                              |                            |                                |                         |
| PURPOSES OF USE        | Y                    |                                           |                          | N                |                              |                            |                                |                         |
| PERIOD OF USE          | Y                    |                                           |                          | N                |                              |                            |                                |                         |
| BASIS OF CLAIM         | Y                    |                                           |                          | N                |                              |                            |                                |                         |
| REMARKS                | Y                    |                                           |                          | Y                |                              |                            |                                |                         |

BARCODE UPDATED  
WHOM/DATE  
*MS-6-26-98*

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

IDWR ID NO.

Y( ) N( )

( ) TOPOGRAPHIC

DATE FIELD CHECKED

IDWR ID NO.

Y( ) N( )

( ) MAP *GIS maps.*

DATE OF PHOTO

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 *Affidavits*

DATE *Various*

Y( ) N( )

( ) OTHER

DATE

Y( ) N( )

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF  
PAGES

NOTES

( ) LICENSING FIELD EXAM

DATE OF FIELD EXAM

Y( ) N( )

( ) WATER RIGHT LICENSE

DATE LICENSE SIGNED

Y( ) N( )

( ) IDWR APPROVED TRANSFER

DATE TRANSFER APPROVED

Y( ) N( )

( ) SYSTEM DESCRIPTION

DATE DRAIN

Y( ) N( )

( ) PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

Y( ) N( )

( ) SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

Y( ) N( )

( ) HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

Y( ) N( )

( ) CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

Y( ) N( )

( ) FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

Y( ) N( )

( ) OTHER

DATE

Y( ) N( )

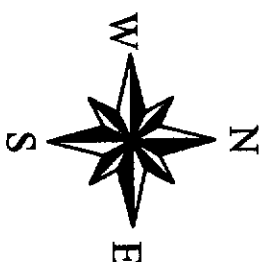
( ) OTHER

DATE

Y( ) N( )

# IDAHO DEPARTMENT OF WATER RESOURCES

## T15S, R10E, S23, S24, S25 & S26



1987 NAPP PHOTO

 SECTION LINES

● POD

 POU

1/4 1/4 LINES

6 ACRES

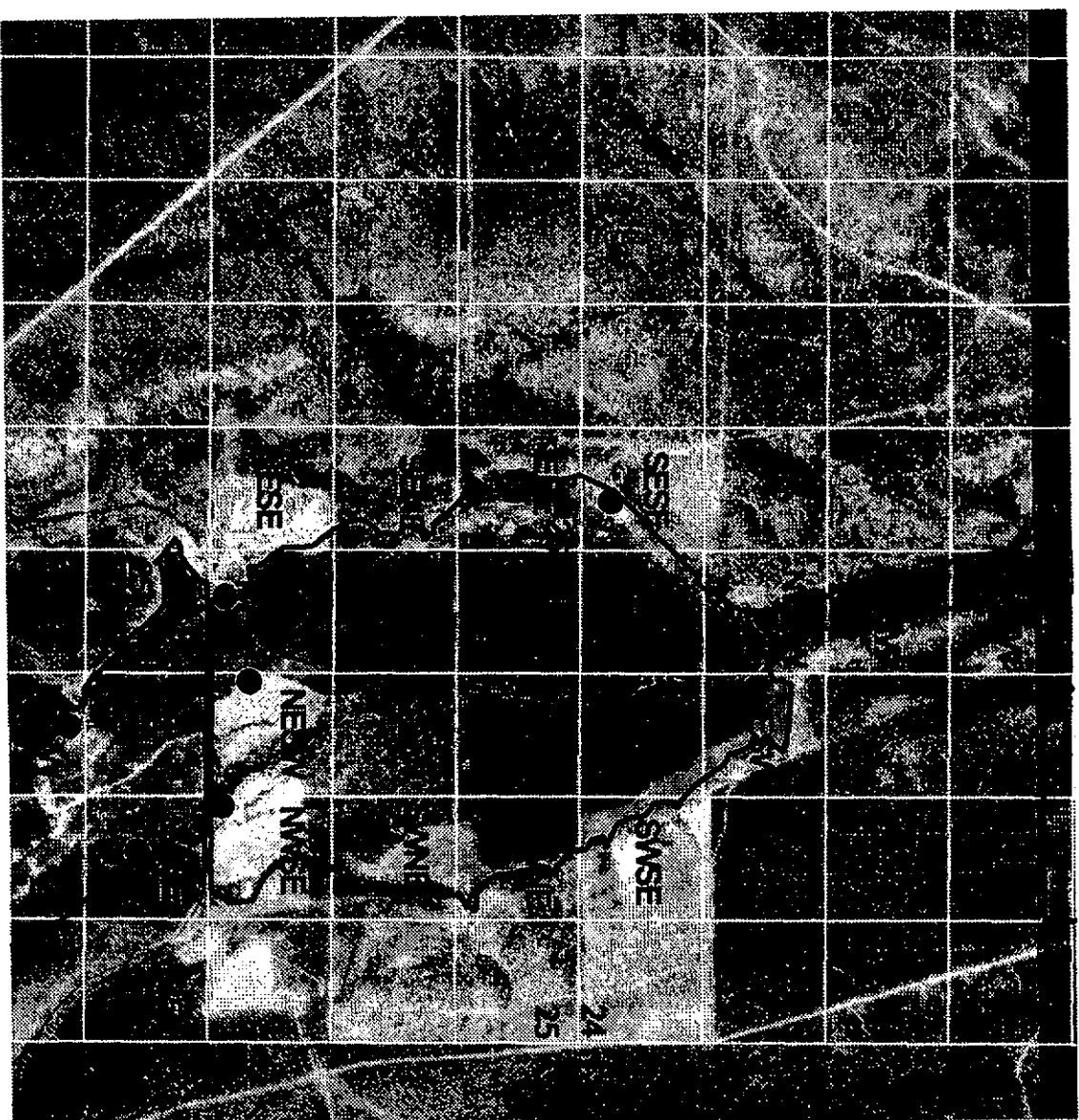
6 SECTION NUMBER

CLAIM(S) : 51-10182

OWNER(S): BRACKETT LIVESTOCK

Prepared by: Mel Schulte

Date: 6/26/1998



RECEIVED

AFFIDAVIT

MAR 15 1993

Department of Water Resources  
Southern Region Office

STATE OF IDAHO                     )  
                                          : SS.  
County of Twin Falls             )

**RAY CLARK**, being first duly sworn, deposes and says;

1. Attached hereto as Exhibit "A" are Idaho Department of Water Resources Adjudication Claim Profile Reports for Brackett Livestock, Inc. Those Profile Reports are Nos. A51-10182, A51-10183, A51-10185.

2. I am personally familiar with the water sources referred to as Big Flat Creek, Little Spring Creek, Springs, Cherry Creek, Three Creek and Unnamed Stream as those water sources flow through the real estate described in Exhibit "A."

3. I have been personally acquainted with this property since at least April 1, 1934. I have resided in the Three Creek area since prior to April 1, 1934.

4. The water sources described in Exhibit "A" flood in most years, usually from April 1 to July 1. The flooding and high water is caused by snow melt. During the time that the water source is flooding, the flood waters are used to irrigate hay land and pasture on the real estate more particularly described on Exhibit "A." The use of the flood water for irrigation has been continuous from at least April 1, 1934. The flooding usually lasts from two to six weeks and the waters have been used for the duration of the flooding for irrigation of hay ground and pasture.

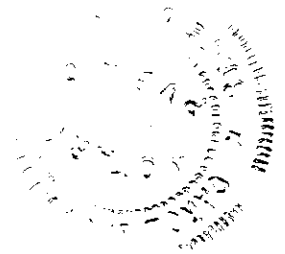
DATED this 11th day of March, 1993.

Ray A. Clark  
RAY CLARK

SUBSCRIBED AND SWORN to before me this 11th day of  
March, 1993.

Carol M. Dwyer  
Notary Public for Idaho  
Residing at Twin Falls  
Commission Expires: 7-15-97

(RGK\3623AFF1.003)





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

PRIORITY DATE WATER USE  
01/01/1934 IRRIGATION

USE PERIOD FROM TO  
06-01 07-01

DIVERSION RATE  
2.48 CFS

DIVERSION VOLUME  
248.0 AFA

TOTAL DIVERSION:  
CONSUMPTIVE USE: 2.48 CFS

Water Source: CHERRY CREEK  
THREE CREEK  
UNNAMED STREAM

Tributary to: THREE CREEK  
BRUNEAU RIVER, EAST FORK  
THREE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T15S R11E S16  
S17  
S17  
S21

NESESM  
SESMSE  
SESMSE  
SESMSE

OWYHEE County  
OWYHEE County  
OWYHEE County  
OWYHEE County

| Place of use Legal Description for: IRRIGATION |     |    |    |    |    |    |    |    |    |    |             |
|------------------------------------------------|-----|----|----|----|----|----|----|----|----|----|-------------|
| NE                                             |     |    | NW |    |    | SW |    |    | SE |    |             |
| T                                              | R   | S  | NE | NW | SW | SE | NE | NW | SW | SE | SUM         |
| 15S                                            | 11E | 8  | NE | NW | SW | SE | NE | NW | SW | SE |             |
| 15S                                            | 11E | 16 | NE | NW | SW | SE | NE | NW | SW | SE |             |
| 15S                                            | 11E | 17 | NE | NW | SW | SE | NE | NW | SW | SE |             |
| 15S                                            | 11E | 21 | NE | NW | SW | SE | NE | NW | SW | SE |             |
|                                                |     |    |    |    |    |    |    |    |    |    | TOTAL ACRES |
|                                                |     |    |    |    |    |    |    |    |    |    | 124.0       |

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: A51-00106, A51-00123

Remarks: THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH  
HAVE DECURED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL  
1" / ACRE USED DURING THE FLOOD PERIOD.

Dates: Exam Made Date: Verified Date:

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

OWNER NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME  
C BRACKETT LIVESTOCK INC. 04/01/1934 IRRIGATION 04-01 07-01 3.20 CFS  
FLAT CREEK RANCH  
ROGERSON ID 83302  
(208) 857-2217  
TOTAL DIVERSION: 3.20 CFS  
CONSUMPTIVE USE: 320.0 AFA

Water Source: BIG FLAT CREEK Tributary to: BRUNEAU RIVER, EAST FORK Stage: BENEFICIAL USE  
Point(s) of Diversion: T15S R10E S12 NESESM S13 SUNHNM S14 SESENE  
Owyhee County  
Owyhee County  
Owyhee County

Place of use Legal Description for: IRRIGATION

|            | NE                  | NW                  | SW                  | SE                  |             |
|------------|---------------------|---------------------|---------------------|---------------------|-------------|
| T R S      | NE NE NE SENE       | NE NW NW SENE       | NE SW SW SENE       | NE SE SE SENE       | SUM         |
| 15S 10E 12 | : Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac | : 100.0     |
| 15S 10E 13 | : 05                | : 14                | : 06                | : 25                | : 14.0      |
| 15S 10E 14 | : 04                | : 07                | : 02                | : 03                | : 4.0       |
| 15S 11E 7  | : 01-04             | : 02-27             | : 02                | : 03-02             | : 42.0      |
|            |                     |                     |                     |                     | TOTAL ACRES |
|            |                     |                     |                     |                     | 160.0       |

POU County: Owyhee

Non-Irrigation Uses: NONE

Other Rights: A51-00111, 00104, 00095, 00101, 10185

Remarks: THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH  
HAVE DECEASED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL  
1"/ACRE USED DURING THE FLOOD PERIOD.

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

RECEIVED

AFFIDAVIT

MAR 15 1993

Department of Water Resources  
Southern Region Office

STATE OF IDAHO                    )  
                                      : SS.  
County of Twin Falls            )

**LOLA BLOSSOM**, being first duly sworn, deposes and says;

1. Attached hereto as Exhibit "A" are Idaho Department of Water Resources Adjudication Claim Profile Reports for Brackett Livestock, Inc. Those Profile Reports are Nos. A51-10182, A51-10183, A51-10185.

2. I am personally familiar with the water sources referred to as Big Flat Creek, Little Spring Creek, Springs, Cherry Creek, Three Creek and Unnamed Stream as those water sources flow through the real estate described in Exhibit "A."

3. I have been personally acquainted with this property since at least April 1, 1934. I have resided in the Three Creek area since prior to April 1, 1934.

4. The water sources described in Exhibit "A" flood in most years, usually from April 1 to July 1. The flooding and high water is caused by snow melt. During the time that the water source is flooding, the flood waters are used to irrigate hay land and pasture on the real estate more particularly described on Exhibit "A." The use of the flood water for irrigation has been continuous from at least April 1, 1934. The flooding usually lasts from two to six weeks and the waters have been used for the duration of the flooding for irrigation of hay ground and pasture.

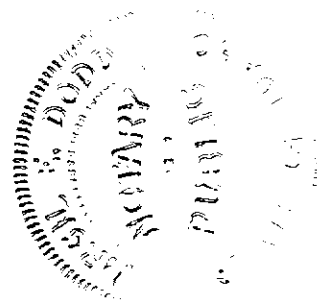
DATED this 13th day of March, 1993.

Lola Blossom  
LOLA BLOSSOM

SUBSCRIBED AND SWORN to before me this 13th day of  
March, 1993.

Virgil E. Hadd.  
Notary Public for Idaho  
Residing at ~~Twin Falls~~ Owyhee County  
Commission Expires: 11-10-94

(RGK\3623AFF7.003)



OWNER CODE

NAME & ADDRESS

PRIORITY DATE

WATER USE

USE PERIOD FROM TO

DIVERSION RATE

DIVERSION VOLUME

C

BRACKETT LIVESTOCK INC.

FLAT CREEK RANCH

ROGERSON ID 83302

(208) 857-2217

04/01/1934

IRRIGATION

04-01

07-01

10.08 CFS

TOTAL DIVERSION:

10.08 CFS

CONSUMPTIVE USE:

1008.0 AFA

Water Source:

BIG FLAT CREEK

LITTLE SPRING CREEK

SPRINGS

Tributary to:

BRUNEAU RIVER, EAST FORK

BIG FLAT CREEK

LITTLE SPRING CREEK

Stage:

BENEFICIAL USE

Point(s) of Diversion:

T15S R10E S21

S25

S26

S36

SEWSW

SEWSW

SWENE

NENENW

SEWSW

SWENE

SEWSWSE

OWYHEE County

OWYHEE County

OWYHEE County

OWYHEE County

OWYHEE County

Place of use Legal Description for: IRRIGATION

|     |     | NE |    | NW |    | SW |    | SE |    |             |       |
|-----|-----|----|----|----|----|----|----|----|----|-------------|-------|
| T   | R   | S  | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac          | SUM   |
| 15S | 10E | 23 | :  | :  | :  | :  | :  | :  | :  | :           | 6.0   |
| 15S | 10E | 24 | :  | :  | :  | :  | :  | :  | :  | :           | 144.0 |
| 15S | 10E | 25 | :  | :  | :  | :  | :  | :  | :  | :           | 315.0 |
| 15S | 10E | 26 | :  | :  | :  | :  | :  | :  | :  | :           | 39.0  |
|     |     |    | 27 | 30 | 40 | 40 | 40 | 40 | 02 | TOTAL ACRES | 504.0 |

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: A51-10181

Remarks:

THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH HAVE DECREED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL 1"/ ACRE USED DURING THE FLOOD PERIOD.

Dates:

Exam Made Date:

Verified Date:

Misc:

Water District Number: 51A

Field Inspection Flag:

Presumption Flag:

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP  
No. A51-10183

OWNER CODE: C  
NAME & ADDRESS: BRACKETT LIVESTOCK INC.  
FLAT CREEK RANCH  
ROGERSON ID 83302  
(208) 857-2217  
PRIORITY DATE: 01/01/1934  
WATER USE: IRRIGATION  
USE PERIOD FROM: 04-01 07-01  
TO: 2.48 CFS  
DIVERSION RATE: 2.48 CFS  
DIVERSION VOLUME: 248.0 AFA

Water Source: CHERRY CREEK  
THREE CREEK  
UNNAMED STREAM  
Tributary to: THREE CREEK  
BRUNEAU RIVER, EAST FORK  
THREE CREEK  
Stage: BENEFICIAL USE

Point(s) of Diversion: T15S R11E S16  
S17  
S21  
NESESW  
SESWNE  
SESWNW  
NESESE  
NESESW  
NESESW  
OWYHEE County  
OWYHEE County  
OWYHEE County  
OWYHEE County

| Place of use Legal Description for: IRRIGATION |     |    |    |  |                         |    |    |    |       |
|------------------------------------------------|-----|----|----|--|-------------------------|----|----|----|-------|
| NE                                             |     |    |    |  | SW                      |    |    |    |       |
| NENE NUNE SUNE SENE                            |     |    |    |  | NENW NUNW SWNW SENW     |    |    |    |       |
| Lt Ac Lt Ac Lt Ac Lt Ac                        |     |    |    |  | Lt Ac Lt Ac Lt Ac Lt Ac |    |    |    |       |
| T                                              | R   | S  |    |  |                         |    |    |    | SUM   |
| 15S                                            | 11E | 8  |    |  |                         |    |    |    | 2.0   |
| 15S                                            | 11E | 16 |    |  |                         |    |    |    | 45.0  |
| 15S                                            | 11E | 17 | 20 |  |                         | 07 | 13 | 24 | 75.0  |
| 15S                                            | 11E | 21 |    |  |                         | 04 |    | 01 | 2.0   |
|                                                |     |    |    |  |                         |    |    |    | 124.0 |
| TOTAL ACRES                                    |     |    |    |  |                         |    |    |    |       |

POU County: OWYHEE  
Non-Irrigation Uses: NONE  
Other Rights: A51-00106, A51-00123

Remarks: THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH  
HAVE DECEDED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL  
1 1/2 ACRE USED DURING THE FLOOD PERIOD.

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

|        |                            |                                             |
|--------|----------------------------|---------------------------------------------|
| Dates: | Exam Made Date:            | Verified Date:                              |
| Misc:  | Water District Number: 51A | Field Inspection Flag:<br>Presumption Flag: |

RECEIVED

AFFIDAVIT

MAR 15 1993

Department of Water Resources  
Southern Region Office

STATE OF IDAHO                                 )  
                                                      : ss.  
County of Twin Falls                         )

CHRISTINA ROW, being first duly sworn, deposes and says;

1. Attached hereto as Exhibit "A" are Idaho Department of Water Resources Adjudication Claim Profile Reports for Brackett Livestock, Inc. Those Profile Reports are Nos. A51-10182, A51-10183, A51-10185.

2. I am personally familiar with the water sources referred to as Big Flat Creek, Little Spring Creek, Springs, Cherry Creek, Three Creek and Unnamed Stream as those water sources flow through the real estate described in Exhibit "A."

3. I have been personally acquainted with this property since at least April 1, 1934. I have resided in the Three Creek area since prior to April 1, 1934.

4. The water sources described in Exhibit "A" flood in most years, usually from April 1 to July 1. The flooding and high water is caused by snow melt. During the time that the water source is flooding, the flood waters are used to irrigate hay land and pasture on the real estate more particularly described on Exhibit "A." The use of the flood water for irrigation has been continuous from at least April 1, 1934. The flooding usually lasts from two to six weeks and the waters have been used for the duration of the flooding for irrigation of hay ground and pasture.

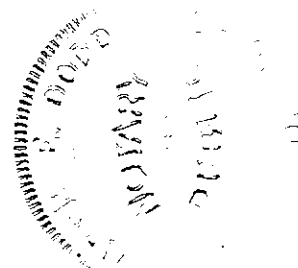
DATED this 12th day of March, 1993.

Christina Row  
CHRISTINA ROW

SUBSCRIBED AND SWORN to before me this 12<sup>th</sup> day of  
March, 1993.

Virgil E. Dodd.  
Notary Public for Idaho  
Residing at ~~Twin Falls~~ Owyhee County  
Commission Expires: 11-10-94

(RGK\3623AFF8.003)



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

PRIORITY DATE WATER USE  
04/01/1934 IRRIGATION

USE PERIOD FROM TO  
04-01 07-01

DIVERSION RATE  
10.08 CFS

DIVERSION VOLUME  
1008.0 AFA

Water Source: BIG FLAT CREEK  
LITTLE SPRING CREEK  
SPRINGS

Tributary to: BRUNEAU RIVER, EAST FORK  
BIG FLAT CREEK  
LITTLE SPRING CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T15S R10E S21  
S25  
S26  
S26  
S36

SENWSW  
SNNWSW  
SNNENE  
SNNENN

SENWSE  
SNNWSE  
SNNENE  
SNNENN

OWYHEE County  
OWYHEE County  
OWYHEE County  
OWYHEE County  
OWYHEE County

Place of use Legal Description for: IRRIGATION

| T           | R   | S  | NE | NW | SE | SW | NESE | NWSE | SESE | SUM   |
|-------------|-----|----|----|----|----|----|------|------|------|-------|
| 15S         | 10E | 23 | 27 | 30 | 11 | 26 | 27   | 30   | 11   | 26    |
| 15S         | 10E | 24 | 27 | 30 | 11 | 26 | 27   | 30   | 11   | 26    |
| 15S         | 10E | 25 | 27 | 30 | 11 | 26 | 27   | 30   | 11   | 26    |
| 15S         | 10E | 26 | 27 | 30 | 11 | 26 | 27   | 30   | 11   | 26    |
| TOTAL ACRES |     |    |    |    |    |    |      |      |      | 504.0 |

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: A51-10181

Remarks: THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH  
HAVE DECREASED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL  
1" / ACRE USED DURING THE FLOOD PERIOD.

Dates: Exam Made Date: Verified Date:

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

## DIVERSION

**2.48 CFS**

**Stage: BENEFICIAL USE**

OWYHEE County  
OWYHEE County  
OWYHEE County  
OWYHEE County

33

SE  
WSE S  
AC L  
--  
03

**Other Rights: A51-00106, A51-00123**

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

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

PRIORITY DATE : 04/01/1934  
WATER USE : IRRIGATION

USE PERIOD FROM : 04-01 07-01  
TO : 07-01

DIVERSION RATE : 3.20 CFS  
DIVERSION VOLUME : 320.0 AFA

TOTAL DIVERSION: 3.20 CFS  
CONSUMPTIVE USE: 320.0 AFA

Water Source: BIG FLAT CREEK  
Tributary to: BRUNEAU RIVER, EAST FORK  
Stage: BENEFICIAL USE

Point(s) of Diversion: T15S R10E S12  
S13  
S14

NESESW  
SUNWNW  
SESENE

OWYHEE County  
OWYHEE County  
OWYHEE County

| Place of use Legal Description for: IRRIGATION |     |    |      |    |      |    |      |    |      |    |      |    |       |       |      |       |      |    |      |    |      |    |      |    |      |             |       |
|------------------------------------------------|-----|----|------|----|------|----|------|----|------|----|------|----|-------|-------|------|-------|------|----|------|----|------|----|------|----|------|-------------|-------|
|                                                |     |    | NE   |    |      |    | NW   |    |      |    | SW   |    |       |       | SE   |       |      |    |      |    |      |    |      |    |      |             |       |
| T                                              | R   | S  | NENE |    | NWNE |    | SWNE |    | SENE |    | NENW |    | NWNW  |       | SWNW |       | SESW |    | NESW |    | NWSW |    | SWSW |    | SESE |             | SUM   |
|                                                |     |    | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt    | Ac    | Lt   | Ac    | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac          |       |
| 15S                                            | 10E | 12 |      |    |      |    |      |    | 05   |    |      |    |       |       |      |       |      |    |      |    |      |    |      |    |      |             | 100.0 |
|                                                |     |    |      |    |      |    |      |    |      |    |      |    | 14    |       |      |       |      |    |      |    |      |    |      |    |      |             | 14.0  |
| 15S                                            | 10E | 13 |      |    |      |    |      |    |      |    |      |    |       |       |      |       |      |    |      |    |      |    |      |    |      |             | 4.0   |
| 15S                                            | 10E | 14 |      |    |      |    |      |    |      |    |      |    |       |       |      |       |      |    |      |    |      |    |      |    |      |             | 42.0  |
| 15S                                            | 11E | 7  |      |    |      |    |      |    |      |    |      | 07 | 01-04 | 02-27 | 02   |       |      |    |      |    |      |    |      |    |      |             | 160.0 |
|                                                |     |    |      |    |      |    |      |    |      |    |      |    |       |       |      | 03-02 |      |    |      |    |      |    |      |    |      | TOTAL ACRES |       |

POJ County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: A51-00111, 00104, 00095, 00101, 10185

Remarks: THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH  
HAVE DECREED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL  
1 1/2 ACRE USED DURING THE FLOOD PERIOD.

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

RECEIVED

MAR 15 1993

Department of Water Resources  
Southern Region Office

**AFFIDAVIT**

STATE OF IDAHO                     )  
                                          : ss.  
County of Twin Falls             )

**ROLAND PATRICK**, being first duly sworn, deposes and says;

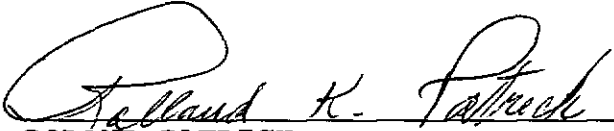
1. Attached hereto as Exhibit "A" are Idaho Department of Water Resources Adjudication Claim Profile Reports for Brackett Livestock, Inc. Those Profile Reports are Nos. A51-10182, A51-10183, A51-10185.

2. I am personally familiar with the water sources referred to as Big Flat Creek, Little Spring Creek, Springs, Cherry Creek, Three Creek and Unnamed Stream as those water sources flow through the real estate described in Exhibit "A."

3. I have been personally acquainted with this property since at least April 1, 1934. I have resided in the Three Creek area since prior to April 1, 1934.

4. The water sources described in Exhibit "A" flood in most years, usually from April 1 to July 1. The flooding and high water is caused by snow melt. During the time that the water source is flooding, the flood waters are used to irrigate hay land and pasture on the real estate more particularly described on Exhibit "A." The use of the flood water for irrigation has been continuous from at least April 1, 1934. The flooding usually lasts from two to six weeks and the waters have been used for the duration of the flooding for irrigation of hay ground and pasture.

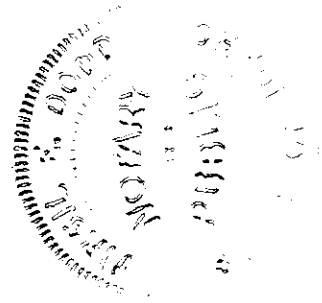
DATED this 12 day of March, 1993.

  
ROLAND PATRICK

SUBSCRIBED AND SWORN to before me this 12th day of  
March, 1993.

Wesley L. Dodd  
Notary Public for Idaho  
Residing at ~~Twin Falls~~ Payson County  
Commission Expires: 11-18-94

(RGK\3623AFF11.003)



IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP  
No. A51-10182

OWNER CODE: C  
NAME & ADDRESS: BRACKETT LIVESTOCK INC.  
FLAT CREEK RANCH  
ROGERSON ID 83302  
(208) 857-2217  
PRIORITY DATE: 04/01/1934  
WATER USE: IRRIGATION  
USE PERIOD FROM TO: 04-01 07-01  
DIVERSION RATE: 10.08 CFS  
DIVERSION VOLUME: 1008.0 AFA  
TOTAL DIVERSION: 10.08 CFS  
CONSUMPTIVE USE: 1008.0 AFA

Water Source: BIG FLAT CREEK  
LITTLE SPRING CREEK  
SPRINGS  
Tributary to: BRUNEAU RIVER, EAST FORK  
BIG FLAT CREEK  
LITTLE SPRING CREEK  
Stage: BENEFICIAL USE  
Point(s) of Diversion: T15S R10E S21  
S25  
S25  
S26  
S36  
SENWSW  
SUNWSW  
SUNENE  
NENENW  
SENWSW  
SUNENE  
SWSUSE  
Owyhee County  
Owyhee County  
Owyhee County  
Owyhee County  
Owyhee County

| Place of use Legal Description for: IRRIGATION |     |      |   |      |   |      |    |      |    |      |  |      |    |      |    |             |   |      |    |      |   |      |    |
|------------------------------------------------|-----|------|---|------|---|------|----|------|----|------|--|------|----|------|----|-------------|---|------|----|------|---|------|----|
|                                                |     |      |   | NE   |   |      |    | NW   |    |      |  | SW   |    |      |    | SE          |   |      |    |      |   |      |    |
| NENE                                           |     | NWNE |   | SWNE |   | SENE |    | NENW |    | NWNW |  | SWNW |    | SENW |    | NENE        |   | NWSE |    | SWSE |   | SESE |    |
| Lt                                             |     | Ac   |   | Lt   |   | Ac   |    | Lt   |    | Ac   |  | Lt   |    | Ac   |    | Lt          |   | Ac   |    | Lt   |   | Ac   |    |
| T                                              | R   | S    |   | T    | R | S    |    | T    | R  | S    |  | T    | R  | S    |    | T           | R | S    |    | T    | R | S    |    |
| 15S                                            | 10E | 23   | : |      |   |      |    | 13   | 15 |      |  | 17   | 14 | 36   | 40 |             |   |      |    |      |   |      | 06 |
| 15S                                            | 10E | 24   | : |      |   |      |    |      |    |      |  | 39   | 35 |      |    |             |   |      |    | 24   |   |      |    |
| 15S                                            | 10E | 25   | : |      |   |      |    | 40   | 40 | 40   |  |      |    |      |    |             |   |      | 02 |      |   |      |    |
| 15S                                            | 10E | 26   | : | 26   |   |      | 11 |      |    |      |  |      |    |      |    |             |   |      |    |      |   |      |    |
|                                                |     |      |   |      |   |      |    |      |    |      |  |      |    |      |    | TOTAL ACRES |   |      |    |      |   |      |    |
|                                                |     |      |   |      |   |      |    |      |    |      |  |      |    |      |    | 6.0         |   |      |    |      |   |      |    |
|                                                |     |      |   |      |   |      |    |      |    |      |  |      |    |      |    | 144.0       |   |      |    |      |   |      |    |
|                                                |     |      |   |      |   |      |    |      |    |      |  |      |    |      |    | 315.0       |   |      |    |      |   |      |    |
|                                                |     |      |   |      |   |      |    |      |    |      |  |      |    |      |    | 39.0        |   |      |    |      |   |      |    |
|                                                |     |      |   |      |   |      |    |      |    |      |  |      |    |      |    | 504.0       |   |      |    |      |   |      |    |

POU County: Owyhee  
Non-Irrigation Uses: NONE  
Other Rights: A51-10181

Remarks: THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH  
HAVE DECEDED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL  
1 1/2 ACRE USED DURING THE FLOOD PERIOD.

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

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP  
No. A51-10183

OWNER CODE: C  
NAME & ADDRESS: BRACKETT LIVESTOCK INC.  
FLAT CREEK RANCH  
ROGERSON ID 83302  
(208) 857-2217  
PRIORITY DATE: 01/01/1934  
WATER USE: IRRIGATION  
USE PERIOD FROM TO: 04-01 07-01  
DIVERSION RATE: 2.48 CFS  
DIVERSION VOLUME: 248.0 AFA  
TOTAL DIVERSION: 2.48 CFS  
CONSUMPTIVE USE:

Water Source: CHERRY CREEK  
THREE CREEK  
UNNAMED STREAM  
Tributary to: THREE CREEK  
BRUNEAU RIVER, EAST FORK  
THREE CREEK  
Stage: BENEFICIAL USE

Point(s) of Diversion: T15S R11E S16  
S17  
S17  
S21  
NESESW  
SESWNE  
SESWNW  
NESESE  
NENWSE  
OMYHEE County  
OMYHEE County  
OMYHEE County  
OMYHEE County

Place of use Legal Description for: IRRIGATION

| T   | R   | S  | NE   |      |      | NW   |      |      | SW   |      |      | SE   |      |      | SUM   |
|-----|-----|----|------|------|------|------|------|------|------|------|------|------|------|------|-------|
|     |     |    | NESE | NWSE | SWSE | NESE | NWSE | SWSE | NESE | NWSE | SWSE | NESE | NWSE | SWSE |       |
| 15S | 11E | 8  | NESE | NWSE | SWSE | NESE | NWSE | SWSE | NESE | NWSE | SWSE | NESE | NWSE | SWSE | 2.0   |
| 15S | 11E | 16 | NESE | NWSE | SWSE | NESE | NWSE | SWSE | NESE | NWSE | SWSE | NESE | NWSE | SWSE | 45.0  |
| 15S | 11E | 17 | NESE | NWSE | SWSE | NESE | NWSE | SWSE | NESE | NWSE | SWSE | NESE | NWSE | SWSE | 75.0  |
| 15S | 11E | 21 | NESE | NWSE | SWSE | NESE | NWSE | SWSE | NESE | NWSE | SWSE | NESE | NWSE | SWSE | 2.0   |
|     |     |    |      |      |      |      |      |      |      |      |      |      |      |      | 124.0 |

POU County: OMYHEE

Non-Irrigation Uses: NONE

Other Rights: A51-00106, A51-00123

Remarks: THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH  
HAVE DECEASED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL  
1" / ACRE USED DURING THE FLOOD PERIOD.

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



RECEIVED

AFFIDAVIT

MAR 15 1993

Department of Water Resources  
Southern Region Office

STATE OF IDAHO                   )  
                                  : ss.  
County of Twin Falls            )

NOY ELBERT BRACKETT, II, being first duly sworn, deposes and says:

1. Attached hereto as Exhibit "A" are Idaho Department of Water Resources Adjudication Claim Profile Reports for Brackett Livestock, Inc. Those Profile Reports are Nos. A51-10182, A51-10183, A51-10185.

2. I am personally familiar with the water sources referred to as Big Flat Creek, Little Spring Creek, Springs, Cherry Creek, Three Creek and Unnamed Stream as those water sources flow through the real estate described in Exhibit "A."

3. I have been personally acquainted with this property since at least April 1, 1934. I have resided in the Three Creek area since prior to April 1, 1934.

4. The water sources described in Exhibit "A" flood in most years, usually from April 1 to July 1. The flooding and high water is caused by snow melt. During the time that the water source is flooding, the flood waters are used to irrigate hay land and pasture on the real estate more particularly described on Exhibit "A." The use of the flood water for irrigation has been continuous from at least April 1, 1934. The flooding usually lasts from two to six weeks and the waters have been used for the duration of the flooding for irrigation of hay ground and pasture.

5. A history of the ranch is as follows: My father bought our first ranch at Flat Creek on May 5, 1934, and he put the water out immediately. 1934 was a very dry year and he was unable to keep the meadow wet -- the neighbor at the creek used most of the water.

The next year and every year since we have put the water out on the meadow as soon as the meadow begins to dry up and use all the water that the ditches will hold until we cut the hay. The time of year we start to irrigate depends on the weather and when the creeks begin to flow more water. Sometimes March first and sometimes a few days later.

It is my opinion that the earlier we can start irrigating on the headwaters of a creek that the flow of water in that creek will last much longer in that season than if we start irrigating later in the season. Apparently the soil is deep enough and will hold enough water to be what I call an underground reservoir and that makes more water available for everybody on down stream.

We bought our second ranch on Thurston Pence on Flat Creek in 1936 and then we bought the James and Stuart Dunn ranch on Three Creek, Cherry Creek and Flat Creek in 1939.

We bought the Shorthouse ranch on Flat Creek in 1946. We bought the Jewett ranch in 1947. We bought the W. B. Clark ranch on Cherry Creek in 1948. We bought the James Pench ranch on Flat Creek in 1951. We bought the Dunn home ranch on Flat Creek in 1968. We bought the Opal Dunn ranch on Flat Creek in 1971.

To my knowledge everyone in the community has started to

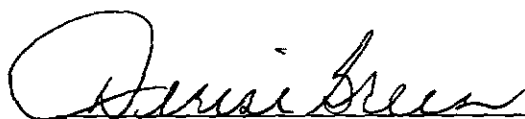
irrigate as early in the season as the water is available and uses all the water they can get on the land.

DATED this 9 day of March, 1993.

  
\_\_\_\_\_  
NOY ELBERT BRACKETT, II

SUBSCRIBED AND SWORN to before me this 9<sup>th</sup> day of March, 1993.



  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Twin Falls  
Commission Expires: 1-2-97

DIVERSION  
VOLUME

1008.0 AFA

5

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

[illegible]

POU County: OMYNEE

Non-Irrigation Uses: NONE

Other Rights: A51-00106, A51-00123

Remarks: THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH HAVE DECEED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL 1 1/2 ACRE USED DURING THE FLOOD PERIOD.

|        |                            |                                             |
|--------|----------------------------|---------------------------------------------|
| Dates: | Exam Made Date:            | Verified Date:                              |
| Misc:  | Water District Number: 51A | Field Inspection Flag:<br>Presumption Flag: |

DATE: 01/15/93  
PAGE: 16

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP  
No. A51-10185

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

PRIORITY DATE WATER USE  
04/01/1934 IRRIGATION

USE PERIOD FROM TO  
04-01 07-01

DIVERSION RATE  
3.20 CFS

DIVERSION VOLUME  
320.0 AFA

Water Source: BIG FLAT CREEK  
Tributary to: BRUNEAU RIVER, EAST FORK

Point(s) of Diversion: T15S R10E S12  
S13  
S14

Stage: BENEFICIAL USE  
OWYHEE County  
OWYHEE County  
OWYHEE County

Place of use Legal Description for: IRRIGATION

|             |   | NE    |    | NW    |    | SW    |    | SE    |    | SUM   |      |
|-------------|---|-------|----|-------|----|-------|----|-------|----|-------|------|
|             |   | NENE  |    | NENW  |    | NESW  |    | NESE  |    |       |      |
|             |   | Lt Ac |    | Lt Ac |    | Lt Ac |    | Lt Ac |    |       |      |
| T           | R | S     | 05 | 14    | 02 | 06    | 25 | 22    | 23 | 15    | 04   |
| 15S 10E 12  | : | :     | :  | :     | :  | :     | :  | :     | :  | :     | :    |
| 15S 10E 13  | : | :     | :  | :     | :  | :     | :  | :     | :  | :     | :    |
| 15S 10E 14  | : | :     | :  | :     | :  | :     | :  | :     | :  | :     | :    |
| 15S 11E 7   | : | :     | :  | :     | :  | :     | :  | :     | :  | :     | :    |
| TOTAL ACRES |   |       |    |       |    |       |    |       |    | 100.0 | 14.0 |
|             |   |       |    |       |    |       |    |       |    | 4.0   | 42.0 |
|             |   |       |    |       |    |       |    |       |    | 160.0 |      |

POJ County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: A51-00111, 00104, 00095, 00101, 10185

Remarks: THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH  
HAVE DECREED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL  
1<sup>st</sup>/ACRE USED DURING THE FLOOD PERIOD.

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

09:18:16  
06/26/98

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1  
GENERAL INFORMATION

LAST: BRACKETT LIVESTOCK INC  
ADDRESS: FLAT CREEK RANCH  
CITY: ROGERSON  
PHONE NUMBER: 208-857-2217

FIRST:

STATE: ID ZIP: 83302

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE

VERIFICATION REQUIRED DUE TO REMARKS?

FIELD EXAMINER  
Y( ) N( )

CLAIM REMARKS: GEN THIS CLAIM IS FOR HIGH WATER HISTORICALLY USED ON THE LANDS WHICH  
HAVE DECREASED WATER RIGHTS. THE CLAIM IS BASED ON AN ADDITIONAL  
1" / ACRE USED DURING THE FLOOD PERIOD.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

PHONE NUMBER: ( ) - -

DATE OF FIELD EXAM:

APPOINTMENT MADE: Y( ) N( )

TIME: - - A( ) P( )

ACCOMPANIED BY:

PHONE NUMBER: ( ) - -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A51-10182 PRIORITY DATE: 04-01-1934 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y( ) N(L)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y( ) N(L)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

Y( ) N(L)

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

PROOF OF BENEFICIAL USE SUBMITTED

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

FIELD EXAM COMPLETED

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

FIELD EXAM SENT TO STATE OFFICE

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

LICENSE ISSUED

N/A(L) 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(L)

\* 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(L) N( )

NOTES:

5 affidavits indicate that high early season flood water has been historically used on this land since 1934.

RECOMMENDED PRIORITY DATE:

4-1-1934  
 REVIEWED BY *Met. Schultz*

DATE 6-26-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | POD<br>LOT | FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|-----------|------|-----|-----|-----|------------|------|--------|----------------|------------------|
| A51-10182 | 15S 10E   | 21   | SE  | NW  | SW  |            |      | OWYHEE |                |                  |
| A51-10182 | 15S 10E   | 25   | SW  | NW  | SW  |            |      | OWYHEE |                |                  |
| A51-10182 | 15S 10E   | 25   | SE  | NW  | SW  |            |      | OWYHEE |                |                  |
| A51-10182 | 15S 10E   | 25   | SW  | NE  | SE  |            |      | OWYHEE |                |                  |
| A51-10182 | 15S 10E   | 25   | SW  | SW  | SE  |            |      | OWYHEE |                |                  |
| A51-10182 | 15S 10E   | 26   | SW  | NE  | NE  |            |      | OWYHEE |                |                  |
| A51-10182 | 15S 10E   | 36   | NE  | NE  | NW  |            |      | OWYHEE |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX  
R PREFIX  
A51-00107 R51-00101 51-02052  
A51-00108 R51-00107 51-04097  
A51-10180 R51-00108  
A51-10181 R51-10181

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: BIG FLAT CREEK  
LITTLE SPRING CREEK  
SPRINGS

TRIB: BRUNEAU RIVER, EAST FORK  
BIG FLAT CREEK  
LITTLE SPRING CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

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

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

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

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y( ) N( )

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

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y( ) N( )

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y( ) N( )

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM)

OTHER (DESCRIBE IN NOTES BELOW)

7-22-93  
7-13-93

NAME OF EXAMINER

Linda Werner

Y( ) N( )

Y( ) N( )

NOTES:

See A51-10181

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

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | FLAG | COUNTY | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|-----|-----|-----|------|--------|----------------|---------------|
| 15S  | 10E  | 21   | SE  | NW  | SW  |     |      | ONYHEE |                |               |
| 15S  | 10E  | 25   | SW  | NW  | SW  |     |      | ONYHEE |                |               |
| 15S  | 10E  | 25   | SE  | NW  | SW  |     |      | ONYHEE |                |               |
| 15S  | 10E  | 25   | SW  | NE  | SE  |     |      | ONYHEE |                |               |
| 15S  | 10E  | 25   | SW  | SW  | SE  |     |      | ONYHEE |                |               |
| 15S  | 10E  | 26   | SW  | NE  | NE  |     |      | ONYHEE |                |               |
| 15S  | 10E  | 36   | NE  | NE  | NW  |     |      | ONYHEE |                |               |

SOURCE: Big Bluff Co.

TRIB:

Little Spring Cr. & Spring

DATE: 6-26-98

REVIEWED BY: Mike Schultz

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

## A. ROOT WATER RIGHT NUMBERS:

A51-10182

## B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                    | AJ<br>#/ACRES    | WR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-------------------------|------------------|-----------------|-----------------|----------------|------------------|
| 15S | 10E | 23  | SE  | SE  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 6.0  | - /             | 12.0            |                |                  |
|     |     |     | SE  | SE  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 6.0  | - /             |                 |                |                  |
|     |     |     | SE  | SE  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 10.0 | - /             |                 |                |                  |
|     |     |     | SE  | SE  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 10.0 | - /             |                 |                |                  |
|     |     |     | SE  | SE  |     | PENCE, EMILY            | 51-00109 / 40.0  | 51-04097 / 4.0  |                 |                |                  |
|     |     |     | SE  | SE  |     | BRACKETT LIVESTOCK INC. |                  |                 |                 |                |                  |
| 15S | 10E | 24  | NW  | NW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 13.0 | - /             | 3.0             |                |                  |
|     |     |     | NW  | NW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 13.0 | - /             |                 |                |                  |
|     |     |     | NW  | NW  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 12.0 | - /             |                 |                |                  |
|     |     |     | NW  | NW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 12.0 | - /             |                 |                |                  |
|     |     |     | NW  | NW  |     | PENCE, THURSTON         | 51-00110 / 40.0  | 51-04097 / 16.0 |                 |                |                  |
|     |     |     | NW  | NW  |     | BRACKETT LIVESTOCK INC. |                  |                 |                 |                |                  |
| 15S | 10E | 24  | SW  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 15.0 | - /             | 10.0            |                |                  |
|     |     |     | SW  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 15.0 | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 14.0 | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 14.0 | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | PENCE, THURSTON         | 51-00110 / 40.0  | 51-04097 / 17.0 |                 |                |                  |
|     |     |     | SW  | SW  |     | BRACKETT LIVESTOCK INC. |                  |                 |                 |                |                  |
| 15S | 10E | 24  | NE  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 17.0 | - /             | 15.0            |                |                  |
|     |     |     | NE  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 17.0 | - /             |                 |                |                  |
|     |     |     | NE  | SW  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 17.0 | - /             |                 |                |                  |
|     |     |     | NE  | SW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 17.0 | - /             |                 |                |                  |
|     |     |     | NE  | SW  |     | PENCE, THURSTON         | 51-00110 / 40.0  | 51-04097 / 12.0 |                 |                |                  |
|     |     |     | NE  | SW  |     | BRACKETT LIVESTOCK INC. |                  |                 |                 |                |                  |
| 15S | 10E | 24  | NW  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 14.0 | - /             | 19.0            |                |                  |
|     |     |     | NW  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 14.0 | - /             |                 |                |                  |
|     |     |     | NW  | SW  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 18.0 | - /             |                 |                |                  |
|     |     |     | NW  | SW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 18.0 | - /             |                 |                |                  |
|     |     |     | NW  | SW  |     | PENCE, THURSTON         | 51-00110 / 40.0  | 51-04097 / 15.0 |                 |                |                  |
|     |     |     | NW  | SW  |     | BRACKETT LIVESTOCK INC. |                  |                 |                 |                |                  |
| 15S | 10E | 24  | SW  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 36.0 | - /             | 17.0            |                |                  |
|     |     |     | SW  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 36.0 | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 38.0 | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 38.0 | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | PENCE, EMILY            | 51-00109 / 40.0  | 51-04097 / 32.0 |                 |                |                  |
|     |     |     | SW  | SW  |     | BRACKETT LIVESTOCK INC. |                  |                 |                 |                |                  |
| 15S | 10E | 24  | SE  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 40.0 | - /             | 14.0            |                |                  |
|     |     |     | SE  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 40.0 | - /             |                 |                |                  |

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                    | AJ<br>#/ACRES    | WR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-------------------------|------------------|-----------------|-----------------|----------------|------------------|
| 15S | 10E | 24  | SE  | SW  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 39.0 | - /             |                 |                |                  |
|     |     |     | SE  | SW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 39.0 | - /             |                 |                |                  |
|     |     |     | SE  | SW  |     | PENCE, THURSTON         | 51-00110 / 40.0  | - /             |                 |                |                  |
|     |     |     | SE  | SW  |     | BRACKETT LIVESTOCK INC. | 51-04097 / 39.0  | - /             |                 |                |                  |
| 15S | 10E | 24  | SW  | SE  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 9.0  | - /             | 8.0             |                |                  |
|     |     |     | SW  | SE  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 9.0  | - /             |                 |                |                  |
|     |     |     | SW  | SE  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 6.6  | 51-00101 / 40.0 |                 |                |                  |
|     |     |     | SW  | SE  |     | BRACKETT LIVESTOCK INC. | R51-10181 / 6.6  | - /             |                 |                |                  |
| 15S | 10E | 25  | SW  | SE  |     | BRACKETT LIVESTOCK INC. | 51-04097 / 4.0   | - /             |                 |                |                  |
|     |     |     | NW  | NE  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 27.0 | - /             | 23.0            |                |                  |
|     |     |     | NW  | NE  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 27.0 | - /             |                 |                |                  |
|     |     |     | NW  | NE  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 26.0 | - /             |                 |                |                  |
| 15S | 10E | 25  | NW  | NE  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 26.0 | - /             |                 |                |                  |
|     |     |     | NW  | NE  |     | JONES, HENRY            | 51-00103 / 40.0  | - /             |                 |                |                  |
|     |     |     | NW  | NE  |     | BRACKETT LIVESTOCK INC. | 51-04097 / 26.0  | - /             |                 |                |                  |
|     |     |     | NW  | NE  |     | BRACKETT LIVESTOCK INC. |                  |                 |                 |                |                  |
| 15S | 10E | 25  | SW  | NE  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 30.0 | - /             | 30.0            |                |                  |
|     |     |     | SW  | NE  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 30.0 | - /             |                 |                |                  |
|     |     |     | SW  | NE  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 30.0 | - /             |                 |                |                  |
|     |     |     | SW  | NE  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 30.0 | - /             |                 |                |                  |
| 15S | 10E | 25  | SW  | NE  |     | JONES, HENRY            | 51-00103 / 40.0  | - /             |                 |                |                  |
|     |     |     | SW  | NE  |     | BRACKETT LIVESTOCK INC. | 51-04097 / 35.0  | - /             |                 |                |                  |
|     |     |     | SW  | NE  |     | BRACKETT LIVESTOCK INC  |                  |                 |                 |                |                  |
|     |     |     | SW  | NE  |     | BRACKETT LIVESTOCK INC  |                  |                 |                 |                |                  |
| 15S | 10E | 25  | NE  | NW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 40.0 | - /             | 17.0            |                |                  |
|     |     |     | NE  | NW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 40.0 | - /             |                 |                |                  |
|     |     |     | NE  | NW  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 40.0 | - /             |                 |                |                  |
|     |     |     | NE  | NW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 40.0 | - /             |                 |                |                  |
| 15S | 10E | 25  | NE  | NW  |     | JONES, HENRY            | 51-00103 / 40.0  | - /             |                 |                |                  |
|     |     |     | NE  | NW  |     | BRACKETT LIVESTOCK INC. | 51-04097 / 40.0  | - /             |                 |                |                  |
|     |     |     | NE  | NW  |     | BRACKETT LIVESTOCK INC  |                  |                 |                 |                |                  |
|     |     |     | NE  | NW  |     | BRACKETT LIVESTOCK INC  |                  |                 |                 |                |                  |
| 15S | 10E | 25  | NW  | NW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 40.0 | - /             | 8.0             |                |                  |
|     |     |     | NW  | NW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 40.0 | - /             |                 |                |                  |
|     |     |     | NW  | NW  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 40.0 | - /             |                 |                |                  |
|     |     |     | NW  | NW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 40.0 | - /             |                 |                |                  |
| 15S | 10E | 25  | NW  | NW  |     | PENCE, EMILY            | 51-00109 / 40.0  | - /             |                 |                |                  |
|     |     |     | NW  | NW  |     | BRACKETT LIVESTOCK INC. | 51-04097 / 40.0  | - /             |                 |                |                  |
|     |     |     | NW  | NW  |     | BRACKETT LIVESTOCK INC  |                  |                 |                 |                |                  |
|     |     |     | NW  | NW  |     | BRACKETT LIVESTOCK INC  |                  |                 |                 |                |                  |
| 15S | 10E | 25  | SW  | NW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 40.0 | - /             | 30.0            |                |                  |
|     |     |     | SW  | NW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 40.0 | - /             |                 |                |                  |
|     |     |     | SW  | NW  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 40.0 | - /             |                 |                |                  |
|     |     |     | SW  | NW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 40.0 | - /             |                 |                |                  |
| 15S | 10E | 25  | SW  | NW  |     | JONES, HENRY            | 51-00103 / 40.0  | - /             |                 |                |                  |
|     |     |     | SW  | NW  |     | BRACKETT LIVESTOCK INC. | 51-04097 / 40.0  | - /             |                 |                |                  |
|     |     |     | SW  | NW  |     | BRACKETT LIVESTOCK INC  |                  |                 |                 |                |                  |
|     |     |     | SW  | NW  |     | BRACKETT LIVESTOCK INC  |                  |                 |                 |                |                  |
| 15S | 10E | 25  | SE  | NW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 40.0 | - /             | 37.0            |                |                  |
|     |     |     | SE  | NW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 40.0 | - /             |                 |                |                  |

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                    | AJ<br>#/ACRES    | WR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-------------------------|------------------|-----------------|-----------------|----------------|------------------|
| 15S | 10E | 25  | SE  | NW  |     | BRACKETT LIVESTOCK INC  | A51-00101 / 40.0 | - /             |                 |                |                  |
|     |     |     | SE  | NW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 40.0 | - /             |                 |                |                  |
|     |     |     | SE  | NW  |     | JONES, HENRY            |                  | 51-00103 / 40.0 |                 |                |                  |
|     |     |     | SE  | NW  |     | BRACKETT LIVESTOCK INC. |                  | 51-04097 / 40.0 |                 |                |                  |
| 15S | 10E | 25  | NE  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 39.0 | - /             | 39.0            |                |                  |
|     |     |     | NE  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 39.0 | - /             |                 |                |                  |
|     |     |     | NE  | SW  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 39.0 | - /             |                 |                |                  |
|     |     |     | NE  | SW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 39.0 | - /             |                 |                |                  |
| 15S | 10E | 25  | NE  | SW  |     | JONES, HENRY            |                  | 51-00103 / 40.0 |                 |                |                  |
|     |     |     | NE  | SW  |     | BRACKETT LIVESTOCK INC. |                  | 51-04097 / 40.0 |                 |                |                  |
|     |     |     | NW  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 35.0 | - /             | 38.0            |                |                  |
|     |     |     | NW  | SW  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 35.0 | - /             |                 |                |                  |
| 15S | 10E | 25  | NW  | SW  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 34.0 | - /             |                 |                |                  |
|     |     |     | NW  | SW  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 34.0 | - /             |                 |                |                  |
|     |     |     | NW  | SW  |     | JONES, HENRY            |                  | 51-00103 / 40.0 |                 |                |                  |
|     |     |     | NW  | SW  |     | BRACKETT LIVESTOCK INC. |                  | 51-04097 / 34.0 |                 |                |                  |
| 15S | 10E | 25  | NW  | SE  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 24.0 | - /             | 26.0            |                |                  |
|     |     |     | NW  | SE  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 24.0 | - /             |                 |                |                  |
|     |     |     | NW  | SE  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 26.0 | - /             |                 |                |                  |
|     |     |     | NW  | SE  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 26.0 | - /             |                 |                |                  |
| 15S | 10E | 26  | NW  | SE  |     | JONES, HENRY            |                  | 51-00103 / 40.0 |                 |                |                  |
|     |     |     | NW  | SE  |     | BRACKETT LIVESTOCK INC. |                  | 51-04097 / 31.0 |                 |                |                  |
|     |     |     | NE  | NE  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 26.0 | - /             | 23.0            |                |                  |
|     |     |     | NE  | NE  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 26.0 | - /             |                 |                |                  |
| 15S | 10E | 26  | NE  | NE  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 23.0 | - /             |                 |                |                  |
|     |     |     | NE  | NE  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 23.0 | - /             |                 |                |                  |
|     |     |     | NE  | NE  |     | PENCE, EMILY            |                  | 51-00109 / 40.0 |                 |                |                  |
|     |     |     | NE  | NE  |     | BRACKETT LIVESTOCK INC. |                  | 51-04097 / 20.0 |                 |                |                  |
| 15S | 10E | 26  | SE  | NE  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 11.0 | - /             | 14.0            |                |                  |
|     |     |     | SE  | NE  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 11.0 | - /             |                 |                |                  |
|     |     |     | SE  | NE  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 8.2  | - /             |                 |                |                  |
|     |     |     | SE  | NE  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 8.2  | - /             |                 |                |                  |
| 15S | 10E | 26  | SE  | NE  |     | DUNN, OPAL F.           |                  | 51-00107 / 40.0 |                 |                |                  |
|     |     |     | SE  | NE  |     | O CONNOR, M.R.          |                  | 51-02052 / 9.0  |                 |                |                  |
|     |     |     | SE  | NE  |     | BRACKETT LIVESTOCK INC. |                  | 51-04097 / 7.0  |                 |                |                  |
|     |     |     | SE  | NE  |     |                         |                  |                 |                 |                |                  |
| 15S | 10E | 26  | NE  | SE  |     | BRACKETT LIVESTOCK INC  | A51-10182 / 2.0  | - /             | 10.0            |                |                  |
|     |     |     | NE  | SE  |     | BRACKETT LIVESTOCK INC  | A51-10181 / 2.0  | - /             |                 |                |                  |
|     |     |     | NE  | SE  |     | BRACKETT LIVESTOCK INC  | R51-00101 / 0.9  | - /             |                 |                |                  |
|     |     |     | NE  | SE  |     | BRACKETT LIVESTOCK INC  | R51-10181 / 0.9  | - /             |                 |                |                  |
| 15S | 10E | 26  | NE  | SE  |     | DUNN, OPAL F.           |                  | 51-00107 / 40.0 |                 |                |                  |
|     |     |     | NE  | SE  |     | O CONNOR, M.R.          |                  | 51-02052 / 1.0  |                 |                |                  |

ADDITIONAL POU FOUND

|             |           |        |        |
|-------------|-----------|--------|--------|
| TOTAL ACRES | A51-10182 | 504.00 | 393.00 |
|-------------|-----------|--------|--------|

POU COUNTY: OMYHEE

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

Y( ) N(✓)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

| CLAIM NO. | SOURCE                                           | NAME                   | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|--------------------------------------------------|------------------------|-----------|----------------|-----------|----------------|
| A51-10182 | BIG FLAT CREEK<br>LITTLE SPRING CREEK<br>SPRINGS | BRACKETT LIVESTOCK INC | 10.080    | 0.020          |           |                |
| R51-00101 | BIG FLAT CREEK<br>LITTLE SPRING CREEK<br>SPRINGS | BRACKETT LIVESTOCK INC | 0.220     |                |           |                |
| R51-10181 | BIG FLAT CREEK<br>LITTLE SPRING CREEK<br>SPRINGS | BRACKETT LIVESTOCK INC | 13.880    | 0.027          |           |                |
| A51-10181 | BIG FLAT CREEK<br>LITTLE SPRING CREEK<br>SPRINGS | BRACKETT LIVESTOCK INC | 13.880    | 0.027          |           |                |

NO RIGHTS WITH SAME POU 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: A51-10181

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

N/A( ) Y(✓) N( )

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

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

N/A( ) Y(✓) N( )

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

Y(✓) N( )

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

Y( ) N(✓)

CHECK DOCUMENTS USED TO VERIFY POU: ☒ ORTHOPHOTOQUAD, IDWR NO. \_\_\_\_\_; ☐ TOPOGRAPHIC QUAD, IDWR NO. \_\_\_\_\_;

☒ MAP, IDWR NO. GLD \_\_\_\_\_; ☐ ASCS PHOTO; ☐ OTHER \_\_\_\_\_

**NOTES:**

**RECOMMENDATIONS:**

TOTAL ACRES: 501.42 N/A ( )

REVIEWED BY: Med Schulz

DATE: 6-26-98

## 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 |
|-----------------------------|---------------------------|------------------------|------------------------|
| A51-10182 IRRIGATION        | FROM 04-01 TO 07-01       | 10.080 CFS             |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 10.080 CFS             |                        |

## B. WR RECORDED USES:

| PURPOSE OF USE | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|----------------|---------------------------|------------------------|------------------------|
|                |                           |                        |                        |

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:

This is a flood water right for early season use in excess of the decided rights of tenant in the same. All in rights 51-0181 & 51-00101. This right can be used only from 4-1 to 7-1 annually.

AJ CLAIM TOTAL DIVERSION RATE: 10.080 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 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( )

E. MEASUREMENT METHOD Manning's Open Channel FLOW MEASUREMENT, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES 114 x 0.02 CFS/ACRE = 114 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 = AF/A

ACRES 114 x DIVERSION VOL. AF/A FOR AREA 114 =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1008.0 AF/A

ACRES 114 x CONSUMPTIVE VOL. AF/A FOR AREA 114 =

TOTAL CONSUMPTIVE USE AF/A

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

NOTES: The system capacity was measured at 29.73 cfs.

The decreed right to total 14.10 cfs and this flood right = 10.08 cfs. for a total of 24.18 cfs.

This claim meets the criteria to allow ~~the~~ recommendation of this flood water right under current department standards.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| REC.<br>PURPOSE OF USE | REC. PERIOD<br>FROM TO | REC. DIV<br>RATE CFS        | REC. DIV<br>VOL. AF/A | REC. CONS.<br>USE           |
|------------------------|------------------------|-----------------------------|-----------------------|-----------------------------|
| IRRIGATION             | 04-01 07-01            | DATABASE EXAMINER<br>10.080 | DATABASE EXAMINER     | DATABASE EXAMINER<br>1008.0 |
|                        |                        |                             |                       |                             |
|                        |                        |                             |                       |                             |
|                        |                        |                             |                       |                             |
|                        |                        |                             |                       |                             |
| TOTAL FOR THIS RIGHT   |                        | 10.08                       |                       |                             |

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: *Mac Schulte*

DATE: 6-26-98

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

*QNT-804*

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

PAGE: 15  
BASIS OF CLAIM REVIEW SHEET

A. CHECK ONLY THE FOLLOWING THAT APPLY:  
o

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

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-10182

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS

CURRENT CLAIM NUMBERS

DIVERSION RATE

CURRENT "R" CLAIM NUM.

"R" DIV. RATE

WR RIGHT NUMBERS

DIVERSION RATE

10.080

A51-10182

TOTAL CFS 10.080

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 ( )?

FIELD EXAMINER Y( ) N( )  
DATABASE N

NOTES:

*See Page 13*

AUTHENTICATION: *McArthur*

SIGNATURE: *Inda Warner*

NAME OF FIELD EXAMINER: *Inda Warner*

DATE: *6-26-98*

TITLE: *Asst. Agent*



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

January 28, 1993

Re: Claim No(s). A51-04100, A51-10180,

CECIL D. ANDRUS  
GOVERNOR

A51-10182, A51-10183

R. KEITH HIGGINSON  
DIRECTOR

A51-10184 & A51-10185

BRACKETT LIVESTOCK INC  
FLAT CREEK RANCH  
ROGERSON ID 83302

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area should be conducted this summer by Department personnel. Prior to conducting the field exams, we will contact you to discuss details and schedule a time convenient for you.

Please submit the required evidence supporting the priority date(s) by March 15, 1993, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the toll-free number listed on the back page of the pamphlet or the Western Region office shown above.

Adjudication Section  
Department of Water Resources  
Western Region Office

NOTE: ANOTHER CLAIM THAT WOULD HAVE REQUIRED EVIDENCE OF PRIORITY - CLAIM NO. A51-04005 - HAS HAD AN AFFIDAVIT SUBMITTED FROM ROLLAND K. PATRICK & RUTH C. SMITH TO SUPPORT THE 1915 PRIORITY DATE FOR WATER USE FROM CRAWFISH SPRINGS. THEREFORE, EVIDENCE IS NOT REQUIRED FOR A51-04005.