

IDAHO DEPARTMENT OF WATER RESOURCES

T15S, R10E, S12, S13, & S14

T15S, R11E, S7



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

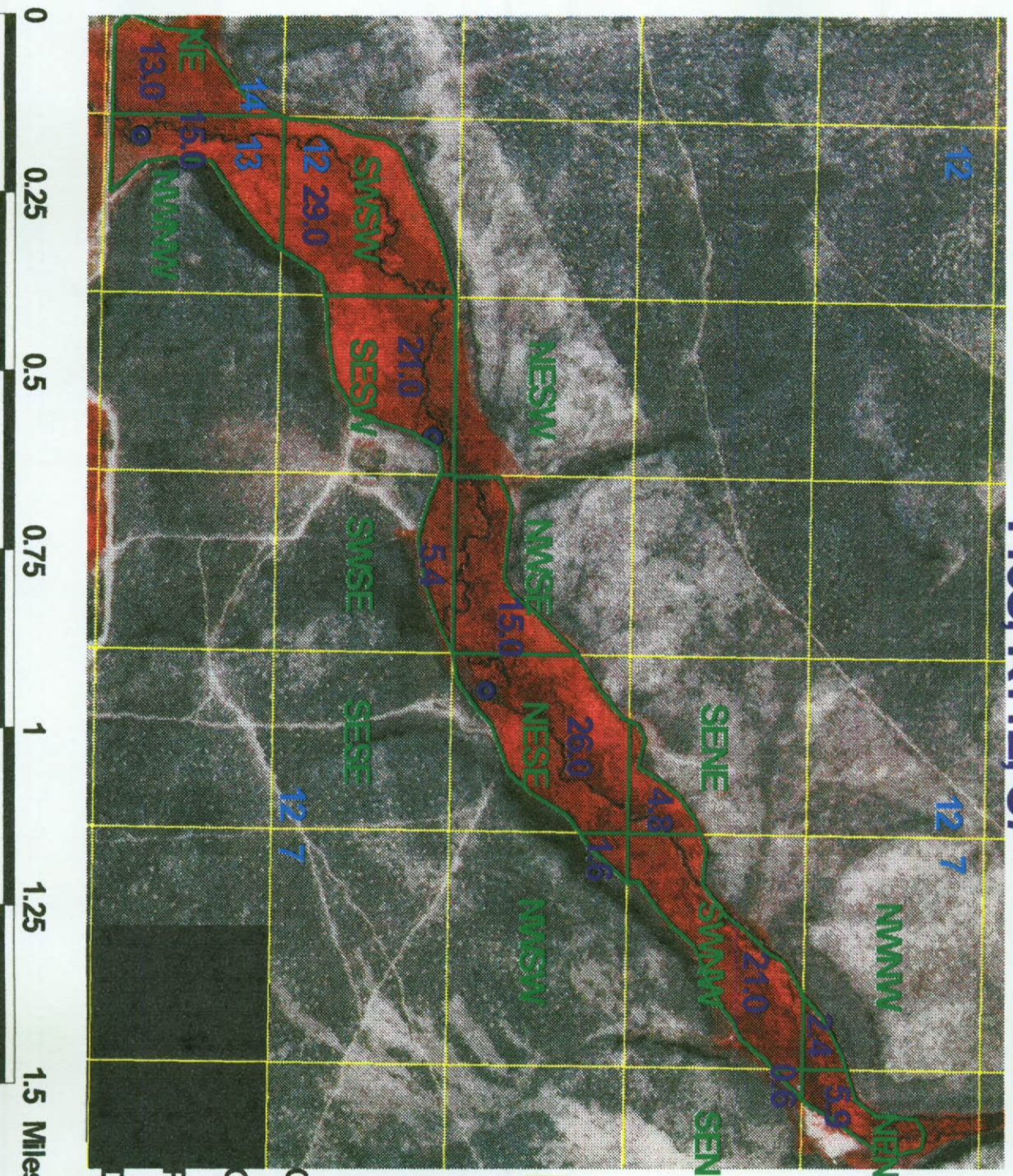
6 SECTION NUMBER

CLAIM(S) : 51-10185

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

Ident. Number: A51-10185
Date Received: 1/13/89
Receipt No: 5005731
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRACKETT LIVESTOCK INC. 208-857-2217
Address: FLAT CREEK RANCH
ROGERSON, ID 83302
2. Date of Priority: APR 01, 1934
3. Source: BIG FLAT CREEK Trib. to: BRUNEAU RIVER, EAST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	10E	12	NE	SE	SW		OWYHEE
			SW	NE	SE		OWYHEE
		13	SW	NW	NW		OWYHEE
		14	SE	SE	NE		OWYHEE
5. Description of diverting works:
CHECKDAMS & DITCHES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	07/01	3.200		
7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 320.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	10E	12	SE		NE		IRR	5.0
			NE		SW		IRR	6.0
			SW		SW		IRR	25.0
			SE		SW		IRR	22.0
			NE		SE		IRR	23.0
			NW		SE		IRR	15.0
			SW		SE		IRR	4.0
							Section Acres	100.0
		13	NW		NW		IRR	14.0
							Section Acres	14.0
		14	NE		NE		IRR	4.0
							Section Acres	4.0
	11E	7	NE		NW		IRR	7.0
			NW		NW	1	IRR	4.0
			SW		NW	2	IRR	27.0
			SE		NW		IRR	2.0
			NW		SW	3	IRR	2.0
							Section Acres	42.0
							Total Acres	160.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

A51-00111, 00104, 00095, 00101, 10185

14. Remarks:

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.

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 A51-00111

For Organizations:

I do solemnly swear or affirm that I am President of _____ Title

Brackett Livestock Inc. Organization, that I have signed the foregoing document in the space below as President of _____ Title

Brackett Livestock Inc. Organization and that the statements contained in the 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 13th day
of Jan 19 89

[Signature]
Notary Public

Seal

Residing at Kimberly, Id

My Commission Expires 6/30/94

RECEIVED

JUL 11 2000

Department of Water Resources

7th JUL 10 PM 3:01

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS, IDAHO

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED

In Re SRBA

) Subcase 51-10185

Case No. 39576

) SPECIAL MASTER REPORT
)
)
)

Findings of Fact

Brackett Livestock, Inc., Flat Creek Ranch, Rogerson, Idaho 83302, filed a *Notice of Claim to a Water Right* on January 13, 1989, claiming 3.2 cfs from Big Flat Creek for irrigation of 160 acres from April 1 to July 1 with a priority date of April 1, 1934, based on beneficial use.

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 160.6 acres from April 1 to October 31.

The United States of America, Department of Interior, Bureau of Land Management, filed an *Objection* on March 31, 1999, objecting to place of use. However, on June 22, 2000, the claimant, the United States and IDWR filed a *Standard Form 5* agreeing to irrigation of 156.6 acres.

Conclusions of Law

Brackett Livestock, Inc., is entitled to a partial decree adjudicating a water right under claim 51-10185 as described in the *Standard Form 5* and the *Special Master Recommendation for Partial Decree for Water Right 51-10185*.

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 51-10185

2000 JUL 10 PM 3:01

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

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

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 3.20 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 9.00 CFS. COMBINED RIGHT NOS.:
51-10345, 51-10346 & 51-00095.

PRIORITY DATE: 04/01/1934

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

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 3.20 CFS

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

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 156.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00095, 51-10345 AND
51-10346.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RECOMMENDATION

JUL 10 2000

[Signature]
SPECIAL MASTER

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 51-10185

PAGE 1
Jun-22-2000

RECEIVED

JUN 27 2000

WATER RESOURCES
WESTERN REGION

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

In Re SRBA

Case No. 39576

Subcase No. 51-10185

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: 6-21-2000

Bert Brackett 6-21-2000
Signature Date
Print Name:

Larry A. Brown 6/21/00
Signature Date
Print Name: Larry A. Brown
OF Attorneys For the United States

Signature _____ Date _____
Print Name: _____

Signature _____ Date _____
Print Name: _____

Melvin D. Schulte 6-21-2000
Agent Date
IDWR Concurrence

APPROVED AS TO FORM
W. Spencer 6-21-00
Attorney for IDWR Date

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

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

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

RIGHT NUMBER: 51-10185

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

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 3.2 CFS

BB MTA LOS NBS
FWP

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 9.00 CFS. COMBINED RIGHT NOS.:
TOTAL COMBINED DIVERSION RATE OF 9.12 CFS COMBINED RIGHT NOS.:
51-10345, 51-10346 & 51-00095.

PRIORITY DATE: 04/01/1934

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

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	3.2 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County		
T15S R10E S12	SENE 4.8	SWSW 29	SESW 21	NESE 26
	NWSE 15	SWSE 5.3		
S13	NNNW 15			
S14	NENE 13			
R11E S07	NENW 5.9	Lot 2 (SWNW)21	SENW 0.6	Lot 1 (NNNW) 2.1
	Lot 13 (NWSW) 2.6			
	<u>156.6 ACRES TOTAL</u>			
	<u>160.6 ACRES TOTAL</u>			

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 156.6 ACRES IN A SINGLE
THE IRRIGATION OF A COMBINED TOTAL OF 160.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00095, 51-10345 AND
51-10346.

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER

3FS - 51-10185

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

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

51-10185 (CONT.)

IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 51:

WATER RIGHT NO.
NONE

SOURCE
NONE

MTA BB FWP JS NBS

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

WATER RIGHT NO.
NONE

SOURCE
NONE

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

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 51-10346, 51-10345 & 51-00095.

CERTIFICATE OF MAILING

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

1. Original to:

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

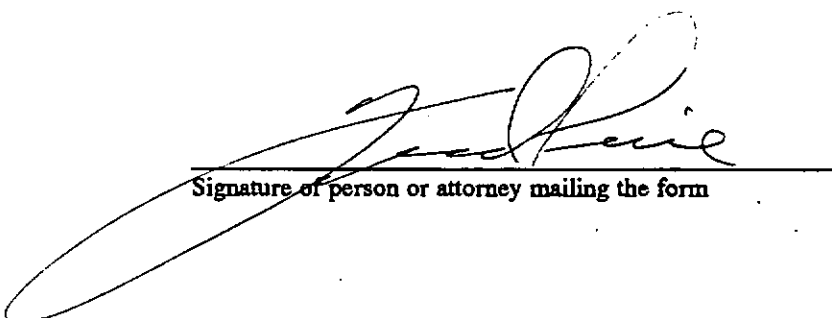
2. Copies to:

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

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

BRACKETT LIVESTOCK, INC. *by hand*
FLAT CREEK RANCH
ROGERSON, ID. 83302

CRAIG A. PRIDGEN *by hand*
MCQUAID, METZLER, ET. AL.
221 MAIN ST., 16TH FLOOR
SAN FRANCISCO, CA. 94105



Signature of person or attorney mailing the form

RECEIVED

APR 01 1999

Department of Water Resources

RECEIVED

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 51-10185

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

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

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

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

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

Name: Brackett Livestock, Inc.

Address: Flat Creek Ranch Rogerson, ID. 83302

Name:

Address:

Name:

Address:

Name:

Address:

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

check the appropriate box(es)).

1. ☐ Name and Address Should be: _____

2. ☐ Source Should be: _____

3. ☐ Quantity Should be: _____

4. ☐ Priority Date Should be: _____

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

6. ☐ Instream Flow Description Should be: _____

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

8. ☐ Period of Year Should be: _____

9. ☒ Place of Use Should be: _____
See attached

11. I object because:

☐ This water right should not exist.

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

E. REASONS SUPPORTING OBJECTION(S):

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

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

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

(Name of person filing objection)

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

Fredric W. Price
(Signature of person filing objection)

Lawrence C. Brown
(Attorney signing in representative capacity)

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

John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

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

1. Original to:

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

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

Name: Bracken Livestock, Inc.

Address: Flat Creek Ranch Rogerson, ID. 83302

Name:

Address:

Name:

Address:

Name:

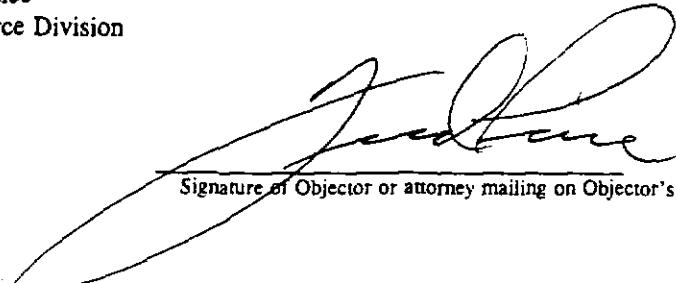
Address:

3. Copies to:

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

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

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


Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-10-1998
PAGE: A-18-----
RIGHTS FROM: SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

RIGHT NUMBER: 51-10195

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

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 3.2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 9.12 CFS. COMBINED RIGHT NOS.:
51-10345, 51-10346 & 51-00095.

PRIORITY DATE: 04/01/1934

POINT OF DIVERSION: T155 RICE S12 NESESW Within Owyhee County
S13 SWNESE
S14 SWNNWN
NESENEPURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 3.2 CFSPLACE OF USE: IRRIGATION Within Owyhee County
T155 RICE S12 SENE 4.3 SWSW 29 SESE 21 NESE 26
S13 NWSE 15 SWSE 5.3
S14 NWNW 15
R112 S07 NENE 13
NESE 5.3 Lot 1 (SWNW) 2.4 BLM Lot 2 (SWNW) 21 SESE 1.6
Lot 3 (NWSW) 1.6 BLM
160.6 ACRES TOTALUSE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 160.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00095, 51-10345 AND
51-10346.

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

AJ5856N2

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

DATE: NOV-20-1994
PAGE: A-29

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

RIGHT NUMBER: 51-10185 (CONT)

OTHER PROVISIONS: (CONT)

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

WATER RIGHT NO.	SOURCE
NONE	NONE

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

WATER RIGHT NO.	SOURCE
NONE	NONE

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 51-10346, 51-10345 & 51-00095.

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-20-1996
PAGE: A-29

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

RIGHT NUMBER: 51-10185

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

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY:

3.1 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 9.12 CFS. COMBINED RIGHT NOS.:
51-10345, 51-10346 & 51-00095. 9.12

PRIORITY DATE: 04/01/1934

POINT OF DIVERSION: T15S R10E S12 NESESW Within Owyhee County
S13 SWNESE
S14 SWNNW
NESENEPURPOSE AND
PERIOD OF USE:PURPOSE OF USE
IRRIGATIONPERIOD OF USE
04-01 10-31QUANTITY
3.1 CFSPLACE OF USE: IRRIGATION Within Owyhee County
T15S R10E S12 SENE 4.9 SWSW 29 SESW 21 NESE 26
S13 NWSE 15 SWSE 5.3
S14 NWNW 15
R11E S07 NENE 13
NESE 5.9 Lot 1 (NWNW) 2.4 Lot 2 (SWNW) 21 SENW 0.6
Lot 3 (NWSW) 1.6DELETE 4.0 ACRES
NO TRANSFER160.8 ACRES TOTAL
156.6

156.6

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 160.8 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00095, 51-10345 AND
51-10346.

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

IS THIS PARTICULAR RIGHT
LIMITED TO A CERTAIN #
OF ACRES?
NO.2.4
1.6
4.0

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

RIGHT NUMBER: 51-10185 (CONT)

OTHER PROVISIONS: (CONT)

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

WATER RIGHT NO.	SOURCE
NONE	NONE

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

WATER RIGHT NO.	SOURCE
NONE	NONE

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 51-10346, 51-10345 & 51-00095.

04-01 10-31	3.200 CFS

TOTAL DIVERSION:	3.200 CFS

Stage: BENEFICIAL USE

ONYHEE County
ONYHEE County
ONYHEE County

description for: IRRIGATION

[illegible]

Other Rights: 51-10346, 51-10345 & 51-00095

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.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.00 CFS. COMBINED RIGHT NOS.: 51-10345, 51-10346 & 51-00095.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 156.6 ACRES IN A SINGLE

AJ0749NP
No. R51-10185

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

DATE: 02/08/00
PAGE: 2

Remarks: IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00095, 51-10345 AND
51-10346.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 51-10346, 51-10345 & 51-00095.

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

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

Comments: 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.

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

Audit: 02/08/00 MSCHULTE

DIVERSION
VOLUME

TOTAL DIVERSION:

3.200 CFS

Stage: BENEFICIAL USE

OWYHEE County
OWYHEE County
OWYHEE County

ME

五

15

SE

T	R	S	NE	NW	SE	SW	NE	NW	SE	SW	SUM
155	10E	12	04	15	29	21	26	15	05	101.1	
155	10E	13	15	29	21	26	15	05	15.0		
155	10E	14	13	29	21	26	15	05	13.0		
155	11E	7	05	01	02	21	06	02	31.5		
TOTAL ACRES										160.6	

TOTAL ACRES

160.6

156, 6

Other Rights: 51-10346, 51-10345 & 51-000935

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.

1

- 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
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
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80	80
81	81
82	82
83	83
84	84
85	85
86	86
87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

•

- 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 RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.42 CFS. COMBINED RIGHT NOS.:...
51-10345, 51-10346 & 51-00095. 9.0

9.0

POU1

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~100~~ 100 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00095, 51-10345 AND

156,6

AJ5809NP
No. 51-10185

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/08/00
PAGE: 4

Remarks: 51-10346.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 51-10346, 51-10345 & 51-00095.

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: D
Presumption Flag: D

Comments: 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.

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

Audit: 06/26/98 MSCULTE 07/22/98 MSCULTE 07/30/98 AJU10-JS 11/11/98 JSHURTE
11/19/98 CPDSHAFF 11/25/98 ADT-DSHA 04/02/99 UPD-SEGB

AJ0749NP
No. R51-10185

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

DATE: 11/11/98
PAGE: 1

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 10-31	3.20 CFS	
TOTAL DIVERSION:					3.20 CFS	

Water Source: BIG FLAT CREEK
Tributary to: CLOVER CREEK
Stage: BENEFICIAL USE

Point(s) of Diversion: T155 R10E S12 NESESW SWESE
S13 SWNW
S14 NESENE
Owyhee County
Owyhee County
Owyhee County

Place of use Legal Description for: IRRIGATION

NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac	NESESW SWESE	SWNW	SESW	
15S 10E 12 : 04 : 15 : 29 21 : 26 15 05 : 101.1				
15S 10E 13 : : : : : : : : 15.0				
15S 10E 14 : 13 : : : : : : : 13.0				
15S 11E 7 : : 05 01-02 02-21 .6 : 03-01 : : 31.5				
TOTAL ACRES				160.6

POU County: Owyhee

Other Rights: 51-10346, 51-10345 & 51-00095

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 RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.12 CFS. COMBINED RIGHT NOS.: 51-10345, 51-10346 & 51-00095.

POU1

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 160.6 ACRES IN A SINGLE

AJ0749NP
No. R51-10185

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

DATE: 11/11/98
PAGE: 2

Remarks: IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00095, 51-10345 AND 51-10346.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 51-10346, 51-10345 & 51-00095.

Dates: Exam Made Date: 11/11/1998 Verified Date: 11/11/1998 Objection Filed Date:

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

Comments: 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.

Date: 11/11/1998 User-ID: JSHURTE Subject: SEASON OF USE CHANGE
CHANGED SEASON OF USE FROM 4-1 TO 7-1 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: 51-10185

BRACKETT LIVESTOCK INC
FLAT CREEK RANCH
ROGERSON ID 83302

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A51-10185

14:23:43
06/26/98

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>Wenden</i> <i>6-23-93</i>	N		<i>M.S.</i> <i>6-26-98</i>	<i>M.S.</i> <i>6-26-98</i>	
POINT OF DIV	Y			Y				
SOURCE	Y			N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			<i>014</i>				
PURPOSES OF USE	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

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()
<i>ITS map</i>	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	DATE		Y() N()
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()

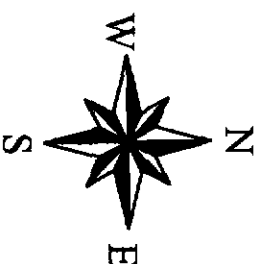
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LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED		
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED		
☐ SYSTEM DESCRIPTION	DATE DRAWN		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
☐ OTHER	DATE		
☐ OTHER	DATE		

IDAHO DEPARTMENT OF WATER RESOURCES

T15S, R10E, S12, S13, & S14

T15S, R11E, S7



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

6 SECTION NUMBER

CLAIM(S) : 51-10185

OWNER(S): BRACKETT LIVESTOCK

Prepared by: Mel Schulte

Date: 6/26/1998



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: AS1-10185

14:23:43
06/26/98

LAST: BRACKETT LIVESTOCK INC FIRST:
ADDRESS: FLAT CREEK RANCH
CITY: ROGERSON STATE: ID ZIP: 83302
PHONE NUMBER: 208-857-2217
OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE FIELD EXAMINER
Y Y() N()
CLAIM REMARKS: GEN 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.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Bert Brackett PHONE NUMBER: () -
DATE OF FIELD EXAM: 6/23/93 APPOINTMENT MADE: Y() N() TIME: : A() P()
ACCOMPANIED BY: PHONE NUMBER: () -
RELATIONSHIP TO CLAIMANT: -
DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A51-10185 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() ☒

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:

See Affidavits in A51-10182

There is an early season flood water claim for the same 500 Acre 51-10346, 51-10346 and 51-00095

RECOMMENDED PRIORITY DATE:

4-1-1934

REVIEWED BY

Michael Schultz

DATE

6-26-98

See 451-10182 & 10345

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
AS1-10185	15S	10E		NE	SE	SW			OHYHEE		
AS1-10185	15S	10E		SW	NE	SE			OHYHEE		
AS1-10185	15S	10E		SW	NW	NW			OHYHEE		
AS1-10185	15S	10E		SE	SE	NE			OHYHEE		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
AS1-00095	R51-00095
AS1-00096	R51-00096
AS1-00101	R51-07085
AS1-07085	R51-10345
AS1-10184	R51-10346
AS1-10345	
AS1-10346	

SOURCE: BIG FLAT CREEK

TRIB: BRUNEAU RIVER, EAST FORK

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 ☒

51-10345

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

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

N/A ☐ Y ☐ N ☒

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

Y ☒ N ☐

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A ☒ Y ☐ N ☒

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y ☐ N ☒

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y ☒ N ☐

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y ☐ N ☒

AJ FIELD EXAM

(DATE OF FIELD EXAM 6-23-93)

NAME OF EXAMINER

Judy Warner

Y ☒ N ☐

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: See A51-10345

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	POD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
15S	10E	12	NE	SE	SW			OWYHEE		
15S	10E	12	SW	NE	SE			OWYHEE		
15S	10E	13	SW	NW	NW			OWYHEE		
15S	10E	14	SE	SE	NE			OWYHEE		

SOURCE: Sugar Creek TRIB: Lower Creek.

REVIEWED BY: M. Schulte DATE: 6-26-95

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

A. ROOT WATER RIGHT NUMBERS:

See A51-10345

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	10E	12	SE	NE		BRACKETT LIVESTOCK INC	A51-10185 / 5.0	-	/		7.0
			SE	NE		BRACKETT LIVESTOCK INC	A51-00095 / 5.0	-	/		
			SE	NE		BRACKETT LIVESTOCK INC	A51-00101 / 5.0	-	/		
			SE	NE		BRACKETT LIVESTOCK INC	A51-10345 / 5.0	-	/		
			SE	NE		BRACKETT LIVESTOCK INC	A51-10346 / 5.0	-	/		
			SE	NE		BRACKETT LIVESTOCK INC	R51-10345 / 4.8	-	/		
			SE	NE		BRACKETT LIVESTOCK INC	R51-00095 / 4.8	-	/		
			SE	NE		BRACKETT LIVESTOCK INC	R51-10346 / 4.8	-	/		
			SE	NE		WALTERS, FRED	51-00111 / 40.0	-	/		
			SE	NE		WALTERS, F. J.	51-02046 / 20.0	-	/		
			SE	NE		BRACKETT LIVESTOCK INC.	51-04097 / 33.0	-	/		
15S	10E	12	NE	SW		BRACKETT LIVESTOCK INC	A51-10185 / 6.0	-	/		7.0
			NE	SW		BRACKETT LIVESTOCK INC	A51-00095 / 6.0	-	/		
			NE	SW		BRACKETT LIVESTOCK INC	A51-00101 / 6.0	-	/		
			NE	SW		BRACKETT LIVESTOCK INC	A51-10345 / 6.0	-	/		
			NE	SW		BRACKETT LIVESTOCK INC	A51-10346 / 6.0	-	/		
			NE	SW		BRACKETT LIVESTOCK INC.	51-04097 / 7.0	-	/		
15S	10E	12	SW	SW		BRACKETT LIVESTOCK INC	A51-10185 / 25.0	-	/		22.0
			SW	SW		BRACKETT LIVESTOCK INC	A51-00095 / 25.0	-	/		
			SW	SW		BRACKETT LIVESTOCK INC	A51-00101 / 25.0	-	/		
			SW	SW		BRACKETT LIVESTOCK INC	A51-10345 / 25.0	-	/		
			SW	SW		BRACKETT LIVESTOCK INC	A51-10346 / 25.0	-	/		
			SW	SW		BRACKETT LIVESTOCK INC	R51-10345 / 29.0	-	/		
			SW	SW		BRACKETT LIVESTOCK INC	R51-00095 / 29.0	-	/		
			SW	SW		BRACKETT LIVESTOCK INC	R51-10346 / 29.0	-	/		
			SW	SW		PATRICK, CLAYTON R.	51-00105 / 40.0	-	/		
			SW	SW		BRACKETT LIVESTOCK INC.	51-04097 / 31.0	-	/		
15S	10E	12	SE	SW		BRACKETT LIVESTOCK INC	A51-10185 / 22.0	-	/		17.0
			SE	SW		BRACKETT LIVESTOCK INC	A51-00095 / 22.0	-	/		
			SE	SW		BRACKETT LIVESTOCK INC	A51-00101 / 22.0	-	/		
			SE	SW		BRACKETT LIVESTOCK INC	A51-10345 / 22.0	-	/		
			SE	SW		BRACKETT LIVESTOCK INC	A51-10346 / 22.0	-	/		
			SE	SW		BRACKETT LIVESTOCK INC	R51-10345 / 21.0	-	/		
			SE	SW		BRACKETT LIVESTOCK INC	R51-00095 / 21.0	-	/		
			SE	SW		BRACKETT LIVESTOCK INC	R51-10346 / 21.0	-	/		
			SE	SW		PATRICK, CLAYTON R.	51-00105 / 40.0	-	/		
			SE	SW		BRACKETT LIVESTOCK INC.	51-04097 / 23.0	-	/		
15S	10E	12	NE	SE		BRACKETT LIVESTOCK INC	A51-10185 / 23.0	-	/		13.0
			NE	SE		BRACKETT LIVESTOCK INC	A51-00095 / 23.0	-	/		
			NE	SE		BRACKETT LIVESTOCK INC	A51-00101 / 23.0	-	/		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	11E	7	NE	NE	1	BRACKETT LIVESTOCK INC	A51-10346 / 4.0	-	-	/	
						BRACKETT LIVESTOCK INC	R51-00095 / 13.0	-	-	/	
						BRACKETT LIVESTOCK INC	R51-10346 / 13.0	-	-	/	
						BRACKETT LIVESTOCK INC	R51-10345 / 13.0	-	-	/	
						PATRICK, CLAYTON R.		51-00105 / 40.0			
						BRACKETT LIVESTOCK INC.		51-04097 / 9.0			
15S	11E	7	NE	NW	1	BRACKETT LIVESTOCK INC	A51-10185 / 7.0	-	-	/	10.0
						BRACKETT LIVESTOCK INC	A51-00095 / 7.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-00101 / 7.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-10345 / 7.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-10346 / 7.0	-	-	/	
						BRACKETT LIVESTOCK INC	R51-00095 / 5.9	-	-	/	
						BRACKETT LIVESTOCK INC	R51-10346 / 5.9	-	-	/	
						PATRICK, CLAYTON		51-00104 / 40.0			
15S	11E	7	NW	NW	1	BRACKETT LIVESTOCK INC	A51-10185 / 4.0	-	-	/	4.0
						BRACKETT LIVESTOCK INC	A51-00095 / 4.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-00101 / 4.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-10345 / 4.0	-	-	/	
						AMERICA ACTING THROUGH, UNITED	51-11892 /	-	-	/	
						BRACKETT LIVESTOCK INC	A51-10346 / 4.0	-	-	/	
						BRACKETT LIVESTOCK INC	R51-10345 / 2.4	-	-	/	
						BRACKETT LIVESTOCK INC	R51-00095 / 2.4	-	-	/	
						BRACKETT LIVESTOCK INC	R51-10346 / 2.4	-	-	/	
								51-04097 / 1.0			
15S	11E	7	SW	NW	2	BRACKETT LIVESTOCK INC	A51-10185 / 27.0	-	-	/	14.0
						BRACKETT LIVESTOCK INC	A51-00095 / 27.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-00101 / 27.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-10345 / 27.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-10346 / 27.0	-	-	/	
						BRACKETT LIVESTOCK INC	R51-10345 / 21.0	-	-	/	
						BRACKETT LIVESTOCK INC	R51-00095 / 21.0	-	-	/	
						BRACKETT LIVESTOCK INC	R51-10346 / 21.0	-	-	/	
						WALTERS, FRED		51-00111 / 40.0			
						WALTERS, F. J.		51-02046 / 30.0			
15S	11E	7	SE	NW	2	BRACKETT LIVESTOCK INC.		51-04097 / 26.0			
15S	11E	7	SE	NW	2	BRACKETT LIVESTOCK INC	A51-10185 / 2.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-00095 / 2.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-00101 / 2.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-10345 / 2.0	-	-	/	
						BRACKETT LIVESTOCK INC	A51-10346 / 2.0	-	-	/	
						BRACKETT LIVESTOCK INC	R51-10345 / 0.6	-	-	/	
						BRACKETT LIVESTOCK INC	R51-00095 / 0.6	-	-	/	
						BRACKETT LIVESTOCK INC	R51-10346 / 0.6	-	-	/	

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
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15S	11E	7	NW	SW	3	BRACKETT LIVESTOCK INC	A51-10185 / 2.0	-	/		
			NW	SW	3	BRACKETT LIVESTOCK INC	A51-00095 / 2.0	-	/		
			NW	SW	3	BRACKETT LIVESTOCK INC	A51-00101 / 2.0	-	/		
			NW	SW	3	BRACKETT LIVESTOCK INC	A51-10345 / 2.0	-	/		
			NW	SW	3	BRACKETT LIVESTOCK INC	A51-10346 / 2.0	-	/		
			NW	SW	3	BRACKETT LIVESTOCK INC	R51-10345 / 1.6	-	/		
			NW	SW	3	BRACKETT LIVESTOCK INC	R51-00095 / 1.6	-	/		
			NW	SW	3	BRACKETT LIVESTOCK INC	R51-10346 / 1.6	-	/		

ADDITIONAL POU FOUND

TOTAL ACRES	A51-10185	160.00	140.00
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POU COUNTY: OMAHIE

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

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

Y() N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-10185	BIG FLAT CREEK	BRACKETT LIVESTOCK INC	3.200	0.020		
A51-00095	BIG FLAT CREEK	BRACKETT LIVESTOCK INC	0.100			
R51-00095	BIG FLAT CREEK	BRACKETT LIVESTOCK INC	0.100			
A51-00101	BIG FLAT CREEK	BRACKETT LIVESTOCK INC	0.220	0.001		
R51-10345	BIG FLAT CREEK	BRACKETT LIVESTOCK INC	3.480	0.021		
A51-10345	BIG FLAT CREEK	BRACKETT LIVESTOCK INC	3.480	0.021		
R51-10346	BIG FLAT CREEK	BRACKETT LIVESTOCK INC	2.220	0.013		
A51-10346	BIG FLAT CREEK	BRACKETT LIVESTOCK INC	2.220	0.013		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-10501	DOMESTIC	KNOX II, HARRY W	FROM 01-01 TO 12-31	0.040 CFS	
51-11892	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.020 CFS	

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A51-00111, 00104, 00095, 00101, 10185

Y() N() 51-10345, 10346,
00095

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, IDNR NO. _____; () TOPOGRAPHIC QUAD, IDNR NO. _____;

() NAPP, IDNR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

*This right of the 1" acre is the assessed right for
51-103459 10346 & 00095.*

RECOMMENDATIONS:

TOTAL ACRES: 160.61 N/A ()

REVIEWED BY: Mel DeLuca DATE: 6-26-88

A. ALL CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-10185 IRRIGATION	FROM 04-01 TO 07-01	3.200 CFS	
TOTAL DIVERSION RATE/VOLUME		3.200 CFS	

B. WR RECORDED USES:

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

AJ CLAIM TOTAL DIVERSION RATE: 3.200 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. FLOW MEASUREMENT
MEASUREMENT METHOD See A51-10345 and page 14, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = NA CFS 1b. CALCULATIONS
(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 _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 320.0 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 ()

NOTES:

The system capacity was measured at 14.99 cfs.

The desired recommendations are as follows:

$$51-10345 = 3.48$$

$$51-00095 = .22$$

$$51-10346 = 2.22$$

$$51-10185 = 3.20 \text{ cfs} - \text{flood water}$$

$$\text{Total} = 9.12 \text{ cfs.}$$

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	06-01	07-01	3.200		320.0
TOTAL FOR THIS RIGHT			3.20		

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: Michael Schulte DATE: 6-26-98

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

QNT=EO4

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____ ACCEPTED AS CLAIMED REVIEW
FORFEIT/ABANDON _____ ()
ADDITIONAL DIV. AMOUNT _____ ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-10185
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
-	A51-10185	3.200	-	-	-	-
TOTAL CFS		3.200				

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 ()?

DATABASE N FIELD EXAMINER Y () N ()

NOTES:

See page 14
This claim meets the current department standards for a flood water right.

AUTHENTICATION:

SIGNATURE:

Michael DeLuitta

DATE:

6-26-98

NAME OF FIELD EXAMINER:

Jennifer Weller

TITLE:

As 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. A51-04045 - HAS HAD AN AFFIDAVIT SUBMITTED FROM ROLAND K. PATRICK & RUTH C. SMITH TO SUPPORT THE 1915 PRIORITY DATE FOR WATER USE FROM CRAW FISH SPRINGS. THEREFORE, EVIDENCE IS NOT REQUIRED FOR A51-04045.