

BEFORE
SALIT

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/23/2015

Water Right 51-96

Owner Type **Name and Address**
Current Owner BERT BRACKETT
 FLAT CREEK RANCH
 ROGERSON, ID 83302
 (208)857-2217

Current Owner PAULA BRACKETT
 FLAT CREEK RANCH
 ROGERSON, ID 83302
 (208)857-2217

Priority Date: 4/15/1906

Basis: Decreed

Status: Active

Source
BIG FLAT CREEK

Tributary
CLOVER CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.600 CFS	455.0 AF
STOCKWATER	01/01	12/31	0.200 CFS	12.8 AF
	<u>Total Diversion</u>		1.600 CFS	467.8 AF

Source and Point(s) of Diversion

BIG FLAT CREEK	NWNW	Sec. 24, Twp 15S, Rge 10E, OWYHEE County
BIG FLAT CREEK	SENE	Sec. 14, Twp 15S, Rge 10E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	10E	13		1.9	39.0				13.0	33.6	39.9	6.5	11.2	38.8		39.9	36.8		260.6
15S	10E	14				17.0									10.0			2.9	29.9
15S	10E	24		4.9			6.0												10.9

Right Acre Limit: 130.0

POU Total Acres: 301.4

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1. X27 This right is limited to the irrigation of 130.0 acres within the place of use described above in a single irrigation season.
2. Each year prior to the irrigation season the right holder or their successors or assigns shall advise the Department of Water Resources and the Bruneau Buckaroo Cooperative Ditch Company as to the location of the 130.0 acres (within the 301.4 acre permissible place of use) authorized to be irrigated in a single irrigation season pursuant to water right no. 51-96.

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3. X35 Rights 51-96, 51-7085 and 51-7267 when combined shall not exceed a total diversion rate of 4.80 cfs, a total annual maximum diversion volume of 1029.8 af at the field headgate, and the irrigation of 301.4 acres.
4. Rights 51-96, 51-7085, 51-7267 and 51-10184 when combined shall not exceed a total annual maximum diversion volume of 1060.0 af at the field headgate, and the irrigation of 301.4 acres.
5. R05 At the time of this approval, this water right is within State Water District No. 51A. In the future use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within the water district or any subsequent water district that may supercede 51A.
6. Upon reactivation or creation of a new water district (I.C. 42-604) or a water management district (I.C. 42-706), and after specific notification by the Department, right holders shall install a suitable measuring device and shall annually report the information to the Department.
7. 198 When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.
8. R02 When actively regulated by a Water District, a lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. 020 The diversion and use of water described in Transfer 70694 may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
10. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
11. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
12. X36 Rights 51-96, 51-7085, and 51-7267 are also diverted through the points of diversion described above. Right 51-10184 is also diverted through the point of diversion located in the NWNW, S24, T15S, R10E.
13. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.800	1,029.8	301.4
51-7085 ,51-96 ,51-7267		

SubCase:

SubCaseNumber: 51-96

Class: 2

SF5 Filed Date: 6/21/2000

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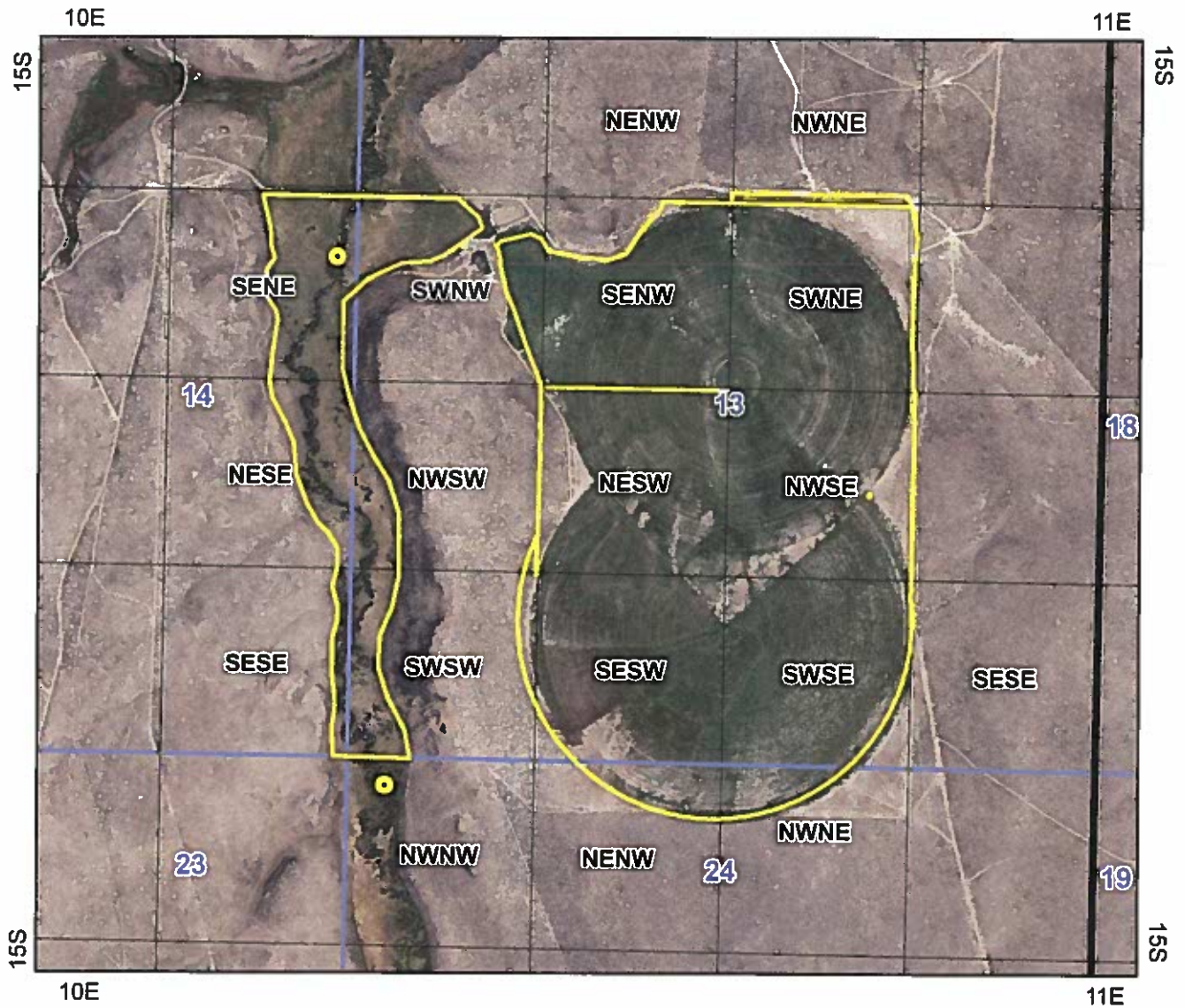
6/23/2015

Special Master Recom Signed Date: 7/10/2000
Attorney Assigned: SUSAN E HAMLIN-NYGARD
Adjudication Agent:
Basis of Claim:
Date Filed: 3/31/1999
Objection Status: Active

Water Supply Bank:
N/A

State of Idaho
Department of Water Resources
Water Right License
51-96

*BEFORE
SPLIT*



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.15 0.3 0.6 Miles



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Priority Date: 4/15/1906

Basis: Decreed

Status: Active

Source
BIG FLAT CREEK

Tributary
CLOVER CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.010 CFS	2.8 AF
	<u>Total Diversion</u>		0.010 CFS	2.8 AF

Source and Point(s) of Diversion

BIG FLAT CREEK	NWNW	Sec. 24, Twp 15S, Rge 10E, OWYHEE County
BIG FLAT CREEK	SENE	Sec. 14, Twp 15S, Rge 10E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	10E	13		1.9															1.9

Right Acre Limit: 0.8

POU Total Acres: 1.9

Conditions of Approval:

1. X27 This right is limited to the irrigation of .8 acres within the place of use described above in a single irrigation season.
2. Each year prior to the irrigation season the right holder or their successors or assigns shall advise the Department of Water Resources and the Bruneau Buckaroo Cooperative Ditch Company as to the location of the .80 acres (within the 1.9 acre permissible place of use) authorized to be irrigated in a single irrigation season pursuant to water right no. 51-96.
3. X35 Rights 51-96, 51-7085, 51-7267, 51-13114, 51-13115, and 51-13116 when combined shall not exceed a total diversion rate of 4.80 cfs, a total annual maximum diversion volume of 1029.8 af at the field headgate, and the irrigation of 301.4 acres.
4. Rights 51-96, 51-7085, 51-7267, 51-13114, 51-13115, 51-13116, and 51-10184 when

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 6. Upon reactivation or creation of a new water district (I.C. 42-604) or a water management district (I.C. 42-706), and after specific notification by the Department, right holders shall install a suitable measuring device and shall annually report the information to the Department.
 7. 198 When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.
 8. R02 When actively regulated by a Water District, a lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 9. 020 The diversion and use of water described in Transfer 70694 may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
 10. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
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Comments:

1. psdaggs 5/9/2007 POU
Updated Shape
2. psdaggs 6/11/2007 Transferred Right
This is now an approved transfer, transfer number = 70694
3. bserrano 8/28/2015 Split Right
WR no. 51-96 has been split by ownership change into WR nos. 51-96 and 51-13115
4. bserrano 8/28/2015 POU
Updated Shape

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Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.800	1,029.8	301.4
51-7085 ,51-96 ,51-7267 ,51-13114 ,51-13115 ,51-13116		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	1,060.0	301.7
51-10184 ,51-7085 ,51-96 ,51-7267 ,51-13114 ,51-13115 ,51-13116		

SubCase:

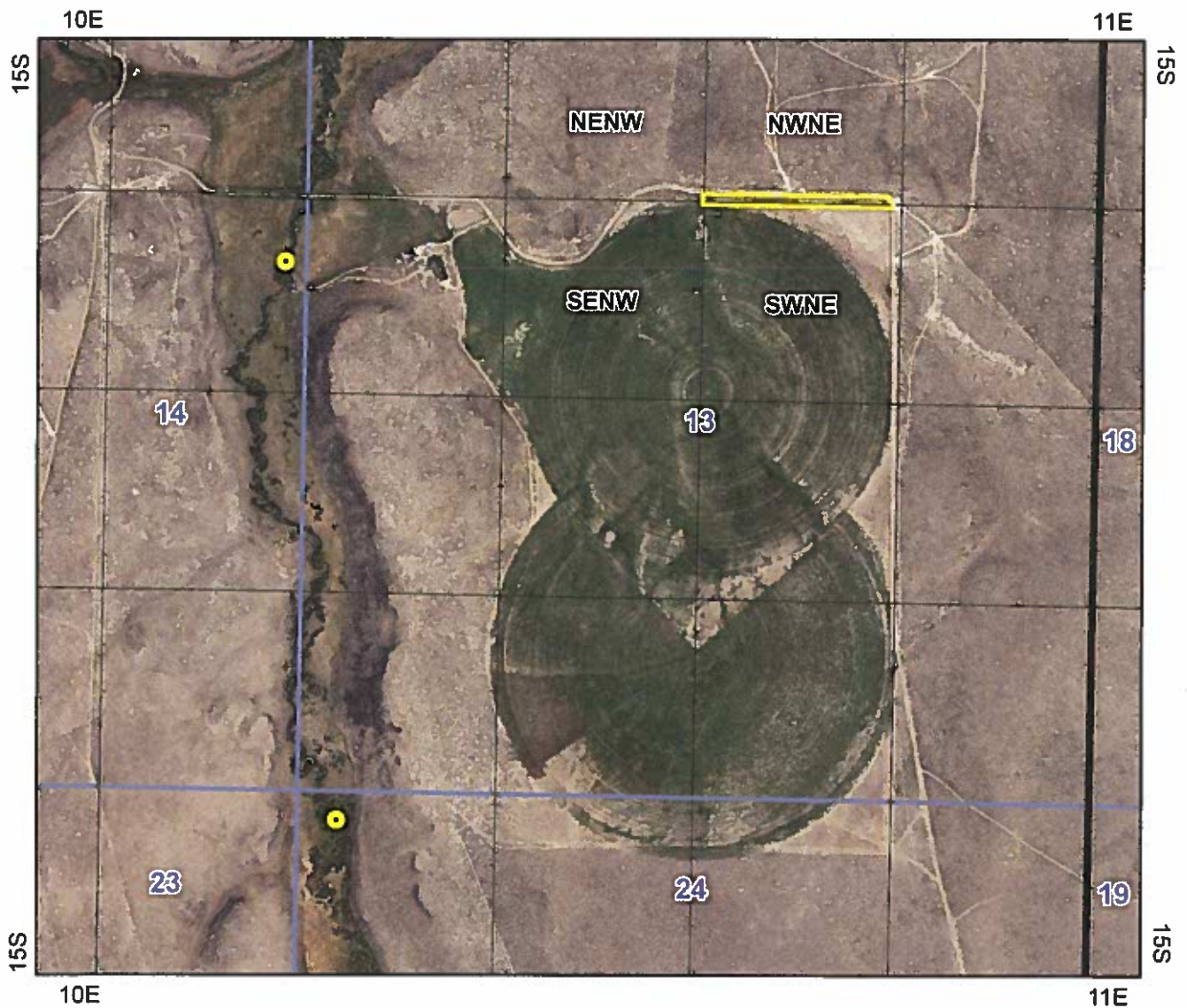
SubCaseNumber: 51-96
Class: 2
SF5 Filed Date: 6/21/2000
Special Master Recom Signed Date: 7/10/2000
Attorney Assigned: SUSAN E HAMLIN-NYGARD
Adjudication Agent:
Basis of Claim:
Date Filed: 3/31/1999
Objection Status: Active

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
51-96

*AFTER
SPLIT*



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
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0 0.125 0.25 0.5 Miles

