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AUG 12 2013

WATER RESOURCES
WESTERN REGION

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

In the Matter of License No. 51-12983 in the) Subcase Number: 51-12983
Name of Bert Brackett)
) **Request for Modification of Order**
) **(IDAPA Rule 760)**

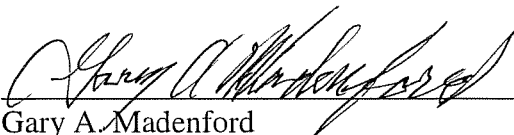
United States of America, Bureau of Land Management (BLM) respectfully files this Request for Modification of Order pursuant to the Idaho Administrative Rules Code for the Idaho Department of Water Resources (IDAPA) rule 760, requesting the following typographical corrections of License No. 51-12983 licensed on July 2, 2013 to Bert Brackett.

It is the BLM's understanding that Approved Permit No. 51-12983 was amended prior to issuance of a License on July 2, 2013. In the Amendment, the Claimant (Bert Brackett) sought to change the Place of Use element of the water right by including other legal land descriptions connected to Pence Spring. The legal land descriptions sought by the Claimant were supposed to be consistent with the Claimant's Partial Decrees from Pence Spring. IDWR did not advertise or contact the BLM concerning these changes.

BLM respectfully requests IDWR to make the following changes to License No. 51-12983:

1. Deletion of legal land descriptions described in the NWNE, S13 and NENW, NWNW, S15, T11S, R08E because they are not described on the Claimant's other Partial Decrees.
2. Deletion of the legal land description described in the SWSE, S03, T12S, R08E. A trough exists near the line between the SWSE, S03 and the NWNE, S10; however, the Claimant's other Partial Decrees describe this trough in the NWNE, S10 in accordance with settlement with BLM.
3. Deletion of the legal land description described in the SWNW, S13, T12S, R08E. A trough exists near the line between the SWNW and SENW, S13; however, the Claimant's other Partial Decrees describe this trough in the SENW, S13 in accordance with settlement with BLM.

Dated this 12th day of August 2013



Gary A. Madenford
Water Rights Team Leader

Request for Modification of Order
License 51-12983, Bert Brackett
08/12/2013

CERTIFICATE OF SERVICE

I certify that on August 12, 2013, I served a true and correct copy of the **“Request for Modification of Order, License 51-12983”** with enclosures upon the following individuals by placing the documents in the United States mail in Boise, Idaho, postage paid, and addressed as follows:

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

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Copies to: John Westra, Administrative Office Manager
Idaho Department of Water Resources (IDWR)
Western Regional Office
2735 Airport Way
Boise, ID 83705

Bert Brackett
Flat Creek Ranch
Rogerson, ID 83302

Lisa Claxton – Realty Specialist
U.S., Department of the Interior,
Bureau of Land Management,
Jarbidge Field Office
2536 Kimberly Road
Twin Falls, ID. 83301

Brandon Anderson

Person Serving Documents (print name)

Brandon Anderson

Signature of Person Serving Documents

Request for Modification of Order
License 51-12983, Bert Brackett
08/12/2013