

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77717

This is to certify that: BERT BRACKETT And
PAULA BRACKETT
FLAT CREEK RANCH
ROGERSON ID 83302
(208)857-2217

have requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
51-107	WR/Decreed	04/01/1918	1.4 cfs	N/A	80.2	207.9	BIG FLAT CREEK, LITTLE SPRING CREEK
51-108	WR/Decreed	04/01/1885	2.6 cfs	N/A	127.7	207.9	BIG FLAT CREEK, LITTLE SPRING CREEK
51-10180	WR/Decreed	04/01/1934	4.16 cfs	N/A	N/A	207.9	BIG FLAT CREEK, LITTLE SPRING CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
51-107	NO	YES	NO	NO	NO	NO
51-108	NO	YES	NO	NO	NO	NO
51-10180	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
51-107	51-107	1.4 cfs	N/A	80.2	207.9		N/A	N/A	N/A	N/A
51-108	51-108	2.6 cfs	N/A	127.7	207.9		N/A	N/A	N/A	N/A
51-10180	51-10180	4.16 cfs	N/A	N/A	207.9		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		8.16 cfs	N/A	N/A	207.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of June, 2012


Western Regional Manager

SUPPORT DATA

IN FILE # 51-107

WATER RIGHT NO. 51-107
As Modified by Transfer No. 77717

In accordance with the approval of Transfer No. 77717, Water Right No. 51-107 is now described as follows.

Right Holder: BERT BRACKETT And
 PAULA BRACKETT
 FLAT CREEK RANCH
 ROGERSON ID 83302

Priority Date: April 01, 1918

Source: BIG FLAT CREEK **Tributary:** CLOVER CREEK
 LITTLE SPRING CREEK BIG FLAT CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	1.40 CFS
			1.40 CFS

LOCATION OF POINTS OF DIVERSION:

BIG FLAT CREEK	SWSWSE	Sec. 25, Twp 15S, Rge 10E, OWYHEE County
LITTLE SPRING CREEK	NENW	Sec. 36, Twp 15S, Rge 10E, OWYHEE County
BIG FLAT CREEK	NWSW	Sec. 31, Twp 15S, Rge 11E, OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	10E	25									18.0	38.0					24.0		80.0
15S	10E	26																.2	.2
15S	10E	36	6.0	39.0	33.0	20.0	24.0			3.0					2.7				127.7

Total Acres: 207.9

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

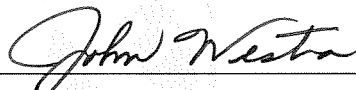
WATER RIGHT NO. 51-107
As Modified by Transfer No. 77717

CONDITIONS OF APPROVAL

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 51A.
6. This right is limited to the irrigation of 80.2 acres within the authorized place of use in a single irrigation season.
7. Rights 51-107, 51-108 and 51-10180 when combined shall not exceed a total diversion rate of 8.16 cfs and the irrigation of 207.9 acres.
8. Rights 51-107 and 51-108 when combined shall not exceed a total diversion rate of 4.0 cfs.
9. 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 place of use.
10. The following rights are diverted through points of diversion described above: 51-107, 51-108 and 51-10180.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of June, 20 12


Western Regional Manager

WATER RIGHT NO. 51-108
As Modified by Transfer No. 77717

In accordance with the approval of Transfer No. 77717, Water Right No. 51-108 is now described as follows.

Right Holder: BERT BRACKETT And
PAULA BRACKETT
FLAT CREEK RANCH
ROGERSON ID 83302

Priority Date: April 01, 1885

Source: BIG FLAT CREEK **Tributary:** CLOVER CREEK
LITTLE SPRING CREEK BIG FLAT CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01	to 12/31	0.20 CFS
IRRIGATION	04/01	to 10/31	2.60 CFS
			2.60 CFS

LOCATION OF POINTS OF DIVERSION:

BIG FLAT CREEK	SWSWSE	Sec. 25, Twp 15S, Rge 10E, OWYHEE County
LITTLE SPRING CREEK	NENW	Sec. 36, Twp 15S, Rge 10E, OWYHEE County
BIG FLAT CREEK	NWSW	Sec. 31, Twp 15S, Rge 11E, OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	10E	25									18.0	38.0					24.0		80.0
15S	10E	26															.2		.2
15S	10E	36	6.0	39.0	33.0	20.0	24.0			3.0				2.7					127.7

Total Acres: 207.9

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

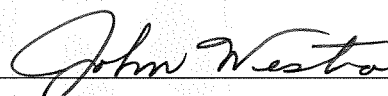
WATER RIGHT NO. 51-108
As Modified by Transfer No. 77717

CONDITIONS OF APPROVAL

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 51A.
6. This right is limited to the irrigation of 127.7 acres within the authorized place of use in a single irrigation season.
7. Rights 51-107, 51-108 and 51-10180 when combined shall not exceed a total diversion rate of 8.16 cfs and the irrigation of 207.9 acres.
8. Rights 51-107 and 51-108 when combined shall not exceed a total diversion rate of 4.0 cfs.
9. 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 place of use.
10. The following rights are diverted through points of diversion described above: 51-107, 51-108 and 51-10180.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of June, 2012


Western Regional Manager

WATER RIGHT NO. 51-10180
As Modified by Transfer No. 77717

In accordance with the approval of Transfer No. 77717, Water Right No. 51-10180 is now described as follows.

Right Holder: BERT BRACKETT And
 PAULA BRACKETT
 FLAT CREEK RANCH
 ROGERSON ID 83302

Priority Date: April 01, 1934

Source: BIG FLAT CREEK **Tributary:** CLOVER CREEK
 LITTLE SPRING CREEK BIG FLAT CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	4.16 CFS
			4.16 CFS

LOCATION OF POINTS OF DIVERSION:

BIG FLAT CREEK	SWSWSE	Sec. 25, Twp 15S, Rge 10E, OWYHEE County
LITTLE SPRING CREEK	NENW	Sec. 36, Twp 15S, Rge 10E, OWYHEE County
BIG FLAT CREEK	NWSW	Sec. 31, Twp 15S, Rge 11E, OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	10E	25									18.0	38.0					24.0		80.0
15S	10E	26																.2	.2
15S	10E	36	6.0	39.0	33.0	20.0	24.0			3.0				2.7					127.7

Total Acres: 207.9

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

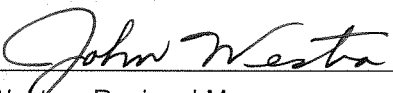
WATER RIGHT NO. 51-10180
As Modified by Transfer No. 77717

CONDITIONS OF APPROVAL

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 51A.
6. Rights 51-107, 51-108 and 51-10180 when combined shall not exceed a total diversion rate of 8.16 cfs and the irrigation of 207.9 acres.
7. 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 place of use.
8. The following rights are diverted through points of diversion described above: 51-107, 51-108 and 51-10180.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of June, 20 12


Western Regional Manager