

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70887

This is to certify that: BRACKETT RANCHES LTD
FLAT CREEK RANCH
ROGERSON ID 83302
(208)857-2217

has 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>
51-12898A	WR/Decreed	09/14/1966	0.23 cfs	N/A	N/A	N/A	PENCE SPRING

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>
51-12898A	NO	NO	YES	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>
51-12898A	51-12898A	0.23 cfs	N/A	N/A			N/A	N/A	N/A	N/A
COMBINED TOTALS		0.23 cfs					N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of July, 2009



Chief, Water Allocation Bureau

SCANNED

AUG 14 2009

WATER RIGHT NO. 51-12898A
As Modified by Transfer No. 70887

In accordance with the approval of Transfer No. 70887, Water Right No. 51-12898A is now described as follows.

Right Holder: BRACKETT RANCHES LTD
 FLAT CREEK RANCH
 ROGERSON ID 83302

Priority Date: September 14, 1966

Source: PENCE SPRING

Tributary: LITTLE SPRING CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01 to	12/31	0.23 CFS
			0.23 CFS

LOCATION OF POINT(S) OF DIVERSION:

PENCE SPRING SWNENE Sec. 26 Twp 15S Rge 10E OWYHEE County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 09E 35																X	
13S 10E 31	X																
13S 10E 33																X	
13S 10E 34																X	
13S 10E 35															X		
14S 09E 1	X																
14S 09E 11	L 1			X													
14S 09E 13								X									
14S 10E 2						X											
14S 10E 6												X					
14S 10E 8					X												
14S 10E 11					X												
14S 10E 13						X				X							
14S 10E 14													X				
14S 10E 18								X									
14S 10E 23					X												
14S 10E 24					X												

SCANNED

AUG 14 2009

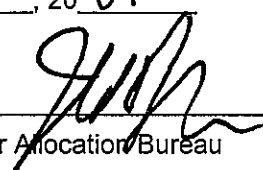
WATER RIGHT NO. 51-12898A
As Modified by Transfer No. 70887

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) 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.
4. This right does not grant any right-of-way or easement across the land of another.
5. The following rights are diverted through point of diversion described above: 51-12895A, 51-12896A, 51-12897A, 51-12898A, and 51-12957.
6. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
7. The quantity of water under this right shall not exceed 13,000 gallons per day.
8. The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 23rd day of July, 20 09



Chief, Water Allocation Bureau

SCANNED

AUG 14 2009