Serial No. 06956

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant Brackett Livestock Inc. and Brackett, Noy E. III and Paula A.

Flat Creek Ranch (Street and No. or P. O. Box No.) of Rogerson (City or Town)

Idaho 83302 (State and Zip Code No.)

(2) Source of water Elk Mountain Spring (Name of natural water source)

(3) The water is diverted by Spring Area and Pipeline (Dam, ditch, pipe line, natural channel, spring area, etc.)

(4) The water is diverted at the following point(s) A point located within the NE¼NW¼ of Section 32 (Describe as being within a 40-acre subdivision on public survey, and by course and distance to a section corner. If on unsurveyed land it should be stated.)

T 47N, R 61E, M.D.B.&M. from which the NW corner of Section 19 T 47N, R 61E, M.D.B.&M. (Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.)

bears ~~S~~ N 35°29'00" ~~E~~ W a distance of 13,270.0 feet (Unsurveyed)

(5) The water is impounded in Troughs (Troughs, tanks, pools, reservoir, natural channel, etc.)

(6) The construction of the ditch or other works was begun 1960's (Date)

and completed mid 1970's (Date)

(7) The nature of the claimant's title to the land upon which the source of water and place or use are located is U.S.F.S Grazing Permits 30131 and 30130 (Patented, deeded, public domain with grazing permit, etc.)

(8) The Claimant's water right xxx (was not) recorded in the office of the County Recorder of

_____ County, at Page _____ of Book _____ of _____

NOTE--Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8)

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(9) The approximate number of animals watered by the claimant during the first year 1871 (Date)

was 10,000-15,000 cattle 5-7 K horses >30K sheep or wildlife (describe) (Other)

The watering was conducted during each of the following months April 1 through November 30

(10) The approximate number of animals watered by claimant in subsequent years was as follows:

If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given.

Brackett Livestock Inc.:

457 head of cattle from 7/6-9/20

522 head of cattle from 7/1-10/5

15 head of horses from 7/16-10/5

Brackett, Noy E. III and Paula A.:

111 head of cattle from 7/1-10/5

(11) The amount of water which has been necessary to be diverted for this purpose has been _____ cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at NE¼NW¼ of Section 32, T 47N, R 61E, M.D.B.&M.

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks Refer to subsequent filing of a supporting affidavit and publications for further documentation regarding this proof

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Remarks

The undersigned, being duly sworn, deposes and says that the facts relative to the appropriation of water by Brackett Livestock Inc. and Brackett, Noy E. III and Paula A.

are full and correct to the best of his knowledge and belief.

The undersigned deponent is acting as agent for the claimant

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

Brackett Livestock Inc. and Brackett, Noy E. III and Paula A..
Claimant

Telephone No. (208) 326-5854

By Clare N. Mahannah Agent

Clare N. Mahannah, P.E.
P.O. Box 9066
Street and No., or P.O. Box No.
Reno, Nevada 89507
City, State, Zip Code No.

BONNIE M URBANCIC
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES JAN. 15, 1998

Telephone No. (702) 747-1100

Subscribed and sworn to before me this 14 day of DECEMBER, 19 94.

Bonnie M. Urbancic

Notary Public in and for the County of WASHOE

My commsision expires 1/15/98

$50 FILING FEE MUST ACCOMPANY PROOF