

STATE OF NEVADA

**PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING  
OR WILDLIFE PURPOSES**

(1) Name of claimant Brackett Ranches Ltd.  
Flat Creek Ranch of Rogerson  
Street and No. or P. O. Box No. City or Town  
Idaho 83302  
State and Zip Code No.

(2) Source of water Hays Canyon Creek and Tributary Springs, Reaches 1 and 2  
Name of natural water source

(3) The water is diverted by Natural Channel, Collection Box, Pipeline and Ponds  
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) Throughout Reach 1 of the creek, commencing  
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.

at the following points: within the NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 11 T.47N., R.60E. M.D.B.&M. from which  
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.

the NW corner of Section 11, T.47N., R.60E. M.D.B.&M. bears S32°02'00" <sup>N</sup>E a distance of 3,830.0 533

feet and the SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 11 T.47N., R.60E. M.D.B.&M. from which the NW corner of  
Section 11, T.47N., R.60E. M.D.B.&M. bears <sup>N</sup>S41°22'00" <sup>W</sup>E a distance of 3,080.0 feet and the

NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 11 T.47N., R.60E. M.D.B.&M. from which the NW corner of Section 11,  
T.47N., R.60E. M.D.B.&M. bears <sup>N</sup>S79°22'00" <sup>W</sup>E a distance of 2,025.0 feet thence down the stream

channel to the point of ending within the NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 2 T.47N., R.60E., M.D.B.&M. from  
which the SW corner of Section 2, T.47N., R.60E. M.D.B.&M. bears <sup>S</sup>N23°36'00" <sup>W</sup>E a distance of

4695.0 feet. Throughout Reach 2 of the creek, commencing

at the following points: within the NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 13 T.47N., R.60E. M.D.B.&M. from which  
the SE corner of Section 13, T.47N., R.60E. M.D.B.&M. bears <sup>S</sup>N58°31'00" <sup>E</sup>W a distance of 5,050.0

feet and the NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 13 T.47N., R.60E. M.D.B.&M. from which the SE corner of  
Section 13, T.47N., R.60E. M.D.B.&M. bears <sup>S</sup>N60°38'00" <sup>E</sup>W a distance of 5,490.0 feet thence down the

stream channel to the point of ending within the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 13 T.47N., R.60E., M.D.B.&M.  
from which the NW corner of Section 14, T.47N., R.60E. M.D.B.&M. bears <sup>N</sup>S66°21'00" <sup>W</sup>E a distance of

5765.0 feet.

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

(6) The construction of the ditch or other works was begun 1980 \_\_\_\_\_ Date \_\_\_\_\_  
and completed 1994 \_\_\_\_\_ 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 Reach 1: BLM Allotment No. 8-01075, Reach 2: USES Grazing Permit No. 3-109 \_\_\_\_\_  
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)

(9) The approximate number of animals watered by the claimant during the first year 1871 \_\_\_\_\_ Date \_\_\_\_\_  
was 10,000-15,000 cattle 5000-7000 horses >30,000 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:  
BLM: 527 AUM cattle from April 1 - December 1 \_\_\_\_\_  
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.  
USES: 413 head of cattle from July 1 - October 10 \_\_\_\_\_

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

Remarks See enclosed copies of the following affidavits and publications; original copies were \_\_\_\_\_  
submitted under Brackett Livestock Inc. Proofs 06955-06995: \_\_\_\_\_  
1. Affidavit of Noy Elbert Brackett Jr. II \_\_\_\_\_  
2. Affidavit of Clare N. Mahannah \_\_\_\_\_  
3. "Sixty Years of Cooperation" published in 1977 by the "71" Livestock Association in cooperation \_\_\_\_\_  
with the U.S. Department of Agriculture, U.S. Forest Service and the U.S. Department of Interior, \_\_\_\_\_  
Bureau of Land Management. \_\_\_\_\_

Remarks

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The undersigned, being duly sworn, deposes and says that the facts relative to the appropriation of water by Brackett Ranches Ltd 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 Ranches Ltd  
Claimant

Telephone No. ( 208 ) 326-5854

By *Clare N. Mahannah*  
Clare N. Mahannah, P.E.  
P.O. Box 9066  
Street and No., or P.O. Box No.  
Reno, NV 89507  
City, State, Zip Code No.  
Telephone No. ( 747 ) 747-1100



Subscribed and sworn to before me this 14<sup>th</sup> day of JUNE, 19 95.

*Bonnie M. Urbancic*

Notary Public in and for the County of WASHOE

My commision expires 1/15/98

**\$50 FILING FEE MUST ACCOMPANY PROOF**