

Idaho Department of Water Resources

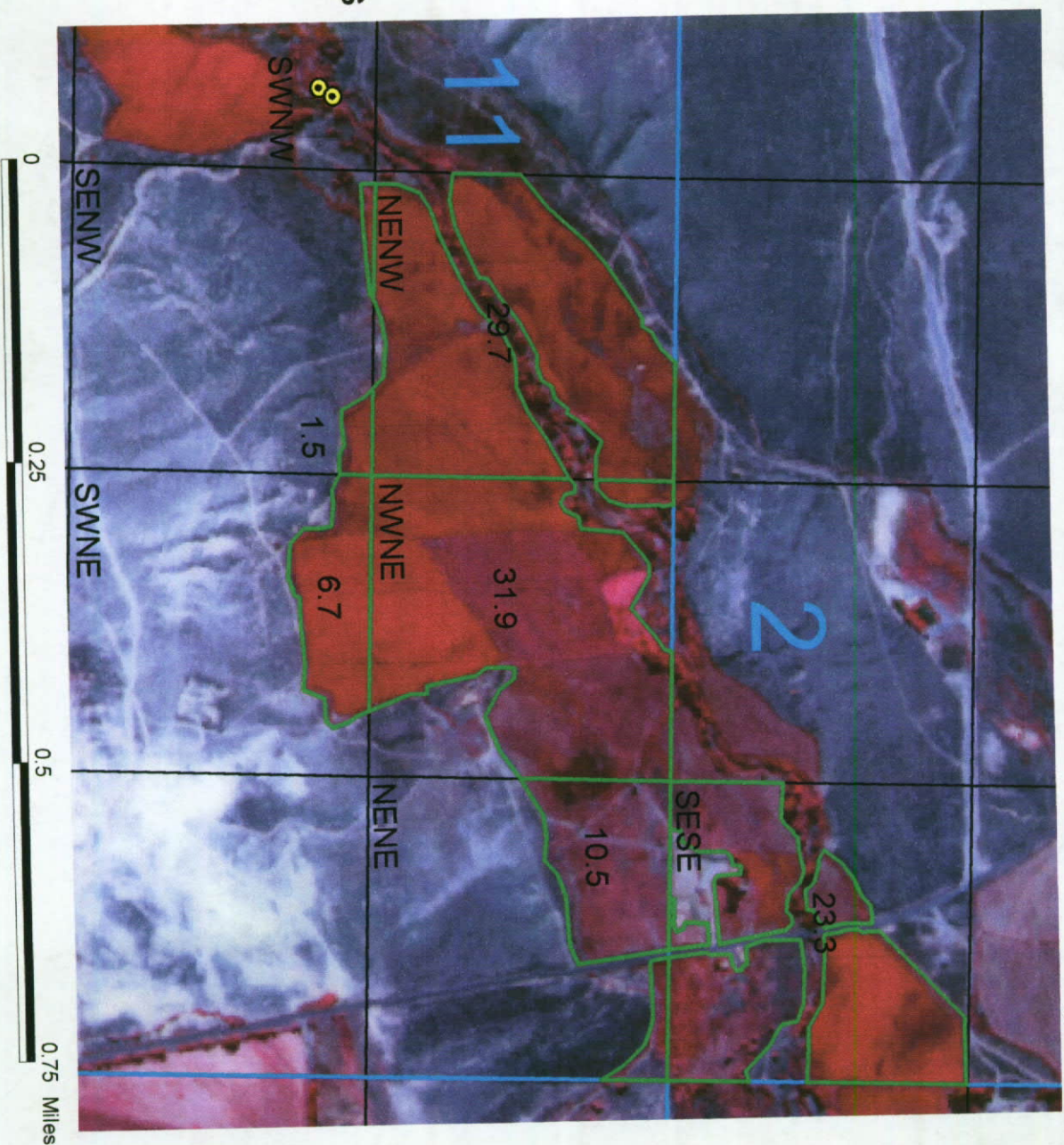
Claim Number: 57-00279

Legal: T01S, R03W, S02 & 11

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines

1987 Napp Photo



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00279
Date Received: 12/12/1988
Receipt No: C004684
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENRY BRANDAU 208-495-2787
Address: HC 79, BOX 66
MELBA, ID 83641

AND/OR

Name: BETTY B. BRANDAU 208-495-2787
Address: HC 79, BOX 66
MELBA, ID 83641

2. Date of Priority: MAR 01, 1886

3. Source: REYNOLDS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	03W	11	SW	NW			OWYHEE

5. Description of diverting works:
DAM & GRAVITY CONVEYING DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 260.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	03W	2	SE	SE		IRR	21.0
Section Acres							21.0
		11	NE	NE		IRR	10.0
			NW	NE		IRR	34.0
			SW	NE		IRR	7.0
			NE	NW		IRR	30.0
			SE	NW		IRR	2.0
Section Acres							83.0
Total Acres							104.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
57-2247

14. Remarks:
2 P/D IN SWNW, S11, T1S, R3W.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

Idaho Department of Water Resources

Claim Number: 57-00279

Legal: T01S, R03W, S02 & 11

Reviewed By:

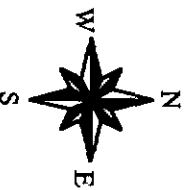
☐ Point of Diversion

☐ Place of Use

☐ Section Lines

☐ Quarter Quarter Lines

☐ Township/Range Lines



1987 Napp Photo

0 0.25 0.5 0.75 Miles

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00279 Date: 2-7-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	15	3W	2																21	21
GIS																			23.3	23.3
Claim			11	10	34	7		30			2									83
GIS				10.5	31.9	6.7		29.7			1.5									80.3
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 104

Overlapping EOU Claim #'s:

Total GIS Acres: 103.6

COMMENTS:

No claim map. Per image interpretation + county data.

POD estimated.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
WIN FALLS CO., IDAHO

FILED

2002 DEC 23 PM 3 37

AMENDED

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-00279

NAME AND ADDRESS: HENRY & BETTY B BRANDAU
HC 79 BOX 66
MELBA, ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 03/01/1886

POINT OF DIVERSION: T01S R03W S11 SWNW Within Owyhee County

2 POINTS OF DIVERSION LOCATED IN T01S, R03W, S11, SWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.00 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T01S R03W S02	SESE 21.0
	S11	NENE 10.0
		SWNE 7.0
		SENE 2.0
		NWNE 34.0
		NENW 30.0

104.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JAN 10 2003

WATER RESOURCES
WESTERN REGION

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2002 DEC 23 PM 3 34

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF AMENDED PARTIAL DECREE

For Water Right 57-00279

On October 28, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-00279 is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: December 23, 2002



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

SCANNED

DEC 24 2002

2002 DEC 23 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 57-00279

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-00279 was mailed
on December 23, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

HENRY & BETTY B BRANDAU
HC 79 BOX 66
MELBA, ID 83641
Phone: 208-495-2787

ROBBIN HALL
Chief Deputy Clerk

CERTIFICATE OF MAILING

SCANNED
DEC 24 2002

PAGE 1
12/23/02

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-00279

1998 FEB -9 PM 1:05

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: HENRY BRANDAU
BETTY B BRANDAU
HC 79 BOX 66
MELBA ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 03/01/1886

POINT OF DIVERSION: T01S R03W S11 SNNW Within OWYHEE County

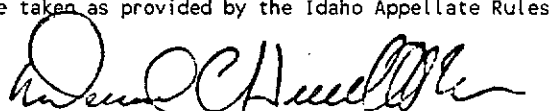
2 POINTS OF DIVERSION LOCATED IN T01S, R03W, S11, SNNW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.00 CFS

PLACE OF USE:	IRRIGATION	Within OWYHEE County
	T01S R03W S02	SESE 21
	S11	NENE 10
		SENE 34
		SWNE 7
		NENW 30
	104 ACRES TOTAL	

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HENRY BRANDAU	03/01/1886	IRRIGATION	03-15 11-15	2.00 CFS	
C	BETTY B BRANDAU HC 79 BOX 66 MELBA ID 83641 (208) 495-2787			TOTAL DIVERSION:	2.00 CFS	

Stage: DECREED

Tributary to: SNAKE RIVER

OWYHEE County

T01S R03W S11

Point(s) of Diversion:

Place of use Legal Description for: IRRIGATION															SE				SW				NW				NE									
															NESE		NWSE		SWSE		SESE		NESE		NWSE		SWSE		SESE		NESE					
															Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac			
T	R	S																																		

POU County: OWYHEE

Other Rights: NONE

Remarks: POD 2 POINTS OF DIVERSION LOCATED IN T01S, R03W, S11, SWNW.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
		12/08/1997	

Misc:

Water District Number:	57R
Field Inspection Flag:	Presumption Flag:

Audit: 12/08/97 KWALKER

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: DEC-08-1997
PAGE: A-1-----
RIGHTS FROM: SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00279

NAME AND ADDRESS: HENRY BRANDAU
BETTY B BRANDAU
HC 79 BOX 66
MELBA ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 03/01/1886

POINT OF DIVERSION: T01S R03W S11 SWNW Within Owyhee County
2 POINTS OF DIVERSION LOCATED IN T01S, R03W, S11, SWNW.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	<u>Irrigation Season</u>	2.00 CFS
		<u>03/18 11/18</u>	

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T01S R03W S02	SESE 21			
	S11	NENE 10	NWNE 34	SWNE 7	NENW 30
		SENE 2			
	104 ACRES TOTAL				

CONSUMPTIVE USE: 38418 AFT

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

TWO POINTS OF DIVERSION LOCATED IN SWNW, S11, T01S, R03W

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

DATE: 05/14/93
PAGE: 5

DIVERSION
VOLUME

TOTAL DIVERSION:
CONSUMPTIVE USE:

Stage: DECREED

OWYHEE County

35

MICROFILMED
JUL 20 1994

AJ5809NP
No. R57-00279

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/03/92
PAGE: 8

OWNER CODE NAME & ADDRESS
C HENRY BRANDAU
C BETTY B BRANDAU
HC 79 BOX 66
MELBA ID 83641
(208) 495-2787

PRIORITY DATE WATER USE
03/01/1886 IRRIGATION

USE PERIOD FROM TO
03-15 11-15

DIVERSION RATE
2.00 CFS

DIVERSION VOLUME
2.00 CFS

TOTAL DIVERSION:
CONSUMPTIVE USE:
384.8 AFA

Water Source: REYNOLDS CREEK Tributary to: SNAKE RIVER Stage: DECREED
Point(s) of Diversion: T01S R03W S11 SNW OMYHEE County

Place of use Legal Description for: IRRIGATION															
NE				NW				SW				SE			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW	
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ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-00279

"R" RECORD

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	IN-OFFICE VERIFICATION WHOM/DATE	VERIFIED BY CODE (SEE BELOW)	FIELD EXAM BY WHOM/DATE	CLAIMANT CONTACT NEEDED - Y/N*	REVIEW COMPLETED WHOM/DATE	DATA ENTRY COMPLETED WHOM/DATE	FINAL VERIFICATION DATE ENTERED WHOM/DATE
PRIORITY	N	LW 12-19-90	*6	N/A	N	LW 8/29/90		
PT. OF DIV.		ok				12-19-90		
SOURCE		ok						
PL. OF USE		ok						
DIV. AMOUNT CFS/AF		added AF						
CONSUMPTIVE USE		added						
NATURE OF USE		ok						
PERIOD OF USE		ok						
BASIS OF CLAIM		ok						
REMARKS		ok						

VERIFICATION CODES

- TOPO MAP/ORTHO-PG = 1
- ASCS MAP = 2
- WATERMASTER RECORDS = 3
- NAPP PHOTOS = 4
- FIELD EXAM = 5
- OTHER(SEE COMMENTS) = 6

*IF CLAIMANT CONTACT IS NEEDED, COMPLETE CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: *6: Same as above

Standard remarks: E02-2 P.O.D. located in the SW 1/4 NW 1/4, Section 11, T1S, R3W.

MICROFILMED

OCT 06 1992

CLAIM NUMBER:

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 104 x 0.02 CFS/ACRE = 2.08 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 104 x CONSUMPTIVE VOL. AF/A FOR AREA 3.7 =

TOTAL CONSUMPTIVE USE 384.8 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 104 x DIVERSION VOL. AF/A FOR AREA 5.0 =

TOTAL DIVERSION VOLUME 520 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

N/A
VS 2.00 cfs x 1.9835 AF/Day x 246 day = 975.9 AF/A

MICROFILMED

OCT 06 1992

RIGHT NUMBER 7-0279

LAST NAME - BRANDAU
LAST NAME - BRANDAU
LINE 1 - STAR RT.
LINE 3 -
- REYNOLDS CREEK

AL DIV. VOLUME
VERSION POINT - SUNN 11 015 03W LOT
M - 03-15 TO - 11-15 USE - IRRIGATION
E - IRRIGATION
- IRRIGATION

CREE NAME -
MARKS - 2 B/D IN SUNN 514 115 03W
N IRRIG USE -
HER RIGHTS FOR SAME USE - 57-2247
PROOF DUE -
PROOF MADE - FLD EXAM -
VERSION MEANS -

FIRST NAME - HENRY
FIRST NAME - BETTY B.

ADDRESS LINE 2 -
CITY - MELBA
TRIBUTARY OF - SNAKE RIVER
PRIORITY - 03-01-1886 COUNTY - OUYHEE
WATER DIST. - 57R DLENCAREY ACT -

STATUS -
00 BFA TRFR/AMEND -
015 03W LOT REDIY -
USE - IRRIGATION
PLACE OF USE - TUN 015 RND 03W SEC 11
PLACE OF USE - TUN 015 RND 03W SEC 11

DATE -

STATE - ID ZIP CODE - 83541

TOTAL DIV. RATE -
RIGHT BASIS - B
TOTAL ACRES

USE DIV. RATE - 2.0000 CFS
TRACT SESE LOT AC 24
TRACT NENE LOT AC 10
TRACT SWNE LOT AC 07
TRACT SENAL LOT AC 02

DATE -

ORIG OWNER -
ORIG OWNER -

PROTESTED -
COND. OF APPROVAL -
COND. OF APPROVAL -
COND. OF APPROVAL -

OLD NO. -

HERRING -

MEMO TO: 57-0279 FROM: F.E.L. DATE: 8/5/80

THIS RIGHT DECREEED FOR 100" IS RECOMMENDED FOR 104 ACRES OF IRRIGATION FOUND UNDER THE SYSTEM. TWO ACRES IN THE SE NW 4 7 ACRES IN THE SW NE OF SEC 11 TWP 15 R3W UNDER THE SYSTEM BUT NOT DESCRIBED IN THE DECREE ARE RECOMMENDED AS PROBABLY BEING HISTORICALLY IRRIGATED BY THIS RT. AS DECREEED THE RIGHT PROVIDES A DIVERSION RATE OF .96"/AC. FOR THE IRRIGATED ACREAGE.
(SEE ATTCHO. SHT. FOR PRIORITY DISCUSSION.)

1 MICROFILMED

OCT 06 1982

57-0279

Decree Holder - Henry Grandau

100", 3/1/1886

SE SE, S2; N²NE, NENW, S11, T15, R3W

J. A. Arvidson filed Lasted Notice on 3/1/1886, who (John Arvidson), answered the 1898 Bernard complaint but no documentation of the answer or finding is found.

John A. Arvidson filed an 1887 Notice for land in S12. Patented on ~~10/17/1889~~ by John A. Arvidson for the N²NE, S11; in 1/23/1899 for NENW, S11; on 10/17/1889 for SESE, S2; listed as partner in Delamar mine & ranches at Enterprise in 1898 Owyhee directory.

MICROFILMED
OCT 06 1992

Work Copy

Form No. 42-1409

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK

DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

TIS R3W, A	
57-0279	PER PHOT. CUS-10
I.D. No.	Map No.
\$ 10	14439
Fee Paid	Receipt No.

Notice is hereby given that Henry &/or Betty B. Brandau
(Name of Claimant)

Star Rt., Melba, ID
(Mailing Address)

83641
(Zip Code)

Telephone No. 495-2787

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 3/1/1886

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Reynolds Creek tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 2.0 Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 2.0 CFS TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 NW 1/4
Sec. 11 Twp. 1S Rge. 3W B.M. Owyhee County Owyhee
Additional Points: Two Pts. Div. SW NW Sec 11 Twp 1S R3W.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	3W	11	10	34	57		30			2									81 83
1S	3W	2															21		21

Total no. of acres 102 104

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks OTHER RTS: 57-2247.

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☒ B) Right decreed by court, cite title of case. BENSON ET AL. Vs. BRANDAU & CERENA 9/13/1973
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

July 10, 1979
(Date)

Individual Henry Brandau
(Signature of Claimant)

Organization
(Signature of Spouse)

State of Idaho

County of Ada

Organization

Seal

(Signature of Authorized Agent)

On this 10 day of July, in the year 1979 before me
a notary public, personally appeared Henry Brandau

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

8-22-79

Kathleen H. Walker
Notary Public

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
NEVADOS CREEK
DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

I.D. No.	Map No.
\$ 10	14439
Fee Paid	Receipt No.

Notice is hereby given that Henry A. or Betty E. Brundage
(Name of Claimant)

Box 10, Melba ID
(Mailing Address)

83641
(Zip Code)

Telephone No. 205-2787

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 8-2-1986
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Nevados Creek tributary to _____
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|---------------------------------------|--|--|
| Quantity <u>2.0</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/1</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 2.0 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 Sec. 11, Twp. 16, Rge. 37, B.M., Cowhee County Cassia
- Additional Points: _____
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. _____

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
11	16	11	30	24	8		30			2							21		92
																	21		21

Total no. of acres 202

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks _____
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

Henry Brundage
(Signature of Claimant)

Organization

(Signature of Spouse)

KEYPUNCHED 7/23/79 DH

(Signature of Authorized Agent)

State of Idaho

County of Cassia

Organization
Seal

On this 10 day of July, 1979, in the year 1979 before me
a notary public, personally appeared Henry A. Brundage

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

Notary Public residing at 1000 N. 1st St.

DATA ENTRY BY rat 3-6-89IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 857-00279Date Received 12-12-88Receipt Number C004684NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**RECEIVED**
DEC 12 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Henry & Betty B. Brandau Phone (208) 495-2787Mailing Address HC 79 Box 66 Melba, Ida Zip 836412. Date of Priority (Only one (1) per claim) 3/1/18863. Source of water supply (a) Reynolds Creek
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 1S Range 3W Section 11,
_____ 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of OW yhee

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Diversion dam &gravity conveying ditch to place of use.

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

RECEIVED

SEP 19 1988

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 2.00 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15	3W	2																21	21
15	3W	11	10	34	7		30			2									83

Total number of acres irrigated 104

11. In which county (ies) are lands listed above as place of use located? Owyhee

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
R57-02247 or None ()

14. Remarks:

2/ PD in SW NW T15 R3W

Last Name Brandau Ident No. R57-00279

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It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Scale: 2 inches equals 1 mile

[illegible]

Ident No. B5706279

Copies: White-Staff, Yellow-Chairman

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Start, Yellow, Clear, End

OCT 06 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number A57-00279

Court 3rd Case Number 3456 Decree Date _____

Plaintiff vs Defendant A Kenneth Dunn v. Harry Adams et al

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Henry Brandon Date 12/8/88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____ Organization _____, that I have signed the foregoing

document in the space below as _____ Title _____ of _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)

County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 8 day of December 19 88

Notary Public John H. Hoyer

Residing at 15470 Homedale Rd
Caldwell, Idaho

My Commission Expires SEPT 21, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Brandon Ident. Number A57-00279

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Copies White-State, Yellow-Claimant

OCT 06 1992

1/23/1988

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME BrandonCLAIM IDENT. NO. A57-00279DATE RECEIVED 12-12-88CK # 004684

AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? <u>260 af</u> | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be receipted and data entered? | ☒ | ☐ | |

Claim checked by: hatDate: 2-17-89

Claim must be returned to claimant:

☐ (Yes) ☐ (No)

Claimant must be sent a copy of amended claim for approval:

☐ (Yes) ☐ (No)

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Checked by: _____

Date: _____

Comments: _____

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