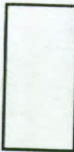
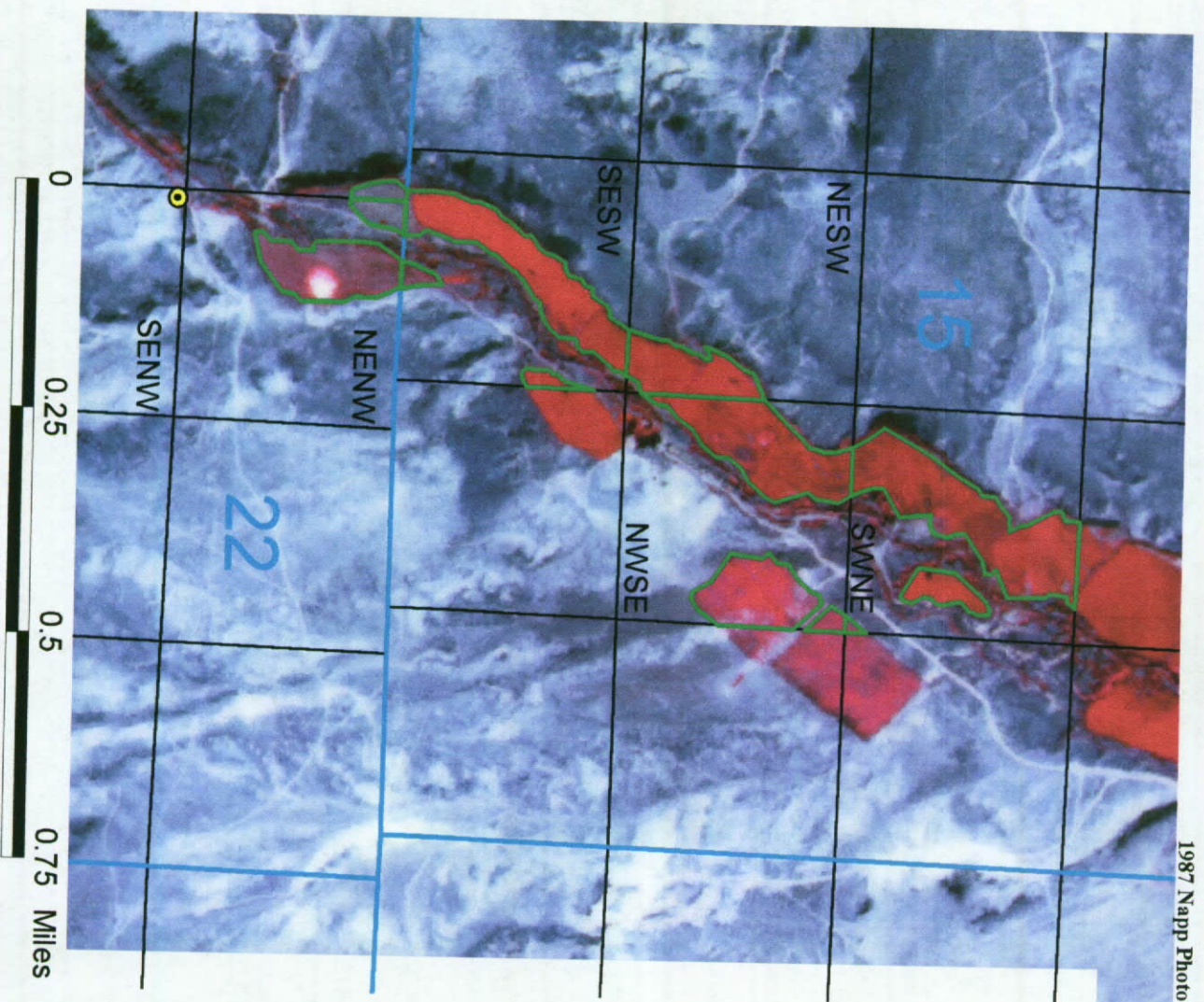


Idaho Department of Water Resources

Claim Number: 57-00280
Legal: T01S, R03W, S15, 22
Reviewed By:

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



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: A57-00280
Date Received: 12/12/1988
Receipt No: C004687
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD H. BRANDAU 208-495-2529
Address: HC 79 BOX 61
MELBA, ID 83641

AND/OR

Name: CONNIE M. BRANDAU 208-495-2529
Address: HC 79 BOX 61
MELBA, ID 83641

2. Date of Priority: MAY 21, 1879

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	22	SW	NW			OWYHEE

5. Description of diverting works:
DIVERSION DAM AND GRAVITY DITCHES

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 162.5 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	15	SW	NE		IRR	17.0

A57-00280

Page 1

Date: 04/20/90

MICROFILMED
OCT 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	03W	15	NE	SW		IRR	6.0
			SE	SW		IRR	15.0
			NW	SE		IRR	18.0
						Section Acres	56.0
		22	NE	NW	3	IRR	7.0
			NW	NW	4	IRR	2.0
						Section Acres	9.0
						Total Acres	65.0

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:
57-02247

14. Remarks:
2 P/D IN SWNW, SEC.22, T01S, R03W

15. Basis of Claim: DECREED

Case Number: 3456

Court : 3RD

Decree date: 3/18/1988

A. KENNETH DUNN
Decree Plaintiff

LARRY ADAMS, ET AL
Decree Defendant

vs

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 _____

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00280

Date: 2-10-03

	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	15			17						6			15		18			56
GIS						14						4.6			10		14			42.6
Claim			22					3	4											9
GIS								5.5	1											6.5
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 65

Overlapping EOU Claim #'s:

57,02247

Total GIS Acres: 49.1

COMMENTS:

There is no claim map. I mapped irrigated acres in ggs.

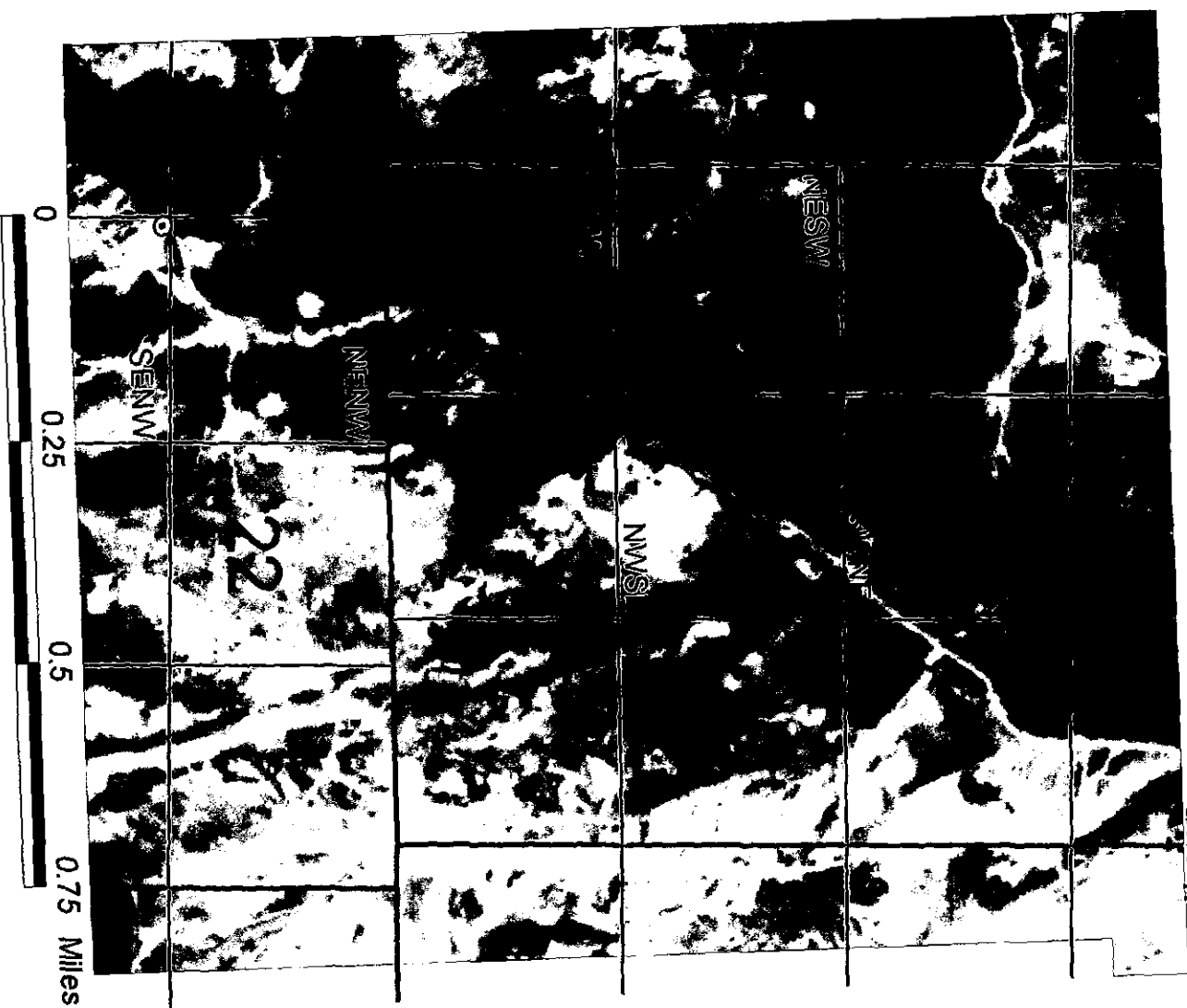
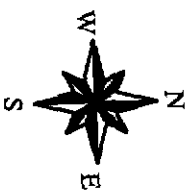
1987 Napp Photo

Reviewed By:



1

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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
TWIN FALLS CO., IDAHO
FILED

2002 DEC 23 PM 3 37

In Re SRBA)
Case No. 39576)

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

Water Right 57-00280

NAME AND ADDRESS: RICHARD H & CONNIE M BRANDAU
HC 79 BOX 61
MELBA, ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/21/1979

POINT OF DIVERSION: T01S R03W S22 SWNW Within Owyhee County

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 S15	SWNE 17.0 NESW 6.0
		SESW 15.0 NWSE 18.0
	S22 LOT 3 (NENW) 7.0	LOT 4 (NWNW) 2.0
	65.0 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 57-00280

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 57-00280 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

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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-00280

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 57-00280 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

RICHARD H & CONNIE M BRANDAU
HC 79 BOX 61
MELBA, ID 83641
Phone: 208-495-2529

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 57-00280

1998 FEB -9 PM 1:05
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

NAME & ADDRESS: RICHARD H BRANDAU
CONNIE M BRANDAU
HC 79 BOX 61
MELBA ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/21/1879

POINT OF DIVERSION: T01S R03W S22 SWNW Within Owyhee County

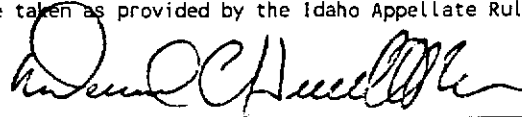
2 POINTS OF DIVERSION LOCATED IN T01S, R03W, S22, SWNW.

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 S15	SWNE 17	NESW 6	SESW 15	NWSE 18
	S22 Lot 3	(NENW) 7	Lot 4 (NWNW) 2		
	65 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

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

AJ0749NP
No. R57-00280

OWNER CODE NAME & ADDRESS
C RICHARD H BRANDAU
C CONNIE M BRANDAU
HC 79 BOX 61
MELBA ID 83641
(208) 495-2529

PRIORITY DATE
05/21/1879

WATER USE
IRRIGATION

USE PERIOD FROM TO
03-15 11-15

DIVERSION RATE
2.00 CFS

DIVERSION VOLUME
2.00 CFS

TOTAL DIVERSION:

Stage: DECREE
ONYHEE County

Tributary to: SNAKE RIVER
SNW

Water Source: REYNOLDS CREEK
T01S R03W S22

Point(s) of Diversion:

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE			
		NENE		NNW		NNW		NWSE		SESE	
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac	
T	R	S		S		S		S		S	
01S	03W	15		01S	03W	15		01S	03W	15	
01S	03W	22		01S	03W	22		01S	03W	22	
		17		06		15		18		56.0	
		03-07		04-02						9.0	
										65.0	
										TOTAL ACRES	

POU County: ONYHEE

Other Rights: NONE

Remarks: POD 2 POINTS OF DIVERSION LOCATED IN T01S, R03W, S22, SNW.

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

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Comments: Date: 12/08/1997 User-ID: KWALKER Subject: CONVEYANCE LOSSES
0.70 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.

Audit: 12/08/97 KWALKER

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: DEC-08-1997

PAGE: A-1

RIGHTS FROM: SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00280

NAME AND ADDRESS: RICHARD H BRANDAU
CONNIE M BRANDAU
HC 79 BOX 61
MELBA ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/21/1879

POINT OF DIVERSION: T01S R03W S22 SWNW Within Owyhee County
2 POINTS OF DIVERSION LOCATED IN T01S, R03W, S22, SWNW.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	<u>Irrigation Season</u>	2.00 CFS
		<u>03/13 11/19</u>	

PLACE OF USE:	IRRIGATION	Within Owyhee County		
	T01S R03W S15	SWNE 17	NESW 6	SESW 15
	S22	Lot 3 (NENW) 7	Lot 4 (NWNW) 2	NWSE 18
	65 ACRES TOTAL			

CONSUMPTIVE USE: 24013 AFY

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

0.170 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.
TWO POINTS OF DIVERSION LOCATED IN SWNW, S22, T01S, R03W.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. 57-00280

OWNER CODE: C
NAME & ADDRESS: RICHARD H BRANDAU
HC 79 BOX 61
CONNIE M BRANDAU
MELBA ID 83641
(208) 495-2529

PRIORITY DATE: 05/21/1879
WATER USE: IRRIGATION

USE PERIOD FROM TO: 03-15 11-15

DIVERSION RATE: 2.00 CFS

TOTAL DIVERSION: 2.00 CFS

CONSUMPTIVE USE: 240.5 AFA

Water Source: REYNOLDS CREEK
Tributary to: SNAKE RIVER

Point(s) of Diversion: T01S R03W S22 SNNW

Stage: DECREEED
OWYHEE County

Place of use Legal Description for: IRRIGATION																			
NE					NW					SW					SE				
NENE					SENE					NWSW					SESE				
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DIVERSION
VOLUME

240.5 AFA

Stage: DECREED

OWYHEE County

MS

Audit: 10/23/91 WERNER 02/24/92 WERNER 07/29/92 PR-PRODM

MICROFILMED
OCT 06 1992

A57-00280

VERIFICATION CODES

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

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED ~~YES~~ NO .

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

0661992
COMMENTS: *Chlorant contract for chg in C.U. come are desired*

77
E. A. restriction will apply. See envelope maps this file.
STD. Remark: 002 - .70cfs for conveyance loss. See Reynolds creek work
files for more info.

files for more info.

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 65 x 0.02 CFS/ACRE = 1.3 CFS
(Taken from p/u review)

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

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

Derived as such

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 162.5 AF/A

ACRES 65 x CONSUMPTIVE VOL. AF/A FOR AREA 2.7 =
TOTAL CONSUMPTIVE USE 175.5 AF/A 240.5

3.7

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 65 x DIVERSION VOL. AF/A FOR AREA 5.0 =
TOTAL DIVERSION VOLUME 325 AF/A

OR V(d.r.) =

2.0 cfs x 1.9835 AF/d x 246 d = 975.9 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

MICROFILMED
OCT 06 1992

BRANDAU

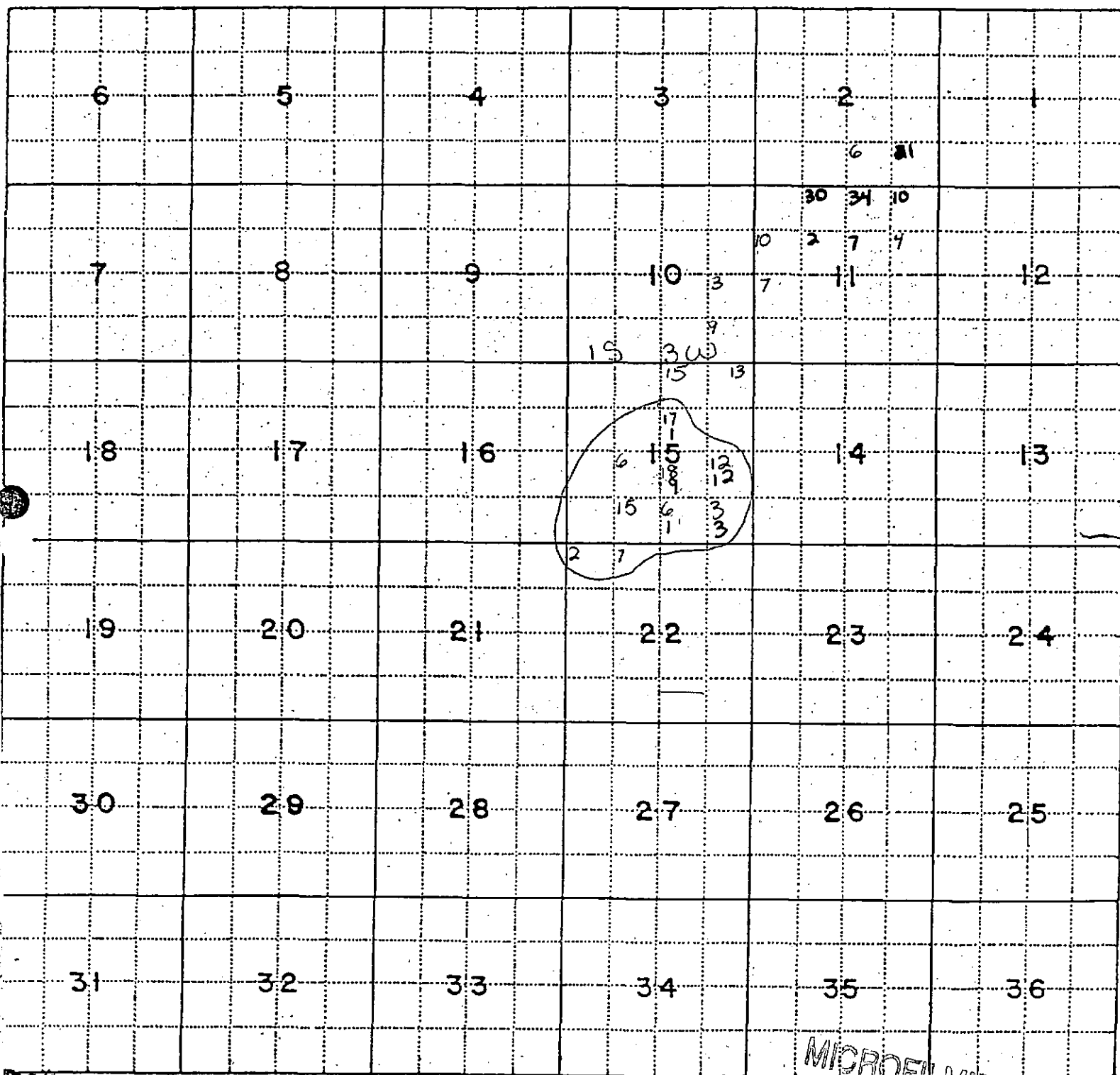
TOWNSHIP GRID

Landownership ☐

G.W. Rights ☐

S. W. Rights ☐

Wp. _____ Rge. _____ County _____
 sin _____



MICROFILMED

A57-20945 0.20 cfs @ 10 Ac
 A57-00280 20 cfs @ 65 Ac
 A57-2065 .40 cfs @ 21 Ac
 A57-2247 .52" @ 26 Ac
 A57-00007 1.57 cfs @ 51 Ac
 A57-279 104 Ac @ 2 cfs Partial overlap between all 23 rights

FEE \$100.00

A57-280 = \$106.00

" 2065 = 71.00

2247 = 76.00

A 57-0007 - No overlap
279 "
2094J "

Overlaps

A 57-00280 / No overlap
+ 2247

Total acres

Sec. 15

SWNE

A 57-2065
+ 2247

These overlap

Overlap determined from Reynolds creek
divue work files.
10/23/91
LRW

Total fees paid for A 57-280, 2247 & 2065:

\$253.00
- 150.00 claim fees
\$103.00 acreage fee

Acreage fee paid for 103 total acres.

103 Ac x .02 cfs = 2.06 cfs

Decreed Total flow on above 3 rights = 2.92 cfs

Conditions include EOI limiting ~~3~~ rights combined to
a total diversion rate of 2.06 cfs total C.U. of 30.1 AF
& total acreage of 103 acres in a single season. This
remark to be put on A 57-2247 & A 57-2065.

OK

A 57-2247 is the only claim w/ grndw, so add div. vol. on claim
of 130.0 AF/A based on 5.0 AF/A/Y.

Total flow of both overlapping rights, 57-280 & 57-2065 = 2.40 cfs
Correction - 57-280 & 57-2065 do not overlap each other; only overlap w/ 57-2247
so they don't need any combined limitations.
57-280 was decreed @ 0.03 cfs/ac
57-2065 " " " 0.02 cfs/ac

WATER RIGHT NUMBER 57-0230

OWNER LAST NAME - BRANDAU
OWNER LAST NAME - BRANDAU
ADDRESS LINE 1 - STR. RT.

ADDRESS LINE 2 -
SOURCE - REYNOLDS CREEK
STRIDE -

TOTAL DIV. VOLUME - 2.00000
DIVERSION POINT - SUNNY 22 QLS GSM LOT
FROM - 03-15 TO - 11-15 USE - IRRIGATION
USE - IRRIGATION
USE - IRRIGATION

DEGREE NAME -
REMARKS - 2 1/2 IN SUMM. 522. 115. RSM.
NON IRRIG USE -

OTHER RIGHTS FOR SAME USE - 57-2247.
PROOF DUE -
PROOF MADE - FLD EXAM. COND. OF APPROVAL
DIVERSION MEANS -

FIRST NAME - RICHARD H.
FIRST NAME - CONNIE M.

ADDRESS LINE 2 -
CITY - MELBA
TRIBUTARY OF - SNAKE RIVER

PRIORITY - 05-21-1879 COUNTY - QUINCY
WATER DIST. - 57R-OLE/CORREY PCT -
USE DIV. RATE - 2.00000

PLACE OF USE - TWIN QLS RND GSM SEC 22 TRACT
PLACE OF USE - TWIN QLS RND GSM SEC 15 TRACT
DATE -
TOTAL ACRES

PROTESTED -
HERRING -
OLD NO. -

ORIG OWNER -
ORIG OWNER -

STATE - ID ZIP CODE - 83644

TOTAL DIV. RATE - 2.00000
RIGHT BASIS - B
TOTAL DIV. RATE - 2.00000
TOTAL ACRES

DATE -
TOTAL ACRES

PROTESTED -
HERRING -
OLD NO. -

TO: 57-0280

FROM: D. Shaff

DATED: 7/18/83

SUBJECT: Date of Priority Review

This water right has carried priority #4 from early times in the Lower Reynolds water district. Maps, partially titled Reynolds Creek District 13A, dating from 1916 and 1917 show priority #4 for this land in the ~~E 1/2 SW 1/4~~, of section 15. An earlier list of water rights, purported in the March 1982 hearing to be the list used in the ~~_____~~ 1930's, showed this water right as #4 with the 5/21/1879 priority and the first three water rights being noted from Bernard vs. Smith to have no stated date of priority. The draft proposed finding showing the 5/21/1879 priority places this water right among the Lower Reynolds water rights as #3 rather than #4. This ranking would indicate this water right should have been included in the Bernard vs. Smith water rights.

This irregularity was discussed with Henry Brandau at his home on 7/18/83. He did not offer any factual basis for the absence of the water right in Bernard vs. Smith but he did relate a story of how it might have come about. He said this water right had always been used even when the creek got low despite its #4 priority rank. Brandau said the earlier farmers reconized the land for this water right along the creek could more profitably use the water than putting it in a longer ditch to take it to the land with the earlier water right when the water was low.

Referring to Page 31 of the testimony in Bernard vs. Smith the #3 ranking of this water right may be true.

Q: Mr. Bernard when you first turned water in the home ditch, how many of these defendants if any, were conducting water through ditches from Reynolds Creek onto land they occupied and claimed?

A: Nobody but Mr. Shuster and Mr. Brunzell.

Q: For what length of time did Mr. Shuster precede you in drawing water from that creek?

A: Well the Chinese must have been there four or five years before I was located and appropriated that water; they were on the Shuster Ranch and Brunzell ranch then: perhaps five years they were ahead of me, appropriated water before I did.

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Further testimony about Brunzell appears on 182 and 183 of the testimony. This testimony given by Frank Shuster, also indicates this water right preceded Bernard who moved there in 1884. A copy of this testimony is located in file 5 of the Reynolds Creek Adjudication Number 3456. At page 23 of the testimony default was taken in order against defendants John Noble, John Brooks, W. H. Gardener, Harrison Shirley, O. Shirley and Mrs. Shirley. Of the remaining defendants the testimony of the trial indicates all of the following had priority dates later than the other remaining parties to the suit: Arverson, Richards, Robert Noble, Cox, Smith, and Nelson. This paring of the list left Shuster, Brunzell, and Bernard.

The parties in Benson vs. Bradau in 1973 let stand the decreeing of this water right as 5/21/1879. In light of the lack of a protest to this date of priority date from the draft proposed finding and the review of the facts noted above, the conclusion of this review is to let the 5/21/1879 priority stand and take the #3 position among the priority dates within Lower Reynolds.

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Mem o
7-18-83

9/24/82

57-0280

From: D. SHAFF

SUBJ: LOSER

FORREST USED A SOIL CONSTANT THAT IS TOO LOW FOR THOSE PRESENT ON THESE LANDS. THESE SOILS ARE IN THE QUINCY SERIES WHICH HAVE A LOW WATER HOLDING CAPACITY AND ARE SAND TO LOAMY SAND. USING THE LARGER SOIL CONSTANT (1.5 FT/DAY IS LOW FOR SANDY LOAM) LOSER CALCULATED A COMBINED DIVERSION FOR THE TWO DITCHES OF 2.1 CFS. THE 2.0 CFS RECOMMENDED FOR THIS WATER RIGHT IS CERTAINLY REASONABLE.

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09/24/82 DS

* MACALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE BRANDAU EAST SIDE DITCH *
* WATER RIGHT NO. 57-0280 *

Q DIVERTED: .75
Q DELIVERED: .40
PERCENTAGE LOSS: 87.9

TYPE OF SOIL: SANDY LOAM
SOIL CONSTANT= 1.50 (FEET/DAY)
LENGTH OF HEAD OF DITCH: .31
LENGTH OF DELIVERY SECTION: 1.50

LOSS TABLE FOR HEAD OF DITCH

MILE	Q	LOSS
	(CFS)	(CFS)
.31	.68	.07

LOSS TABLE FOR DELIVERY

MILE	Q	LOSS	Q DELIVERED
	(CFS)	(CFS)	(CFS)
1.00	.19	.22	.27
1.50	.00	.06	.13

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OCT 06 1992

09/24/82 DS

* MACALLISTER'S MODIFICATION OF MURITZ *

* LOSS CALCULATION FOR *

* THE BRANDAU WEST SIDE DITCH *

* WATER RIGHT NO. 57-0280 *

Q DIVERTED: 1.35

TYPE OF SOIL: SANDY LOAM

Q DELIVERED: .90

SOIL CONSTANT= 1.50 (FEET/DAY)

PERCENTAGE LOSS: 49.7

LENGTH OF HEAD OF DITCH: .38

LENGTH OF DELIVERY SECTION: 1.19

LOSS TABLE FOR HEAD OF DITCH

MILE	Q	LOSS
	(CFS)	(CFS)
.38	1.23	.12

LOSS TABLE FOR DELIVERY

MILE	Q	LOSS	Q DELIVERED
	(CFS)	(CFS)	(CFS)
1.00	.17	.30	.75
1.19	.01	.02	.14

MICROFILMED
OCT 06 1992

09/24/82 DS

 * MICHLISTER'S MODIFICATION OF MURITZ *
 * LOSS CALCULATION FOR *
 * THE *
 * WATER RIGHT NO. *

Q DIVERTED: .00 TYPE OF SOIL: SANDY LOAM
 Q DELIVERED: .00 SOIL CONSTANT: 1.50 FEET/DRY
 PERCENTAGE LOSS: .0 LENGTH OF HEAD OF DITCH: .00
 LENGTH OF DELIVERY SECTION: .00

*Quartzly Davis soil
 1341C
 has to be very good*

Other soils ~~are~~ calculated.

09/24/82 DS

MICHELLISTER'S MODIFICATION OF MORITZ

* LOSS CALCULATION FOR

* THE BRANDHOE EAST SIDE DITCH

* WATER RIGHT NO. 57-0280

Q DIVERTED: .62

Q DELIVERED: .40

PERCENTAGE LOSS: 56.3

TYPE OF SOIL: CLAY LOAM AND SILT

SOIL CONSTANT: 1.00 (FEET/HR)

LENGTH OF HEAD OF DITCH: .31

LENGTH OF DELIVERY SECTION: 1.50

LOSS TABLE FOR HEAD OF DITCH

MILE	Q	LOSS
1 (CFS)	1 (CFS)	
.31	.58	.04

LOSS TABLE FOR DELIVERY

MILE	Q	LOSS	Q DELIVERED
1 (CFS)	1 (CFS)	1 (CFS)	
1.00	.17	.14	.27
1.50	.00	.04	.13

09/24/82 DS

 * MACALLISTER'S MODIFICATION OF MORITZ *
 * LOSS CALCULATION FOR *
 * THE BRANDON WEST SIDE DITCH *
 * WATER RIGHT NO. 57-0280 *

Q DIVERTED: 1.18 TYPE OF SOIL: CLAY LOAM AND SILT
 Q DELIVERED: .90 SOIL CONSTANT= 1.00 (FEET/DAY)
 PERCENTAGE LOSS: 34.4 LENGTH OF HEAD OF DITCH: .38
 LENGTH OF DELIVERY SECTION: 1.19

LOSS TABLE FOR HEAD OF DITCH

MILE	Q	LOSS
1	(QFS)	1
.38	1.11	.07

LOSS TABLE FOR DELIVERY

MILE	Q	LOSS	Q DELIVERED
1	(QFS)	1	(QFS)
1.00	.46	.19	.76
1.19	.00	.01	.14

09/24/82 DS

* MODIFICATION OF MORTIZ

* LOSS CALCULATION FOR

* THE FIRST

* WATER RIGHT NO.

Q DIVERTED: .91

Q DELIVERED: .40

PERCENTAGE LOSS: 127.4

TYPE OF SOIL: OTHER

SOIL CONSTANT: 2.00 (FEET/DAY)

LENGTH OF HEAD OF DITCH: .31

LENGTH OF DELIVERY SECTION: 1.30

LOSS TABLE FOR HEAD OF DITCH

MILE 1 0 1 LOSS

1 (CFS) 1 (CFS)

.31 1 .60 1 .11

LOSS TABLE FOR DELIVERY

MILE 1 0 1 LOSS 1 Q DELIVERED

1 (CFS) 1 (CFS) 1 (CFS)

1.00 1 .21 1 .32 1 .27

1.50 1 -.01 1 .08 1 .13

```

* MICHELLISTER'S MODIFICATION OF MORITZ
* LOSS CALCULATION FOR
* THE WEST
* WATER RIGHT NO.

```

Q DIVERTED:	1.52	TYPE OF SOIL:	OTHER
Q DELIVERED:	.30	SOIL CONSTANT=	2.00 (FEET/DAY)
PERCENTAGE LOSS:	68.8	LENGTH OF HEAD OF DITCH:	.38
		LENGTH OF DELIVERY SECTION:	1.19

LOSS TABLE FOR HEAD OF DITCH

MILE	1	Q	1	LOSS
	1	(CFS)	1	(CFS)
	.38	1	1.39	1
				.37

LOSS TABLE FOR DELIVERY

MILE	1	2	1	LOSS	1	2	DELIVERED
	1	(OF5)	1	(OF5)	1	(OF5)	
1.08	1	.17	1	.42	1	.76	
1.19	1	.00	1	.03	1	.14	

MEMO TO 57-0280 FROM: F.E.L. DATE: 7/23/80

THIS RT. DECREED BY THE BENSON DECREE FOR 100" IN THE E₂SW, NW SW, & SW NE, SEC. 15, & LOTS 3 & 4, SEC. 22, ALL IN TWP 1 S R3W. WE HAVE FOUND 45 ACRES IRRIGATED IN THE E₂SW, NW SE, & SW NE, SEC 15, (INDICATING THE NW SW IS PROBABLY A TYPOGRAPHIC ERROR, SINCE IT APPEARS UNLIKELY THAT THE NW SW COULD BE IRRIGATED FROM REYNOLDS CK.) & LOTS 3 & 4, SEC 22, ALL IN TWP 1 S R3W.

AS ~~DECREED~~ ^{DECREED} THE IRRIGATED ACRES FOUND WOULD HAVE A DIVERSION RATE OF 1.538"/AC. WHEN "LOSER" DITCH LOSS PROGRAM IS APPLIED TO THE 45 ACRES ON THE WEST SIDE OF THE CREEK AND THE 20 ACRES ON THE EAST SIDE, THROUGH THEIR RESPECTIVE DITCH THE TOTAL DIVERSION RATE IS WITHIN 0.08"/AC OF THE DECREED AMOUNT WHICH WAS FELT REASONABLE. — CORRECT FIG. 1.361"/AC. SHORT. 9/24/80

TWO LICENSED RTS., 57-2065 FROM REYNOLDS CK. & 57-2247 FROM A GROUNDWATER SOURCE, ARE ALSO SERVICING PORTIONS OF SOME OF THE SAME 40'S THAT ARE UNDER THIS RT, BUT IN GENERAL ARE ON DIFFERENT ACRES.

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(SEE ALSO 57-2065 & 57-2247.)

922

07/23/80 F.E.L.

* MACALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE THE RICHARD & CONNIE BRANDAU DITCH *
* WATER RIGHT NO. 57-0280 *

Q DIVERTED: .50
Q DELIVERED: .40
PERCENTAGE LOSS: 25.3

TYPE OF SOIL: HEAVY CLAY
SOIL CONSTANT= .50 (FEET/DAY)
LENGTH OF HEAD OF DITCH: .31
LENGTH OF DELIVERY SECTION: 1.50

LOSS TABLE FOR HEAD OF DITCH

MILE	Q (CFS)	LOSS (CFS)
.31	.48	.02

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
1.00	.15	.06	.27
1.50	.00	.02	.13

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07/23/80 F.E.L.

* MACALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE THE RICHARD & CONNIE BRANDAU DITCH *
* WATER RIGHT NO. 57-0280 *

Q DIVERTED: 1.03
Q DELIVERED: .90
PERCENTAGE LOSS: 13.9

TYPE OF SOIL: HEAVY CLAY
SOIL CONSTANT= .50 (FEET/DAY)
LENGTH OF HEAD OF DITCH: .38
LENGTH OF DELIVERY SECTION: 1.19

LOSS TABLE FOR HEAD OF DITCH

MILE	Q	LOSS
	(CFS)	(CFS)
.38	.99	.03

LOSS TABLE FOR DELIVERY

MILE	Q	LOSS	Q DELIVERED
	(CFS)	(CFS)	(CFS)
1.00	.14	.09	.76
1.19	-.01	.01	.14

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57-0280

Decree Holder Henry Brardan
100", 5/21/1879

E^(E)SW, NWSW, SWNE, S15; Lots 3 & 4, S22, T15, R3W

Fred Brunzell filed a Posted Notice on 5/16/1879 & recorded it 5/21/1879; Patented land on 7/23/1890 (perhaps not S22 land); filed answer to 1898 Brunard complaint but no record of answer or finding is found. 1916 map shows A. McDonald on S15 land, no diversion for S22 land. Posted Notice states water in west ditch ~~used~~ ^{long since} used before 1879.

^(lots 3 & 4)
N²NW, S22 patented by Floyd Caldwell on 5/04/1922; under same ditch system as on 1916 map.

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OCT 06 1992

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 D
57-0280 AER. PHOTO: CVS-101-121-3
I.D. No. Map No.
\$ 10 14438
Fee Paid Receipt No.

Notice is hereby given that Richard H. &/or Connie M. Brandau
(Name of Claimant)
Star Route, Melba, ID 83641 Telephone No. 495-2529
(Mailing Address) (Zip Code)

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) 5/21/1879
- (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 CFS 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 $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 22, Twp. 1S Rge. 3W, B.M., Owyhee County
Additional Points: TWO POINTS OF DIVERSION SW NW SECT 22, T1S 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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1S	3W	15			17						6			15		18			44 56
		22					10	3	10	4									9

Total no. of acres 53 65

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 (THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 57-2065 & 57-2247 SHALL PROVIDE NO MORE THAN .02 CFS / AC)
- (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
DECISION 9/18/1973
☐ 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

Richard H. Brandau
(Signature of Claimant)

Organization

(Signature of Spouse)

State of Idaho

Organization

County of Ada

ss.

Seal

(Signature of Authorized Agent)

On this 10th day of July, in the year 1979 before me
a notary public, personally appeared Richard H. &/or Connie M. 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.

8/23/79

Life

Kathryn A. Walker
Boise, ID

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 _____
REYNOLDS CREEK
_____ DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

57-0280 I.D. No.	Map No.
\$ 10 Fee Paid	14438 Receipt No.

Notice is hereby given that Richard M. &/or Connie M. Brandon
(Name of Claimant)

Star Route, Molba, ID 83641

(Mailing Address)

(Zip Code)

Telephone No. 495-2529

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) 5/21/1979
- (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 <u>2.0 CFS</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(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 $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 22, Twp. 15, Rge. 3W, B.M., Gwyhoo County
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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
15	35	15			17						6			11		10			46
		22					7	2											9

Total no. of acres 55

- 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.

July 10, 1979

(Date)

State of Idaho

County of Ada

Organization

Seal

Individual

(Signature of Claimant)

(Signature of Spouse)

Organization

(Signature of Authorized Agent)

On this 10th day of July, in the year 1979 before me
a notary public, personally appeared Richard M. Brandon
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.

My commission expires 2000

Notary Public residing at _____

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: 39356

Ident. Number 1757-00280

Date Received

Receipt Number C004687

NOTICE 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) Richard H & Connie M. Brandau Phone (208) 495-2529Mailing Address H. C 79 Box 61 Melba, Idaho Zip 836412. Date of Priority (Only one (1) per claim) 5/21/18793. 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 22,1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Owyhee

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 and
gravity conveying ditch to place of use.

MICROFILMED

OCT 06 1992

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.

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	22					473 7	474 2											9
		15			17						6			15		18			56

Total number of acres irrigated 65

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

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.

A57-02247 or None ()

14. Remarks:

2 P/D in SW NW Sec 22 T15 R3W.

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OCT 06 1992

Last Name Brandau Ident No. A57-00280

Copies: White -State, Yellow-Claimant

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]

OCT 06 1992

Ident No. 1757-00280

Copies: White-State, Yellow-Claimant

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

Decree ☒

If applicable provide IDWR Water Right Number A57-00280

Court 3rd Case Number 3456 Decree Date _____

Plaintiff vs Defendant A. Kenneth Dunn V. Kathy 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) Richard Brandon Date 12/8/88

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

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)

SS.

County of Canyon)

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

SEAL

Notary Public John K. Hayes

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 _____

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OCT 06 1992

Last Name Brandon Ident. Number A57-00280

Copies White-State, Yellow-Claimant

4/5/1989

SRDA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Brandon CLAIM IDENT. NO. A57-00280DATE RECEIVED 12/12/88 CK # _____ AMOUNT \$ 106.00

- | | 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? <u>162.5</u> | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 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 data entered? | ☒ | ☐ | |

Claim checked by: RME Date: 4/20/90
 Claim must be returned to claimant: (Yes) (No)
 Claimant must be notified of modifications: OCT 26 1989

Receipt Prepared by: _____ Date: _____
 Claim data entered by: RME Date: 4/20/90 Checked by: RME Date: 4/20/90
 Sent to claimant by: _____ Date: _____

Comments: _____

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR0723NP
(OD-26)

Water Right Number A57-00280 Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

+ - - - - Last Name - - - + + - First Name - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***

BRANDAU

RICHARD H.

1 - STAR RT.

2 -

3 -

City- MELBA

Phone -

1 - STAR RT.

2 -

3 -

City- MELBA

Phone -

State- ID Zip- 83641

State- ID Zip- 83641

BRANDAU

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/21/1979 14 D - DECREED

+ - - Source - - - + + - - Tributary - - - - - +
REYNOLDS CREEK SNAKE RIVER

+ - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +

Twn	Rng	Sec	Tract	Lot	RFLg	County	Point of Diversion	Stream Index (Blank if no Index Code)
01S	03W	22	SW NW		(75)	OWYHEE		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		2.000	

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - + +

2.000

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
01S	03W	15	SW NE		17.0	01	IRRIGATION		(73) OWYHEE
01S	03W	15	SE SW		6.0	01	IRRIGATION		(73) OWYHEE
01S	03W	15	SE SW		15.0	01	IRRIGATION		(73) OWYHEE
01S	03W	15	NW SE		18.0	01	IRRIGATION		(73) OWYHEE
01S	03W	22	NE NW		7.0	01	IRRIGATION		(73) OWYHEE
01S	03W	22	NW NW		2.0	01	IRRIGATION		(73) OWYHEE

Total Acres: 65.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 57-2247.

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Water right number - A57-00280

+-----+
 Old Water Right Numbers -----+
 No Old Water Right Numbers found.

+ - - - - - +
- - - - - Conditions of Approval - - - - -
+ - - - - - +

- - - - - No Conditions of Approval found.
- - - - -

+ - - -	- Decree Plaintiff	- - - +	+ - - -	- Decree Defendant	- - - +	+ - Decree Date
						00/00/0000

	Audit Fields -	04/25/80	05/01/88	CONVERT
+ - -				CONVERT

[illegible]

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-
Claim Received Date	-	00/00/0000	Last Amended Date	-	00/00/0000	Temporary Right	- P
Claims Tape Error Flg	-		Receipt Number	-		Water District	- 57R
Fee Exempt Flag	-		POU Ownership Flag	-		Federal/State Indicator	-
Name Connector	-		Microfilm Roll Number	-		Presumption Flag	-

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