

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
PAYETTE RIVER
DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

65-10851	
I.D. No.	Map No.
\$	Fee Paid
	Receipt No.

Notice is hereby given that Kenneth A. &/or Bernice I. Branch

(Name of Claimant)

Box 8, Horseshoe Bend, ID 83629

(Mailing Address)

(Zip Code)

Telephone No.

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)
July 1, 1898
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
South Fork Jackass Creek tributary to Jackass Creek
- (3) Describe the purpose for which water has been used and the time during the year when you have used the right claimed:
Quantity 240 AFA Use irrigation Period of Use From Apr. 1 To Nov. 1
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity 140 AFA Use irrigation Period of Use From Apr. 1 To Nov. 1
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity 90 Use irrigation Period of Use From Apr. 1 To Nov. 1
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- (4) 90 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 NE 1/4
Sec. 29, Twp. 7N, Rge. 3E, B.M., Boise County
Additional Points: NW NE Sec 29, 7N R3E
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.
diversion headgate & ditch system
- (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	
			2	16	18	4													90

Total no. of acres 90

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 (218. D.V.)
- (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

(Signature of Claimant)

(Date)

State of IDAHO

Organization

County of ADA

ss.

Seal

Organization

(Signature of Spouse)

(Signature of Authorized Agent)

On this 13th day of September, in the year 1977 before me

a notary public, personally appeared

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

September 10, 1980

Notary Public residing at

7/20/78

4/28/78

Memo To: 63-10851

From: FL. 7/20/78

USING ASCS PHOTO '63 DHV-IKK-131 TO DEVELOP SYSTEM
COULD ONLY FIND APPROX. 40 AC IN 4 QUARTERS WHICH
APPEARED TO GIVE REASONABLE EVIDENCE OF HAVING BEEN
UNDER THE DITCH IN RECENT YEARS FOR IRRIG. CONSEQUENTLY THE
RECOMMENDED THAT ACREAGE FOR THIS RT.



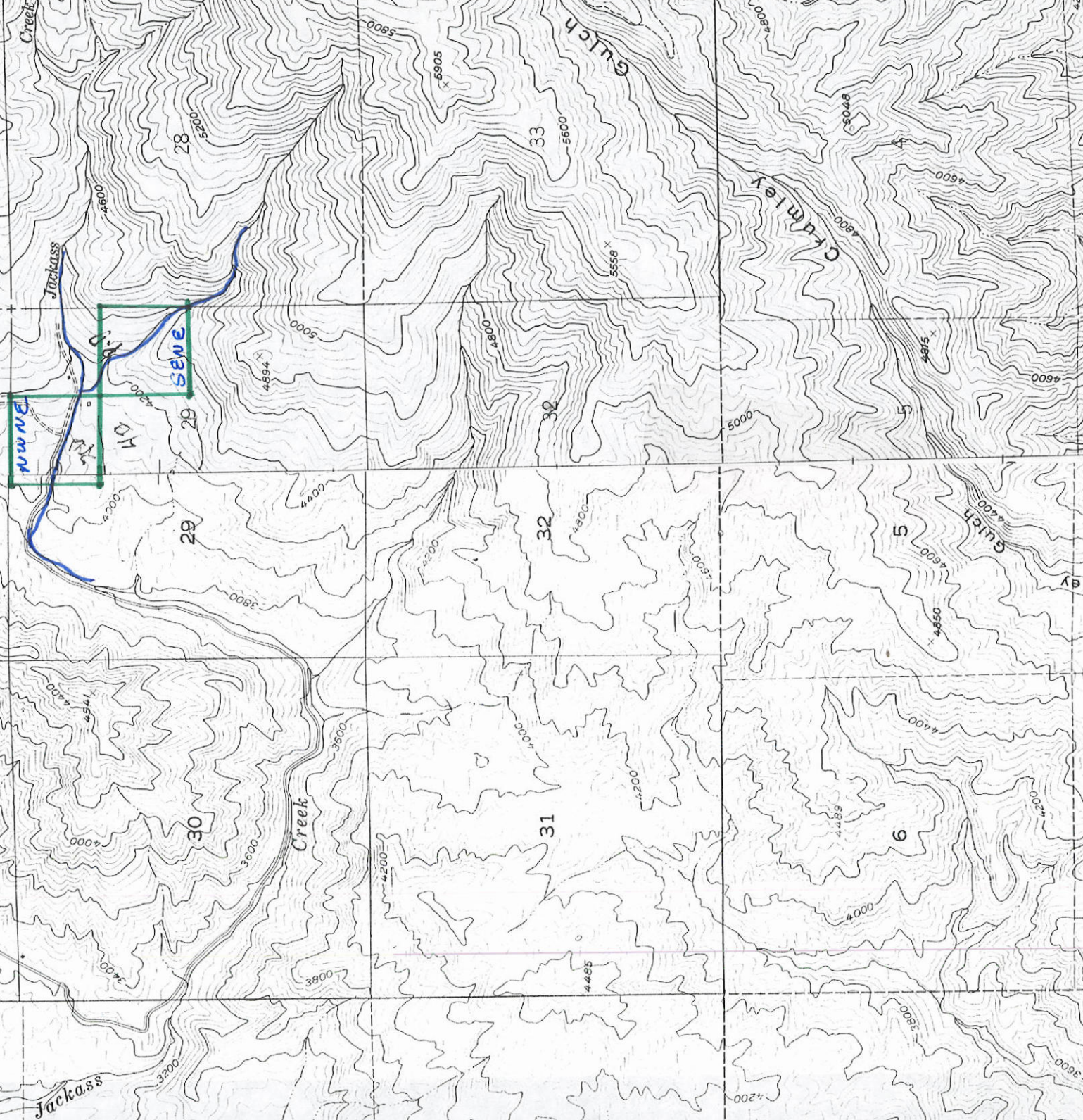
CLAIM 445-10851 INIT

T. R. S. Q/Q

P/D 7N 3E 29 NWNE

SCALE

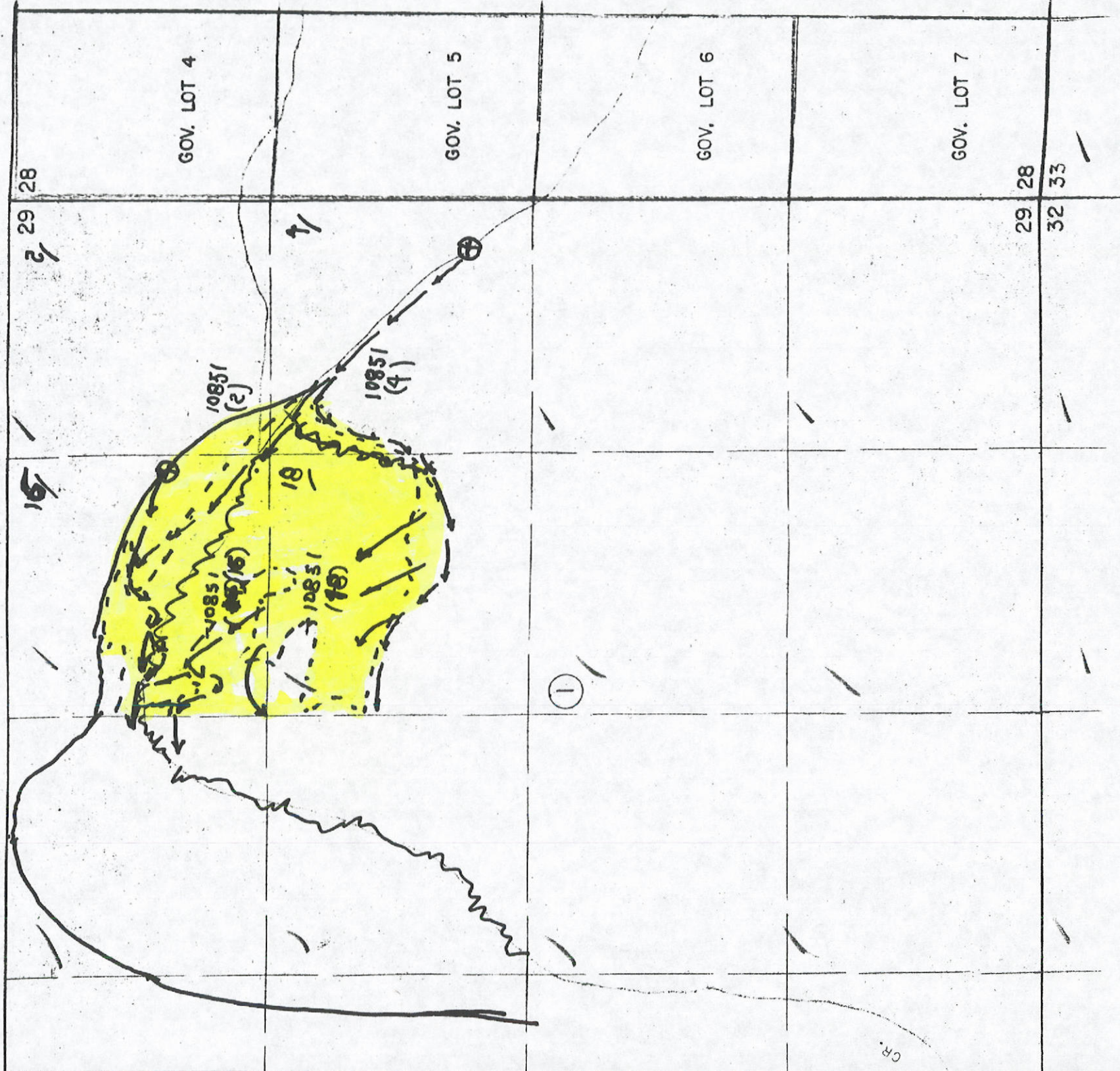
PHOTO ID. 109+10 ATE



A05-10851

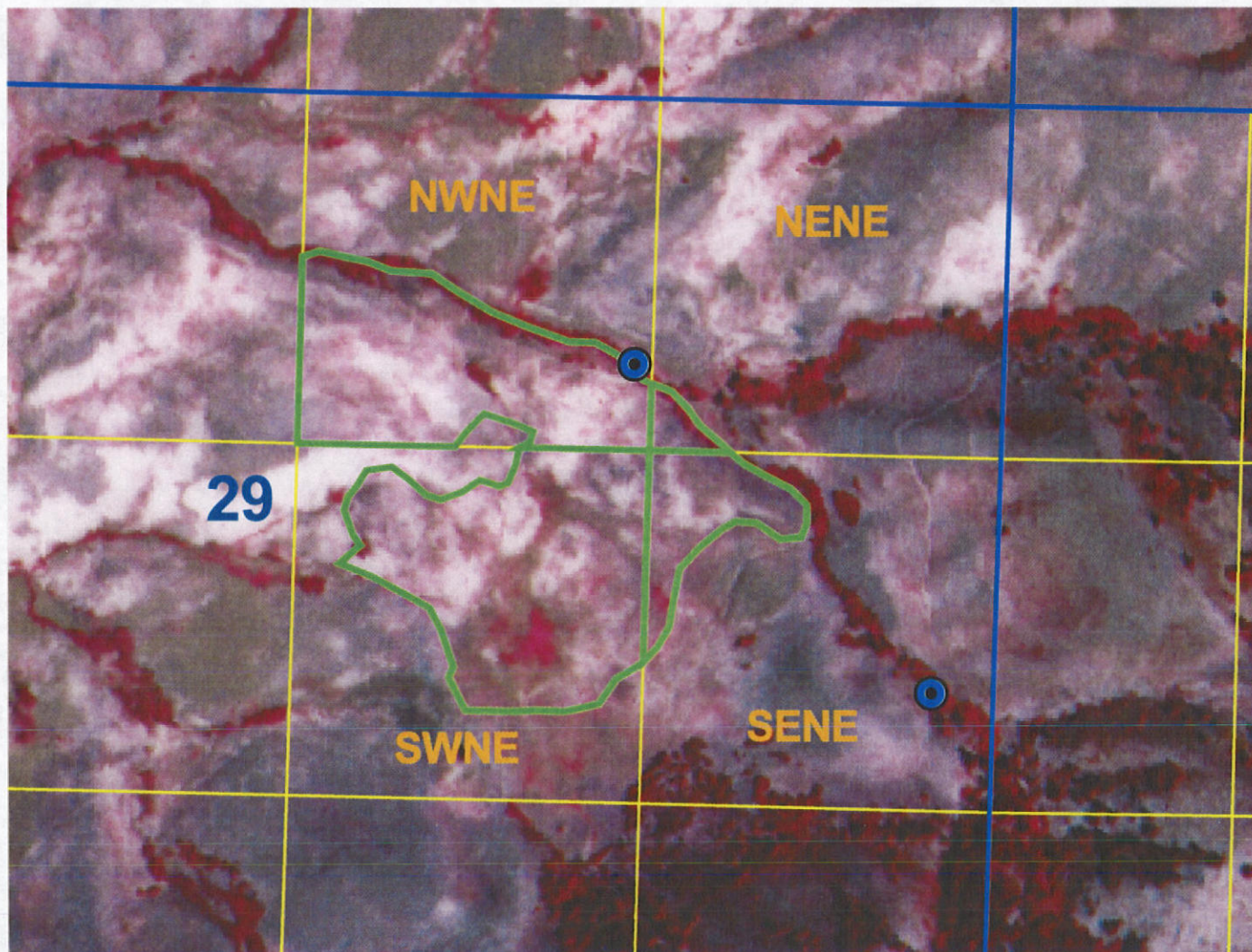
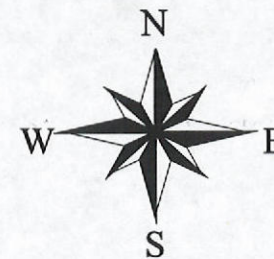
PRBA map

7N, 3E



IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03E, S29



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-10851

OWNER(S): BRANCH, BERNICE

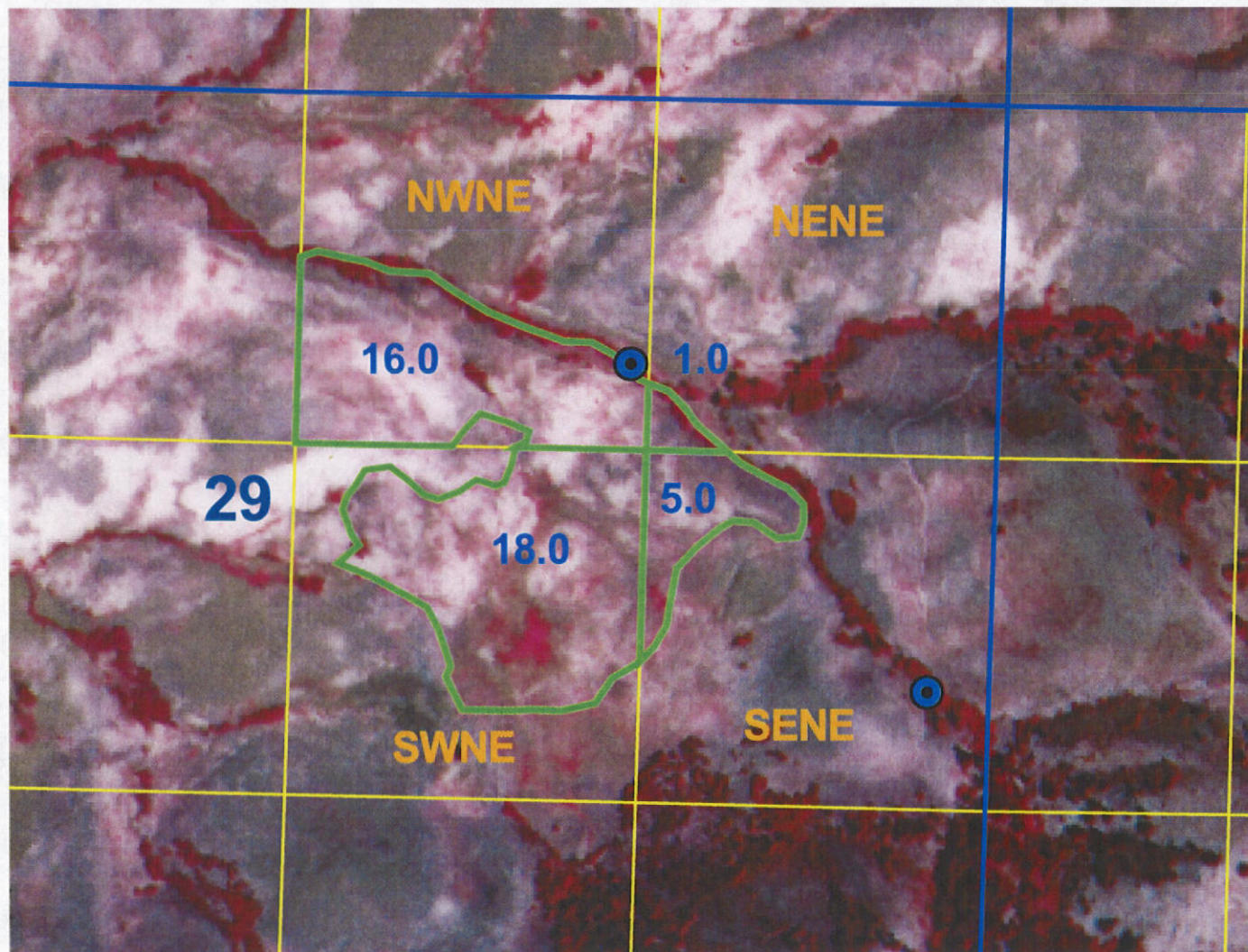
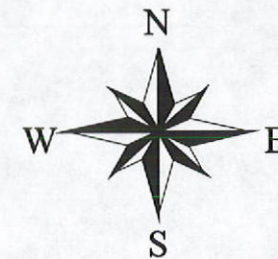
DATE: AUGUST 17, 2000

By: Mel Schulte



IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03E, S29



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-10851

OWNER(S): BRANCH, BERNICE

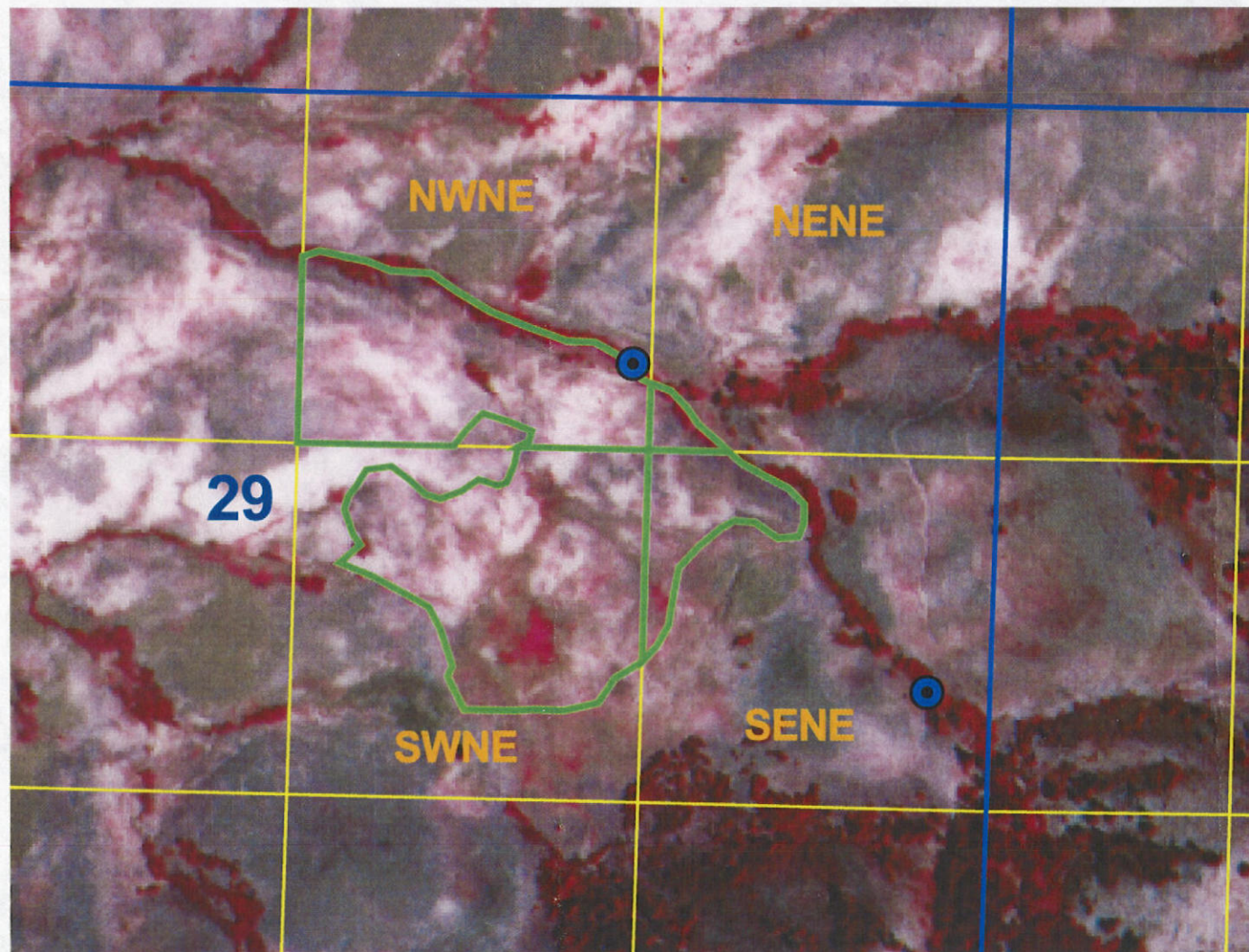
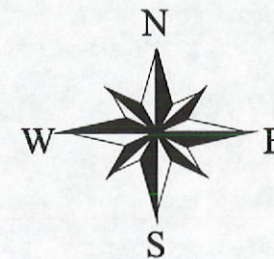
DATE: AUGUST 17, 2000

By: Mel Schulte

0 0.25 0.5 0.75 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03E, S29



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-10851

OWNER(S): BRANCH, BERNICE

DATE: AUGUST 17, 2000

By: Mel Schulte

0 0.25 0.5 0.75 Miles

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 65-10851
Date Received: 5/17/89
Receipt No: X999999
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

JAY A BRANCH
50 JACKASS CREEK RD
HORSESHOE BEND ID USA 83629

Phone: (208)793-2640

2. Date of Priority:

3. Source: JACKASS CREEK SOUTH FORK

Trib. to: JACKASS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	03E	29	SE NE	BOISE	
07N	03E	29	NW NE	BOISE	

5. Description of diverting works:

DAM IN CREEK TO DITCH TO FLOOD IRRIGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.8	

7. Total Quantity Appropriated is:

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	03E	29	NW	NE	IRRIGATION	16
			SW	NE	IRRIGATION	18
			NE	NE	IRRIGATION	2
			NE	SE	IRRIGATION	4
Section Acres						40
Total Acres						40

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 5/10/2001

15. Basis of Claim: Decreed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

APR 10 2001

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-10851					
65-10852					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Bernice I. Branch
Rt. 1, Box 57B, Horseshoe Bend, ID 83629
4. New Owner/Claimant(s) Jay A. Branch Cindy Branch
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 50 Jackass Creek Road
- City, State and ZIP Code Horseshoe Bend, ID 83629
- New Telephone Number (208) 793-2640
5. Date you acquired the property September 1, 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Jay A. Branch Cindy Branch
(include title if applicable) Jay A. Branch and Cindy Branch

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

178519

INST# 178519
REQUEST Anderson Law
Office
00 SEP 22 PM 1:44
BOISE COUNTY RECORDER
BY Shirley George
TYPE 31 FEE \$12.00/c

QUITCLAIM DEED

THIS INDENTURE, Made this 1st day of September, 2000, by and between BERNICE I. BRANCH, a widow, the party of the first part, and JAY A. BRANCH and CINDY BRANCH, husband and wife, whose mailing address is Route 1, Box 57C, Horseshoe Bend, Idaho 83629, the parties of the second part:

W I T N E S S E T H:

That the party of the first part, for good and valuable consideration, the receipt whereof is hereby acknowledged, does transfer, convey and forever quitclaim unto the parties of the second part, all of the following described real estate situate in the County of Boise, State of Idaho, to-wit:

In Township 6 North, Range 2 East BM
Section 1: S $\frac{1}{2}$ NE $\frac{1}{4}$;
Lots 1 & 2

In Township 6 North, Range 3 East BM
Section 6: NE $\frac{1}{4}$ SW $\frac{1}{4}$;
NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Lots 1, 2, 3, 4, 5, 6.

In Township 7 North, Range 2 East BM
Section 24: NE $\frac{1}{4}$;
E $\frac{1}{2}$ NW $\frac{1}{4}$;
NE $\frac{1}{4}$ SW $\frac{1}{4}$;
SE $\frac{1}{4}$.

Section 25: NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 36: ALL

In Township 7 North, Range 3 East BM

Section 3: ALL

Section 4: S $\frac{1}{2}$ NE $\frac{1}{4}$;
SE $\frac{1}{4}$;
Lot 1;
SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 8: S $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 9: S $\frac{1}{2}$;

NE $\frac{1}{4}$.

Section 10: ALL

Section 11: ALL

Section 12: E $\frac{1}{2}$ NW $\frac{1}{4}$;
NE $\frac{1}{4}$;
W $\frac{1}{2}$ W $\frac{1}{2}$.

Section 14: Lot 1;
NE $\frac{1}{4}$ NW $\frac{1}{4}$;
SW $\frac{1}{4}$ NE $\frac{1}{4}$;
S $\frac{1}{2}$ NW $\frac{1}{4}$;
SW $\frac{1}{4}$.

Section 15: ALL

Section 16: NW $\frac{1}{4}$ NE $\frac{1}{4}$;
NE $\frac{1}{4}$ NW $\frac{1}{4}$;
NW $\frac{1}{4}$ SE $\frac{1}{4}$;
S $\frac{1}{2}$ SE $\frac{1}{4}$;
S $\frac{1}{2}$ NW $\frac{1}{4}$.

Section 17: NE $\frac{1}{4}$;
S $\frac{1}{2}$ NW $\frac{1}{4}$;
S $\frac{1}{2}$.

Section 18: SE $\frac{1}{4}$ NE $\frac{1}{4}$;
E $\frac{1}{2}$ SW $\frac{1}{4}$;
SE $\frac{1}{4}$.

Section 19: All fractional section

Section 20: ALL

Section 21: ALL

Section 22: Lots 1,2,3,4,5,6,7
S $\frac{1}{2}$ NE $\frac{1}{4}$;
E $\frac{1}{2}$ SW $\frac{1}{4}$;
SE $\frac{1}{4}$ NW $\frac{1}{4}$;
N $\frac{1}{2}$ SE $\frac{1}{4}$;
SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 28: Lots 1,2,4,5,6,7
S $\frac{1}{2}$ NE $\frac{1}{4}$;
E $\frac{1}{2}$ SW $\frac{1}{4}$;

N $\frac{1}{2}$ SE $\frac{1}{4}$;
SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 29: ALL

Section 30: E $\frac{1}{2}$ SW $\frac{1}{4}$;
Lot 4;
E $\frac{1}{2}$.

Section 31: All fractional section

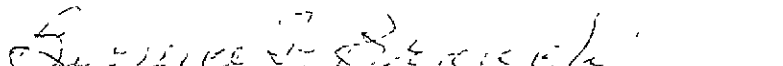
Section 32: N $\frac{1}{2}$ NE $\frac{1}{4}$;
NW $\frac{1}{4}$;
W $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 33: NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Lots 1 & 2.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part; and,

Together with all merchantable timber on or growing on all said lands, together with the right to remove the same over and across said lands, hereby releasing and terminating all previous reservations of the said party of the first part pertaining thereto.

IN WITNESS WHEREOF the party of the first part has hereunto set her hand and seal the day and year herein first above written.

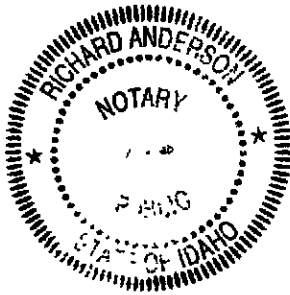

Bernice I. Branch

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 15th day of September, in the year 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared BERNICE I. BRANCH, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged

to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Richard Anderson
Notary Public for the State of Idaho
Residing at Boise, Idaho
My commission expires: 7/23/2005.

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: A65-10851
Date Received: 5/17/1989
Receipt No: X999999
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BERNICE I. BRANCH 208-793-2274
Address: RT. 1 BOX 57B
HORSESHOE BEND, ID 83629

2. Date of Priority: JUL 01, 1898

3. Source: JACKASS CREEK, SOUTH FORK Trib. to: JACKASS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	03E	29	NW	NE			BOISE
			SE	NE			BOISE

5. Description of diverting works:
DAM IN CREEK TO DITCH TO FLOOD IRRIGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATER.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03E	29	NE	NE		IRR	2.0
			NW	NE		IRR	16.0

A65-10851

Page 1

Date: 07/14/89

MICROFILMED
SEP 24 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03E	29	SW	NE		IRR	18.0
			NE	SE		IRR	4.0
Section Acres							40.0
Total Acres							40.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

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 _____

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. No.

ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly:

Name of Claimant(s) Bernice I. Branch

Mailing Address Rt. 1, Box 57B
(include Zip Code) Horseshoe Bend, Idaho 83629

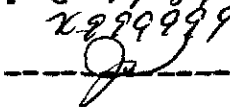
Phone Number (208) 793 - 2274

MICROFILMED
SEP 24 1992

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: 65-10851
DATE RECEIVED: 5-17-89
RECEIPT NO: 2299999
RECEIVED BY: 



MAY 17 1989

Hand-delivered, No ✓

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: KENNETH A. BRANCH (Deceased) (208) 793-2274
ADDRESS: ~~BOX-8~~ Rt. 1, Box 57B
HORSESHOE BEND, ID 83629

NAME: BERNICE I. BRANCH
ADDRESS: ~~BOX-8~~ Rt. 1, Box 57B
HORSESHOE BEND, ID 83629 (208) 793-2274

2. DATE OF PRIORITY: JUL 01, 1898

3. SOURCE: JACKASS CREEK, SOUTH FORK TRIB. TO: JACKASS CREEK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
07N	03E	29	NW	NE			BOISE
			SE	NE			BOISE

5. DESCRIPTION OF DIVERTING WORKS:
Dam in creek to ditch to flood irrigate.

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

7. TOTAL QUANTITY APPROPRIATED IS:
0.800 C.F.S. (AND/OR) A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

Instream stock water.

10. PLACE OF USE:

TOWNSHIP.	RANGE	SECTION	1/4	OF	1/4	LOT	USE	ACRES
07N	03E	29	NE		NE		IRR	2.0
			NW		NE		IRR	16.0
			SW		NE		IRR	18.0
			NE		SE		IRR	4.0
							SECTION ACRES	40.0
							TOTAL ACRES	40.0

11. PLACE OF USE IN COUNTIES: BOISE, BOISE

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

None

14. REMARKS:

15. BASIS OF CLAIM: DECREEED

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO

DECREE PLAINTIFF

VS

A & C CORP., ET AL.

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 X WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: 1

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): Bernice D. Branch DATE: 5/16/89

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

TITLE

_____, THAT I HAVE SIGNED THE FOREGOING

ORGANIZATION

DOCUMENT IN THE SPACE BELOW AS _____ OF

TITLE

_____, AND THAT THE STATEMENTS CONTAINED IN THE

ORGANIZATION

FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF ADA) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 16th DAY
OF May 19 89

Leland Anderson
NOTARY PUBLIC

SEAL

RESIDING AT Boise, Idaho

MY COMMISSION EXPIRES 7/23/93

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Branch

CLAIM IDENT. NO.

A65-10851

DATE RECEIVED

5-17-89

CK #

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) N/A
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? N/A
Is the consumptive use correct? N/A
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 owner-
ship must be stated. If not under single ownership, see
Adjudication Memo # 4. N/A
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.) N/A
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.) N/A
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? Exempt
21. If this claim is based on an existing water right, has the
identification number been entered? N/A
22. Should this claim be receipted and data entered?

Claim checked by:

[Signature]

Date:

7-15-89

Claim must be returned to claimant:

(Yes) ☐ (No) ☒

Claimant must be notified of modifications:

(Yes) ☐ (No) ☒

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

Name Changes & additions

MICROFILMED

SEP 24 1992

05/10/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-10851

NAME AND ADDRESS: JAY A BRANCH
50 JACKASS CREEK RD
HORSESHOE BEND, ID 83629

SOURCE: JACKASS CREEK TRIBUTARY: PAYETTE RIVER
UNNAMED STREAM JACKASS CREEK

QUANTITY: 0.8 CFS

PRIORITY DATE: 07/01/1898

POINT OF DIVERSION: T07N R03E S29 NWNE Within BOISE County
T07N R03E S29 SENE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	0.80 CFS

PLACE OF USE:

<u>IRRIGATION Within BOISE County</u>					
T07N R03E S29	NENE	1	T07N R03E S29	NWNE	16
T07N R03E S29	SWNE	18	T07N R03E S29	SENE	5

40 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. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim.

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JAY A BRANCH
CINDY BRANCH
50 JACKASS CREEK RD
HORSESHOE BEND ID 83629

RE: Water Right No. 65-10851 & 65-10852

Dear Claimants:

This office has received your Notice of Change of Water Right Ownership (copy enclosed), recently submitted. We also received check number 3522 in the amount of \$50, however, we are returning it to you, as the ownership change fee is not required for these particular water right claims. These claims have not yet been decreed by the SRBA Court.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

Denise Buffington
Denise Buffington
Office Specialist I
Adjudication Section
Western Region

DB:db

Enclosures

BRANCH RANCH
JAY OR CINDY BRANCH
50 JACKASS CREEK RD. PH. 788-2640
HORSESHOE BEND, ID 83628

3522

02-01/24

DATE

PAY TO THE
ORDER OF

Watie Res

\$50.00

100/100

DOLLARS

FIRST SECURITY BANK OF IDAHO
102 WEST MAIN STREET
EMMETT, IDAHO 83617

FOR

Lindy Brane

⑆124100064⑆007 11939 57⑈ 3522

© IMAGE CHECKS, 1989

BIRDS & BLOSSOMS

1-800-562-8768 www.imagechecks.com

11/02/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-10851

NAME AND ADDRESS: BERNICE I BRANCH
RT 1 BOX 57B
HORSESHOE BEND, ID 83629

SOURCE: JACKASS CREEK TRIBUTARY: PAYETTE RIVER
UNNAMED STREAM TRIBUTARY: JACKASS CREEK

QUANTITY: 0.8 CFS

PRIORITY DATE: 07/01/1898

POINT OF DIVERSION: T07N R03E S29 NWNE Within BOISE County
T07N R03E S29 SENE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	0.80 CFS

PLACE OF USE:

IRRIGATION Within BOISE
County

T07N R03E S29	NENE	1	T07N R03E S29	NWNE	16
T07N R03E S29	SWNE	18	T07N R03E S29	SENE	5

40 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. SECTION 42-
1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF
USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

03/07/2001

RECEIVED

APR 12 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-10851

BERNICE I BRANCH

RT 1 BOX 57B

HORSESHOE BEND ID 83629

Telephone Number: (208)793-2274

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: April 5, 2001

SIGNATURE: Jay A Branch Cindy Branch

Please print your name: Jay A. Branch and Cindy Branch
New Owners

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

AJ5809NP
No. A65-10851

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/17/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BERNICE I BRANCH RT 1 BOX 57B HORSESHOE BEND ID 83629 (208) 793-2274	07/01/1898	IRRIGATION	04-01 11-01	0.800 CFS	
TOTAL DIVERSION:					0.800 CFS	

Water Source: JACKASS CREEK ~~SOUTH FORK~~ Tributary to: JACKASS CREEK *Payette R.*
Point(s) of Diversion: *Unumad Ste.* T07N R03E S29 NWNE SENE *Jackass Creek.* Stage: DECREED
BOISE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE									
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07N	03E	29	:	02	16	18	5.0	:				:				04				40.0	
TOTAL ACRES																			40.0		

POU County: BOISE

Non-Irrigation Uses: INSTREAM STOCKWATER.

Other Rights: NONE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Audit: 07/14/89 HARRIS 03/30/95 POST-STD

C05 + C18
C02

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 338

INDICATES TOTAL

SOURCE: SOUTH FORK, COONS CREEK

TRIBUTARY TO: COONS CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-2095	LINK, CLARENCE O. & LINK, LORNA R. SWEET, IDAHO 83670	5/29/1927	IRRIGATION FROM STCR	4/ 1 11/ 1	17.50 AFA --- CFS	NWSE S26 T 8N R 1E	NWSE(5) S26 T 8N R 1E *5*	LICENSE
65-0413	LINK, CLARENCE O. & LINK, LORNA R. SWEET, IDAHO 83670	4/ 1/1953	IRRIGATION FROM STCR	4/ 1 11/ 1	70.00 AFA --- CFS	NESW S26 T 8N R 1E NWSE S26 T 8N R 1E	SENE(6) SEAW(2) NESW(10) NWSW(2) S26 T 8N R 1E *20*	BENEFICIAL USE
			STOCKWATER FROM STCR	1/ 1 12/31	1.40 AFA --- CFS *71.40*AFA *---*CFS		SAME AS OTHER USE	

INDICATES TOTAL

SOURCE: SOUTH FORK, JACKASS CREEK

TRIBUTARY TO: JACKASS CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-10851	BRANCH, KENNETH A. & BRANCH, BERNICE I. BOX 8, HORSESHOE BEAD, IDHC 83629	7/ 1/1898	IRRIGATION	4/ 1 11/ 1	--- AFA .80 CFS	SENE S29 T 7N R 3E NWNE S29 T 7N R 3E	NWNE(16) SWNE(18) SENE(2) NESE(4) S29 T 7N R 3E *40*	BENEFICIAL USE

RETURN TO:

IN THE DISTRICT COURT OF THE
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF

JUDICIAL DISTRICT

Boise

IN THE MATTER OF THE ESTATE OF

**NOTICE OF CLAIM
TO A
WATER RIGHT**

South Fork Snake River, Blackfoot, Idaho

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) TOTAL QUANTITY CLAIMED

T	R	SEC.	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	TOTAL
			2	16	18	4													90

Total no. of acres 90

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

NOTE: If you have 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 (2/15/78)

(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.

I, the undersigned, after being duly sworn on oath, depose and say that the foregoing facts are true and correct to the best of my knowledge and belief.

Subscribed and sworn to before me this 7th day of July, 1978.

Notary Public for Idaho

My commission expires on 7-27-78

City of

County of

My name is

My residence is at

7/20/78

4/28/78

Memo To: 63-10851

From: FL • 2/20/78

USING ASCS PHOTO 80 DHV-IKK-131 TO DEVELOP SYSTEM
COULD ONLY FIND APPROX 40 Holes IN QUARTERS WHICH
APPEARED TO GIVE REASONABLE EVIDENCE OF HAVING BEEN
UNDER THE DITCH IN RECENT YEARS FOR LARICE. CONSEQUENTLY THE
RECOMMENDATION THAT REARGE FOR THIS SITE

3

CLAIM 445-10851 INIT

T. R. S. Q/Q

P/D 7N 3E 29 NWNE

SCALE SENE

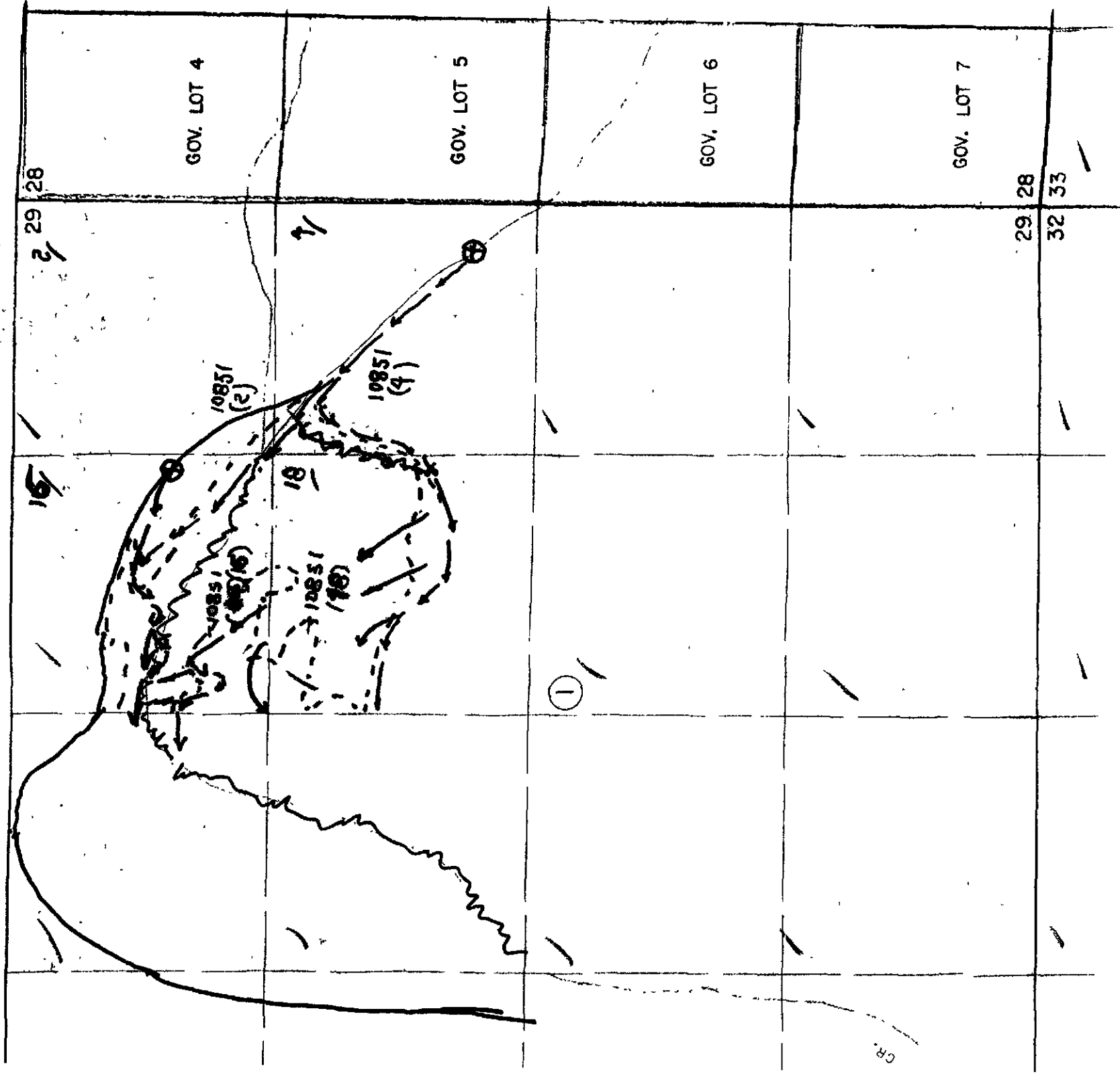
PHOTO ID 109710 ATE



AA5-10851

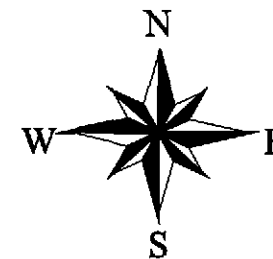
PRBA map

7N, 3E



IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03E, S29



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-10851

OWNER(S): BRANCH, BERNICE

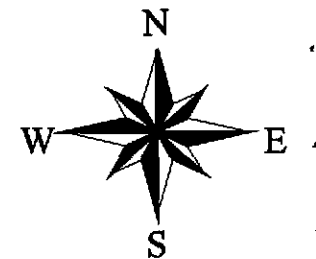
DATE: AUGUST 17, 2000

By: Mel Schulte



IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03E, S29



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▬ PLACE OF USE
- ▬ 1/4 1/4 LINES
- ▬ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-10851

OWNER(S): BRANCH, BERNICE

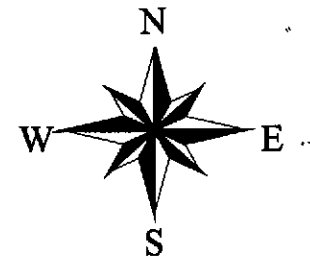
DATE: AUGUST 17, 2000

By: Mel Schulte

0 0.25 0.5 0.75 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03E, S29



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▬ PLACE OF USE
- ▬ 1/4 1/4 LINES
- ▬ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-10851

OWNER(S): BRANCH, BERNICE

DATE: AUGUST 17, 2000

By: Mel Schulte

0 0.25 0.5 0.75 Miles

