

POOR ORIGINAL

Remarks The trait Cr. ditch was dug in the late 1860's I have dated this claim when the exploration work was done and the ditch was maintained I purchased the property in 1950



County of ADA

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Leon K. Brassey **MICROFILMED**
(Claimant) **JUL 25 1994**

Canyon Creek Flat outlined in red
These = mining claims, not 40 acre sections

POOR ORIGINAL

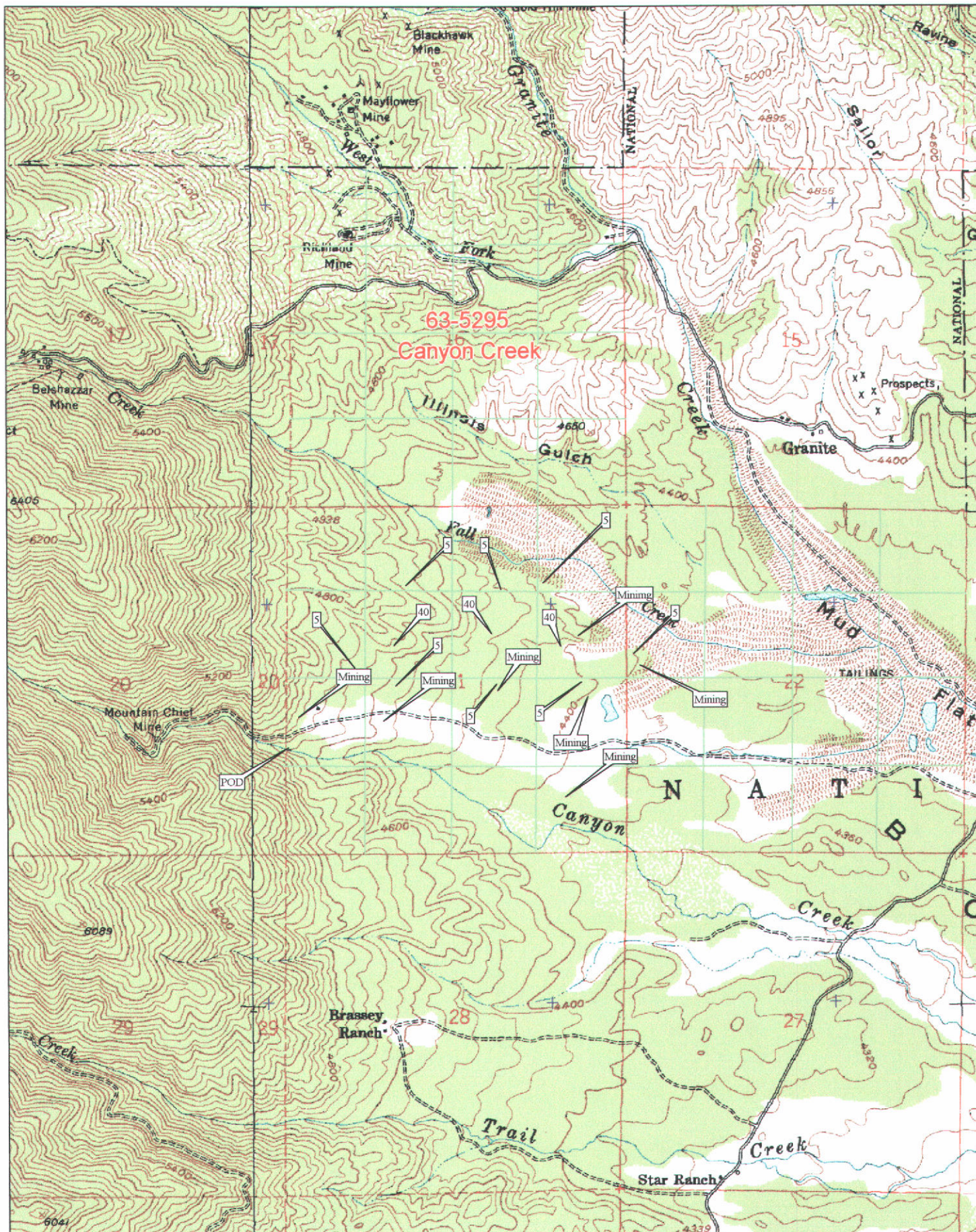


Canyon Creek

SUMMARY OF VALUES DATE AUG 10 1940

SECTION	ACRES	VALUE	REMARKS
1	40.00	100.00	
2	40.00	100.00	
3	40.00	100.00	
4	40.00	100.00	
5	40.00	100.00	
6	40.00	100.00	
7	40.00	100.00	
8	40.00	100.00	
9	40.00	100.00	
10	40.00	100.00	
11	40.00	100.00	
12	40.00	100.00	
13	40.00	100.00	
14	40.00	100.00	
15	40.00	100.00	
16	40.00	100.00	
17	40.00	100.00	
18	40.00	100.00	
19	40.00	100.00	
20	40.00	100.00	
21	40.00	100.00	
22	40.00	100.00	
23	40.00	100.00	
24	40.00	100.00	
25	40.00	100.00	
26	40.00	100.00	
27	40.00	100.00	
28	40.00	100.00	
29	40.00	100.00	
30	40.00	100.00	
31	40.00	100.00	
32	40.00	100.00	
33	40.00	100.00	
34	40.00	100.00	
35	40.00	100.00	
36	40.00	100.00	
37	40.00	100.00	
38	40.00	100.00	
39	40.00	100.00	
40	40.00	100.00	

FALL CREEK AND GRASSY FLAT
 UNDER DIRECTION OF
 L. D. CRAWFORD
 1940



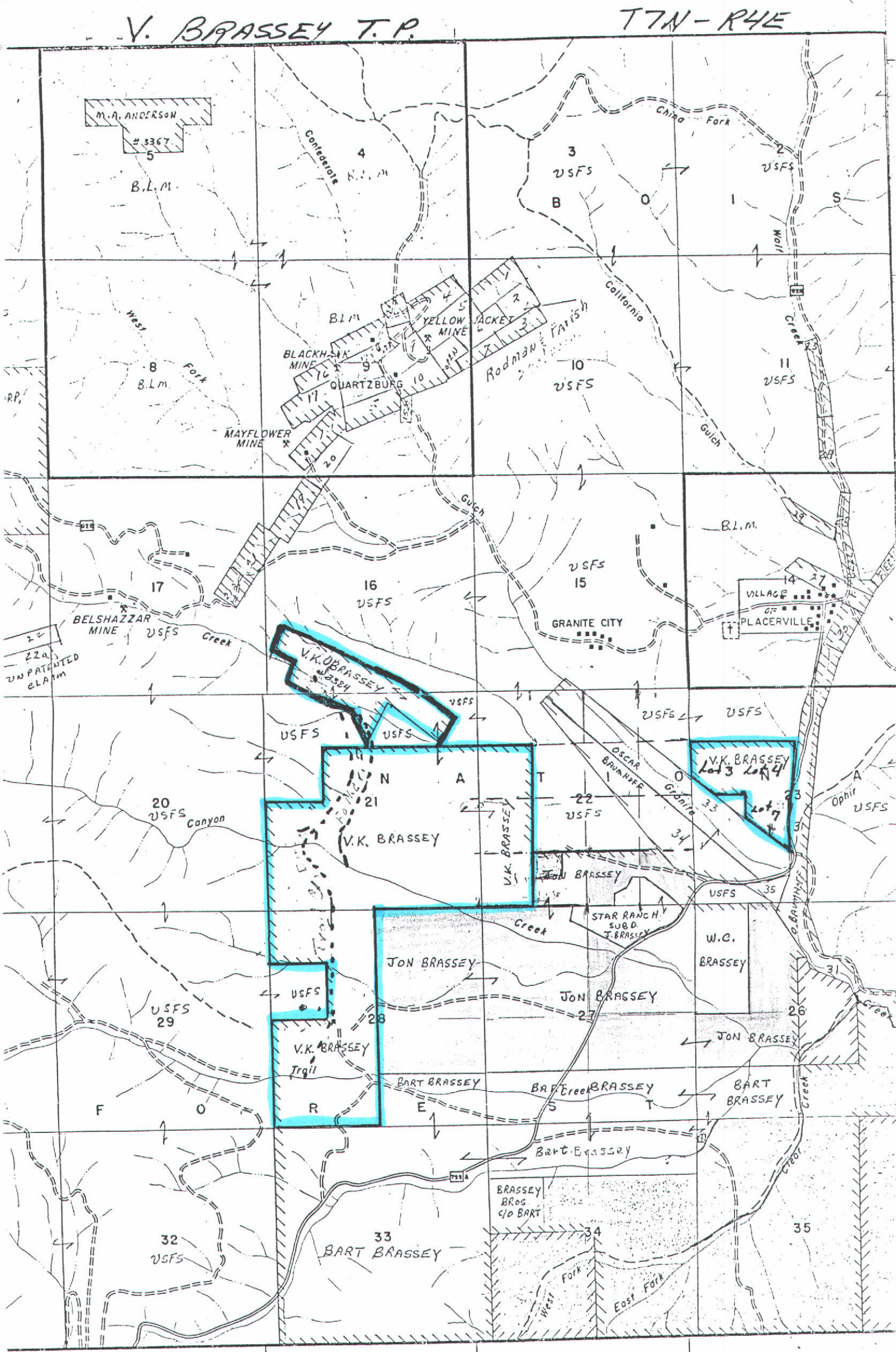




Photo 1. FX 6-24-02 by RDH. 63-5295 point of diversion. Located by GPS in the SWNWSW, S21, T07N, R04E. Rock and plastic dam.



Photo 2. Culvert from above POD to ditch.



Photo 3. Ditch at POD location, ditch has decomposed granite with broken rocks and coarse sand. Length of ditch to first take out is 800 feet, per GPS map measurement.



Photo 4. First takeout location 800 feet from POD. Washing gravel for mining is accomplished by pumping water from these ditches throughout the place of use.



Photo 5. Manning measurement location in the NWSW, S21, T07N, R04E.



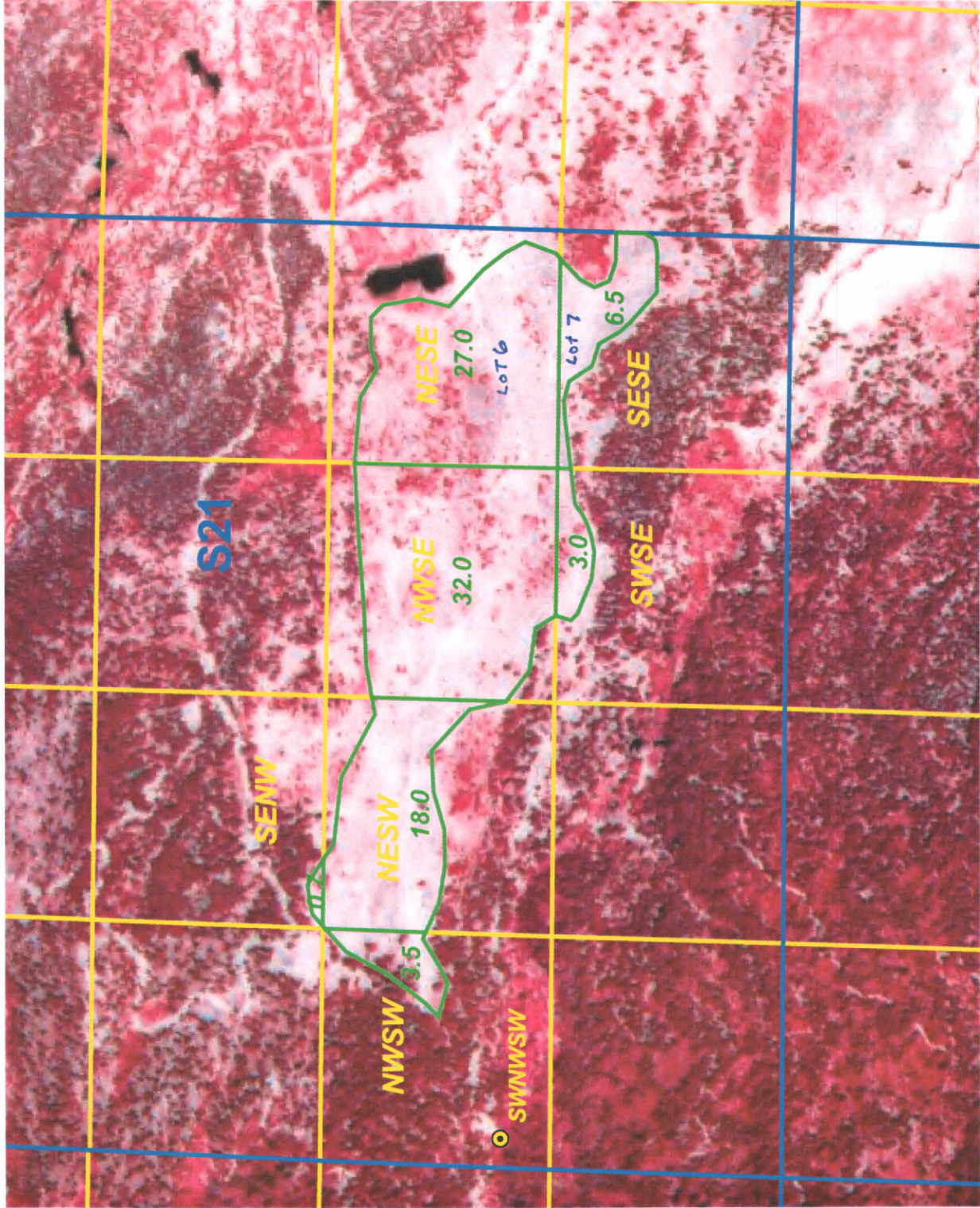
Photo 6. Place of use for irrigation looking West from the NWSE , S21.



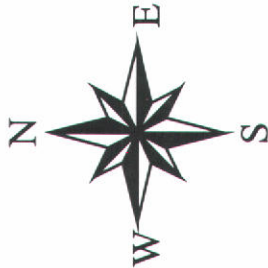
Photo 7. Place of use for irrigation West from the NESE, S21.

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-05295
Updated: 6-26-02
Prepared By: Ron Howerton



T07N, R04E
S21



- Point of Diversion
- Place of use
- Section
- Quarter/Quarter

90.7 Acres

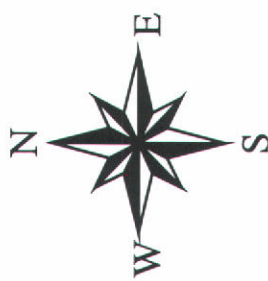
1987 NAPP

0 0.25 0.5 0.75 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

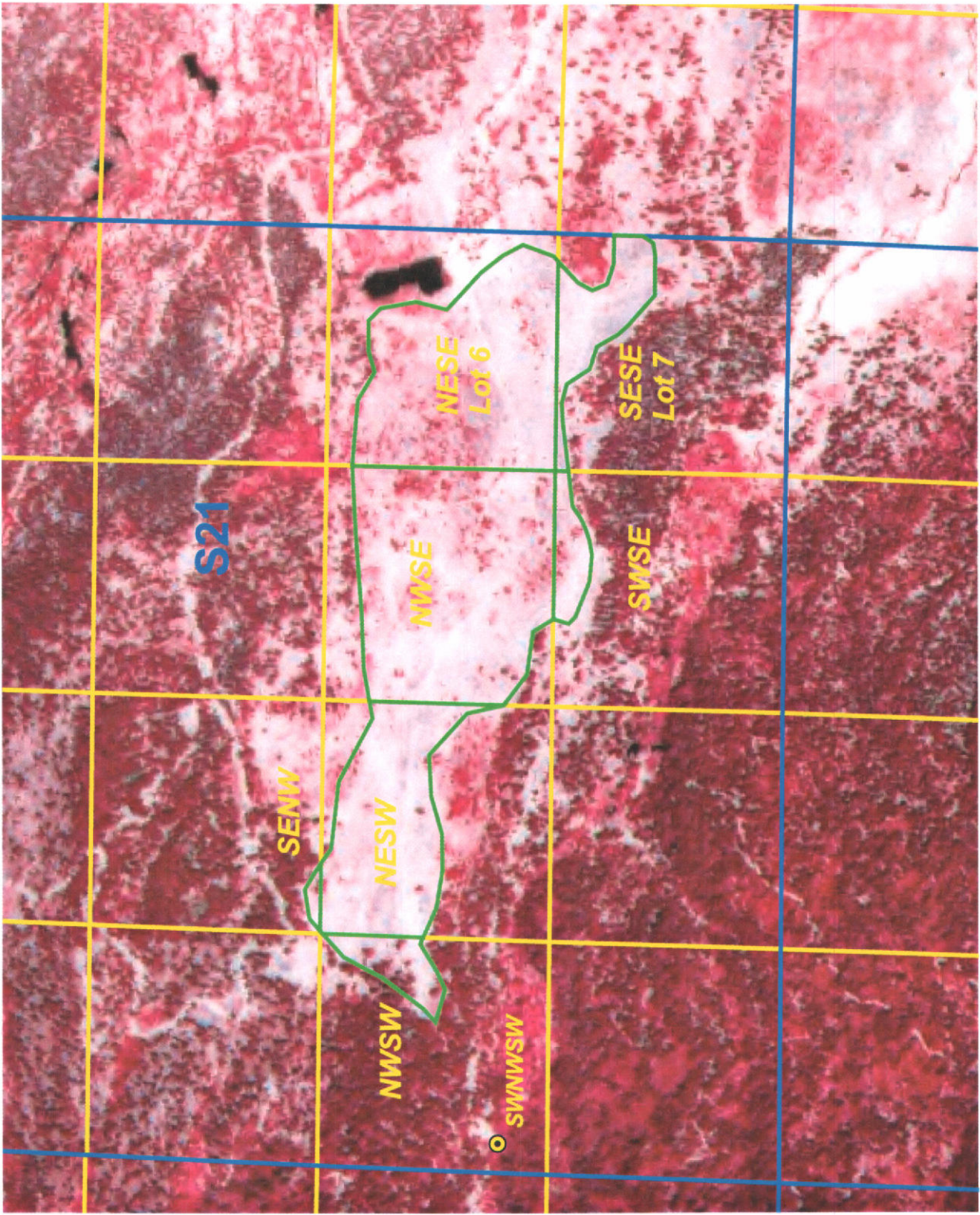
Claim: 63-05295
Updated: 6-26-02
Prepared By: Ron Howerton

T07N, R04E
S21



- Point of Diversion
- Place of use
- Section
- Quarter/Quarter

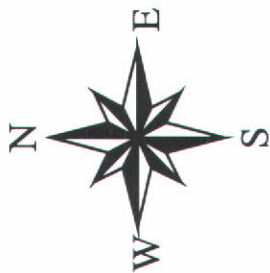
1987 NAPP



IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-05295
Updated: 6-26-02
Prepared By: Ron Howerton

T07N, R04E
S21



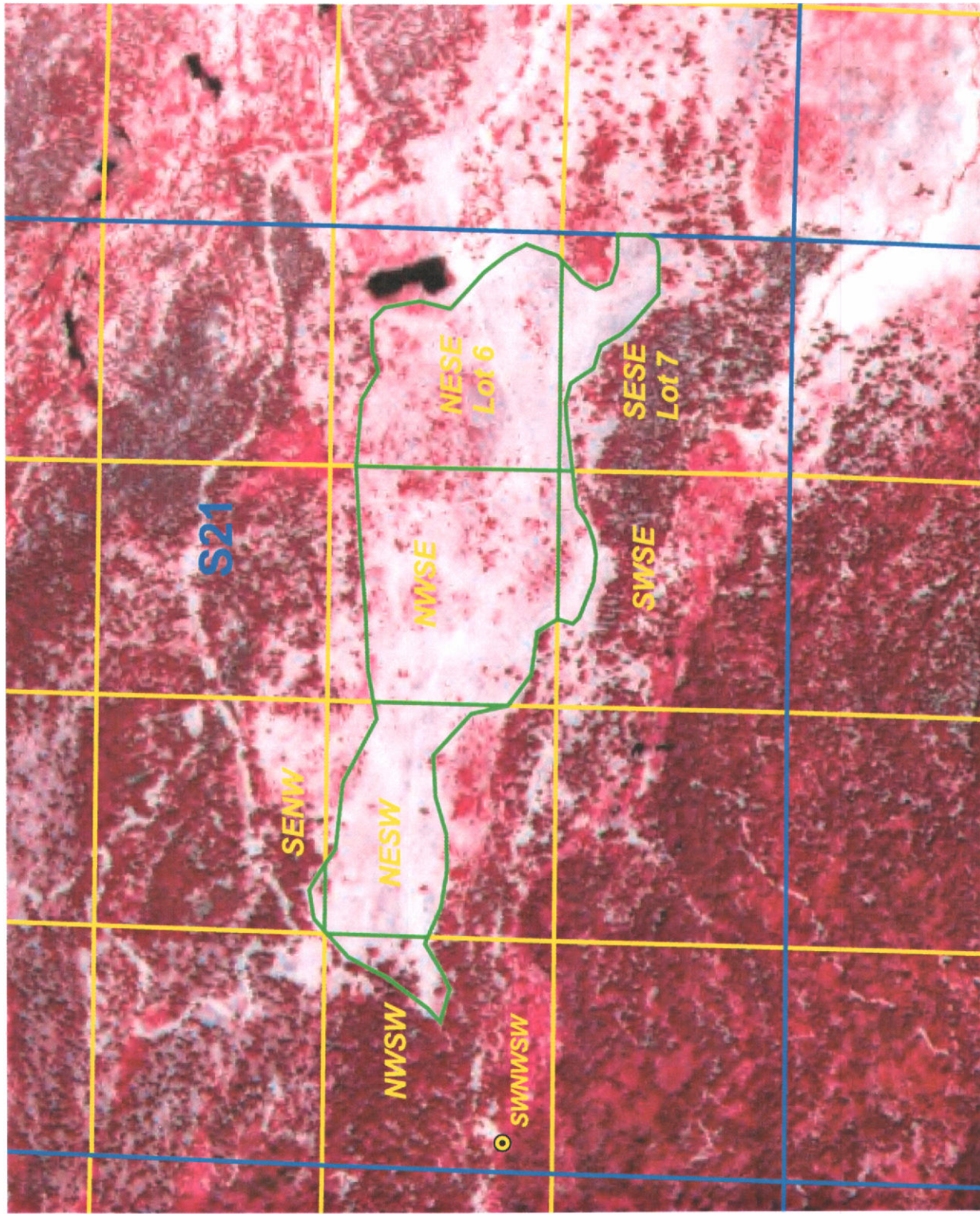
○ Point of Diversion

Place of use

Section

Quarter/Quarter

1987 NAPP



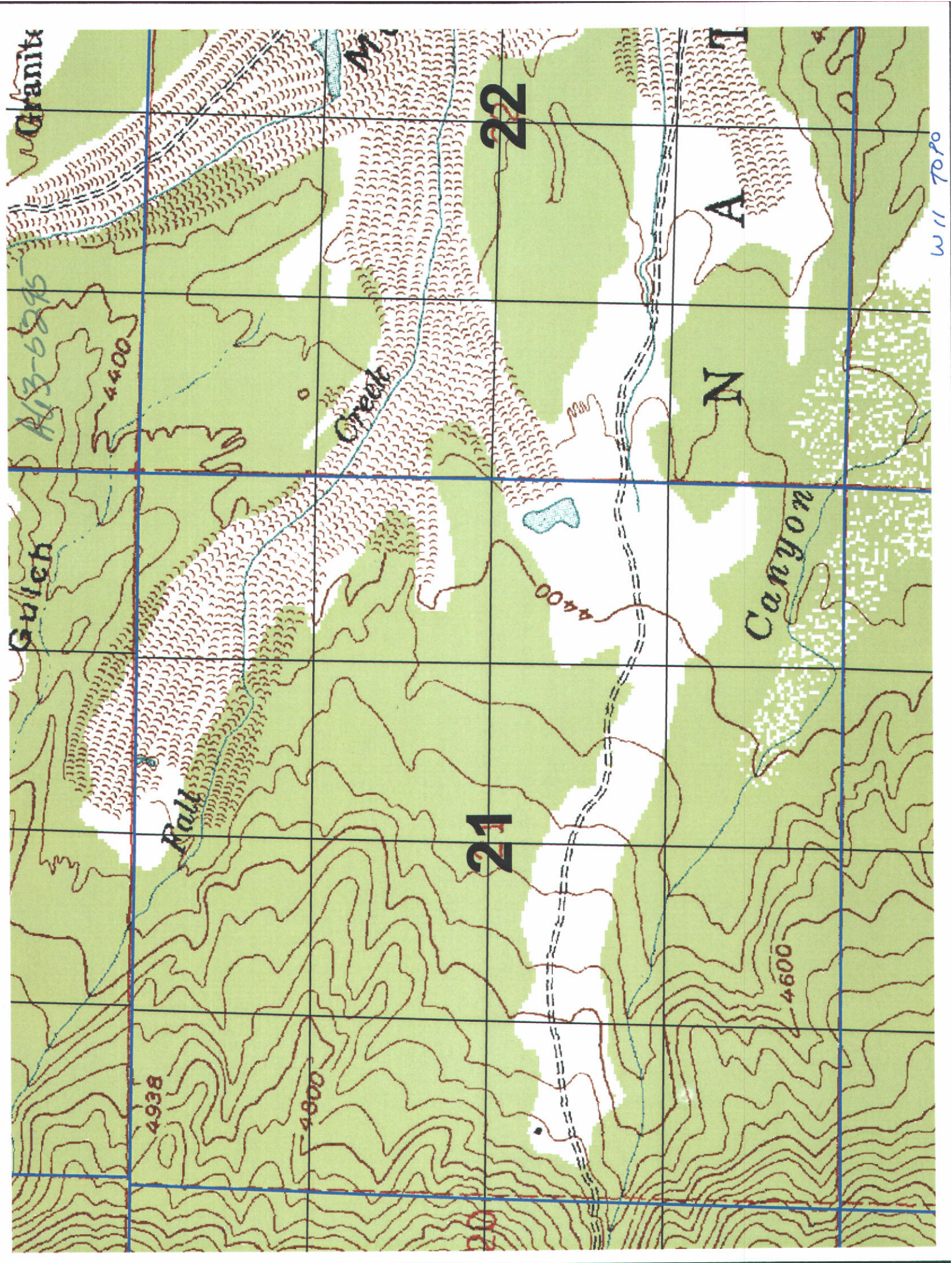
A635295

22

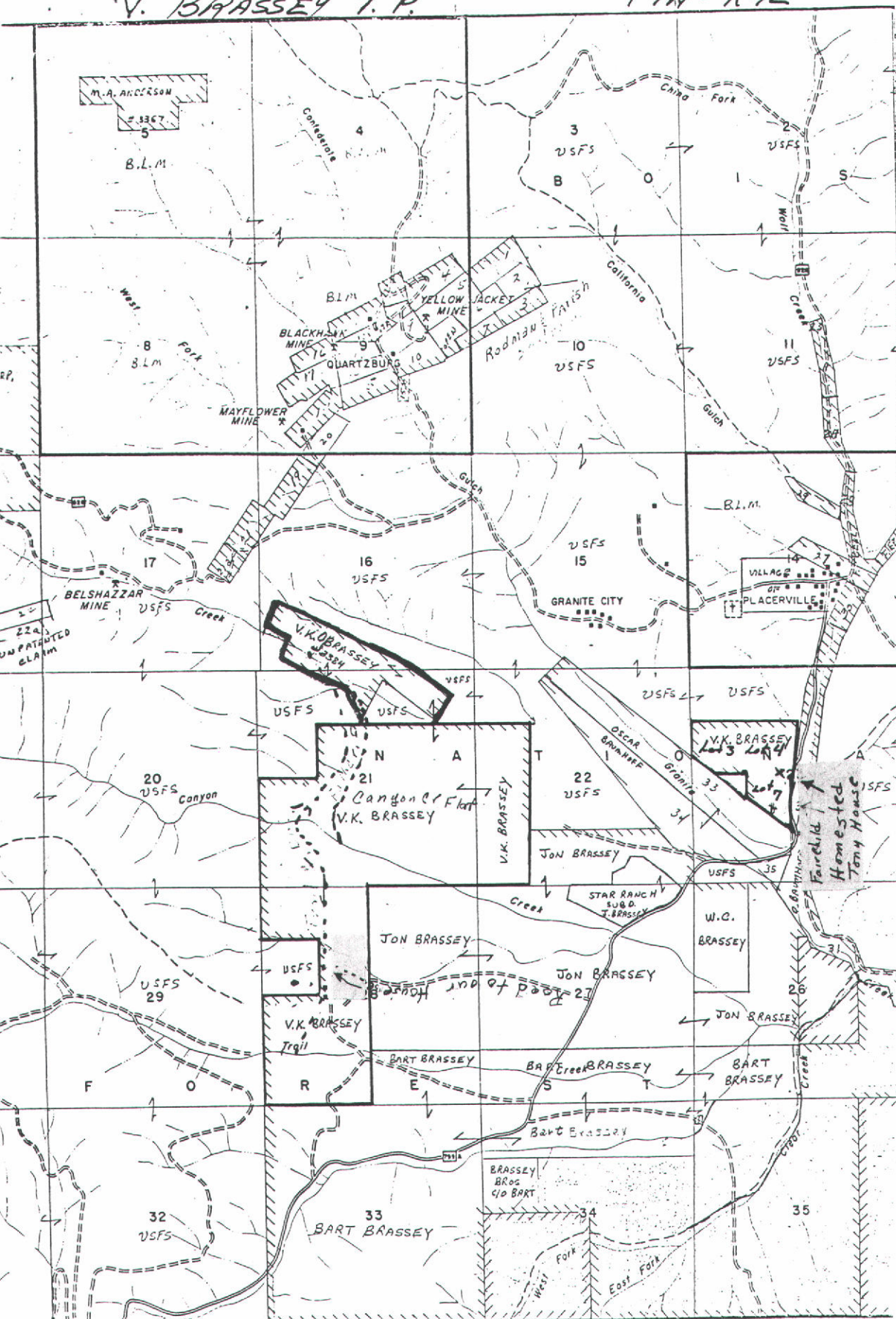
FIELD MAP

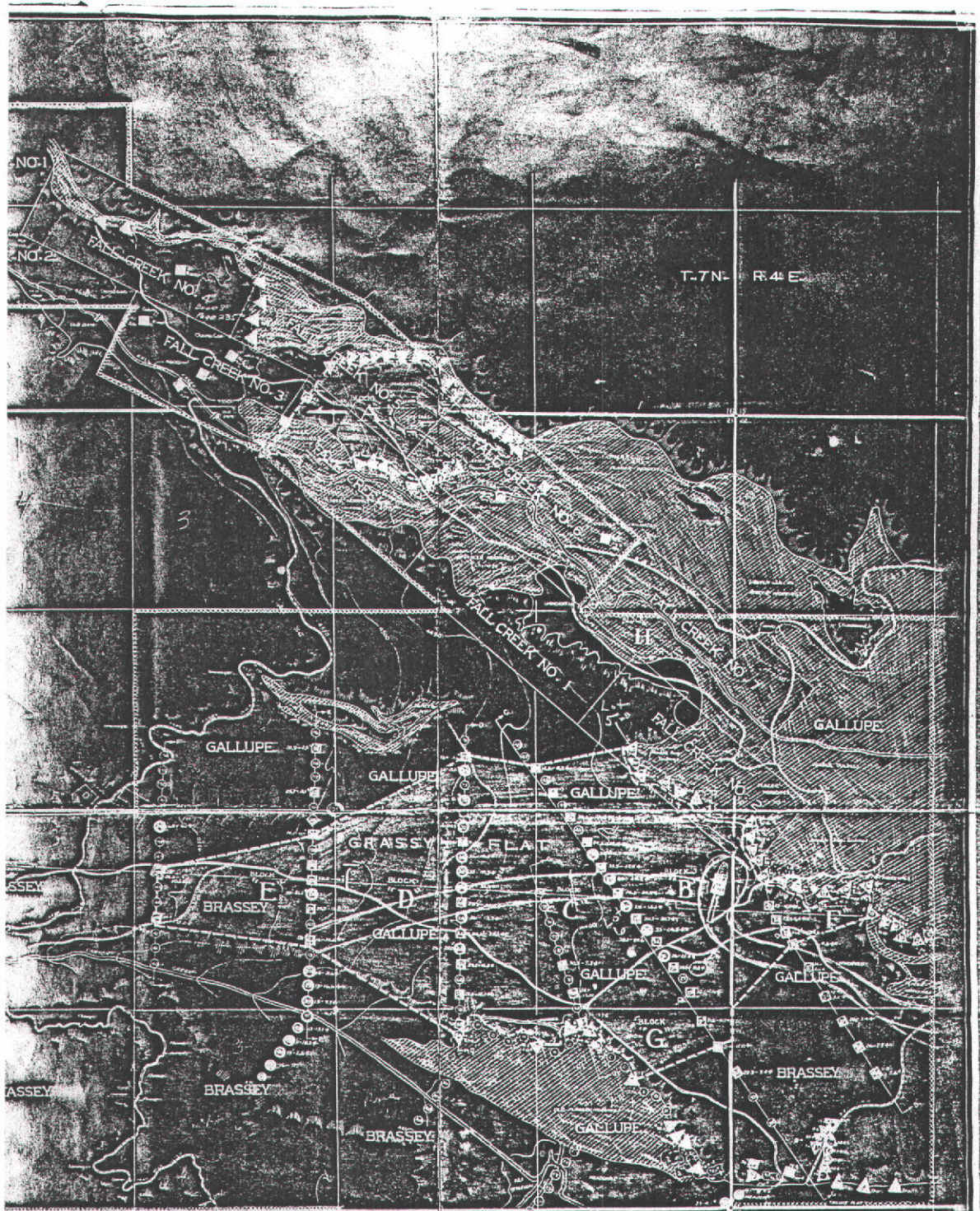
21

GLS
FO2



T7N-R4E

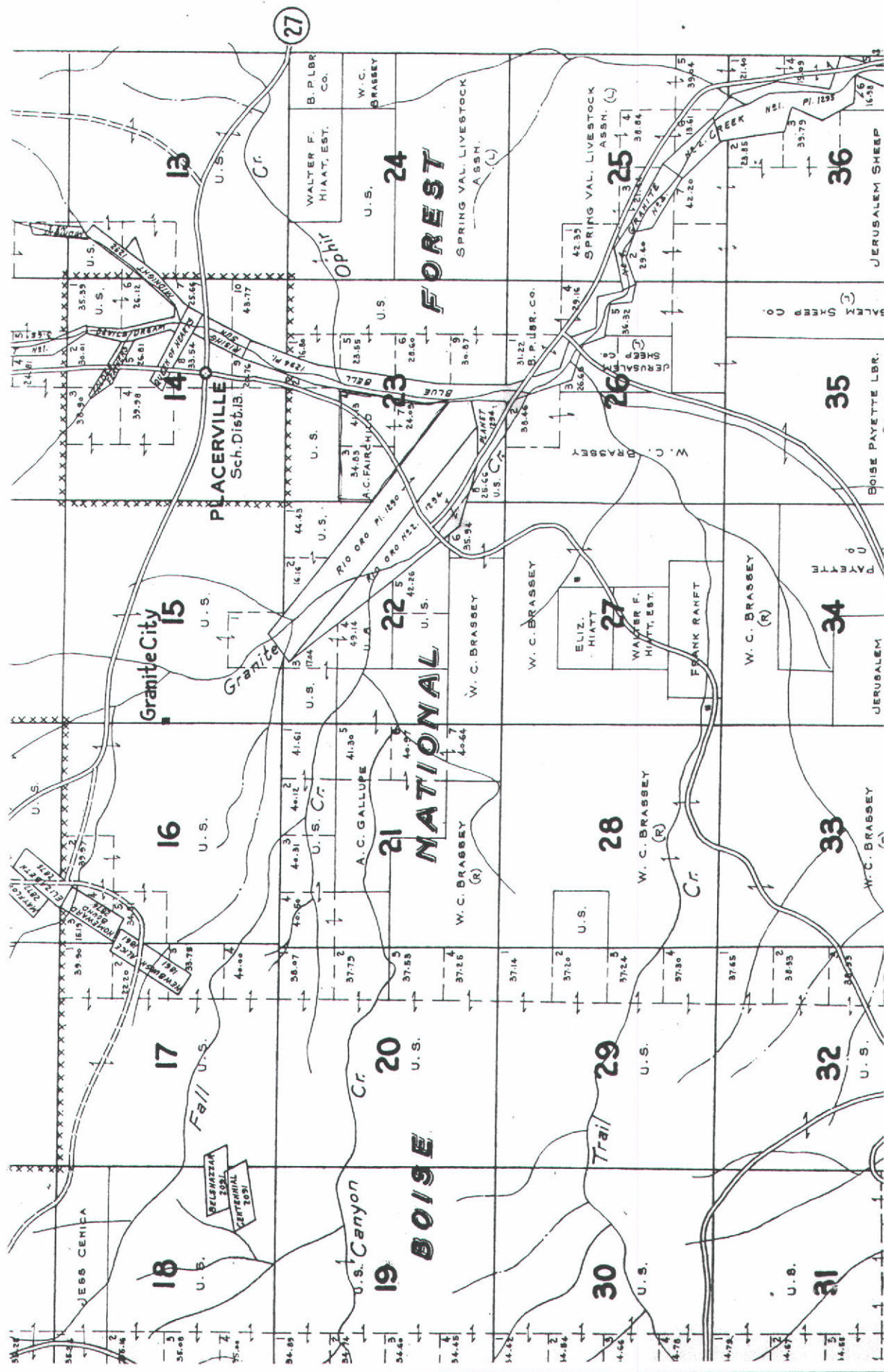




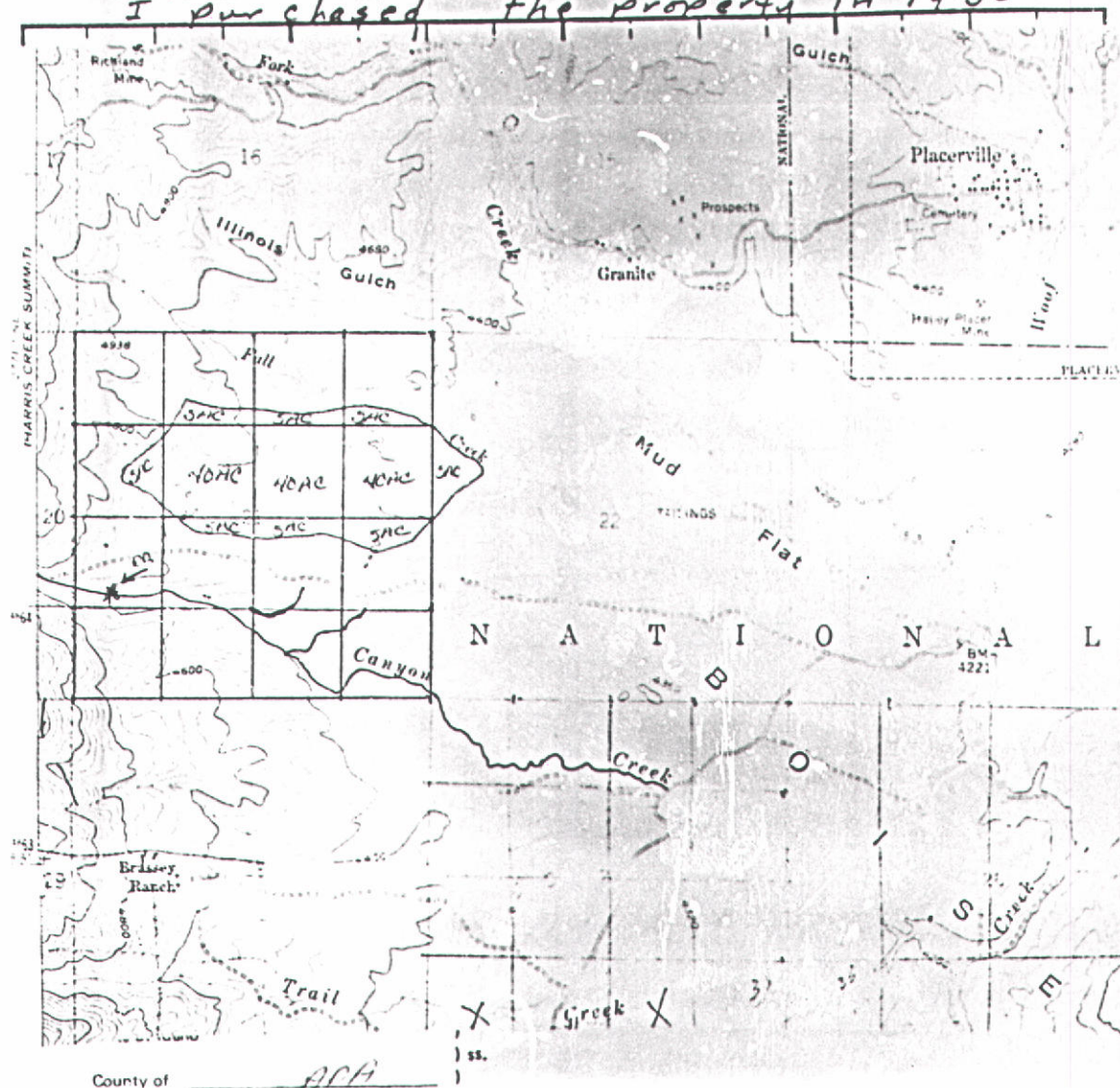
SUMMARY OF VALUES				DATE: AUG 10, 1940	
NO.	DESCRIPTION	AMOUNT	PERCENT	DATE	REMARKS
1	GRASSY FLAT	100.00	100.00	1940	
2	FALL CREEK NO. 1	100.00	100.00	1940	
3	FALL CREEK NO. 2	100.00	100.00	1940	
4	FALL CREEK NO. 3	100.00	100.00	1940	
5	FALL CREEK NO. 4	100.00	100.00	1940	
6	FALL CREEK NO. 5	100.00	100.00	1940	
7	FALL CREEK NO. 6	100.00	100.00	1940	
8	FALL CREEK NO. 7	100.00	100.00	1940	
9	FALL CREEK NO. 8	100.00	100.00	1940	
10	FALL CREEK NO. 9	100.00	100.00	1940	
11	FALL CREEK NO. 10	100.00	100.00	1940	
12	FALL CREEK NO. 11	100.00	100.00	1940	
13	FALL CREEK NO. 12	100.00	100.00	1940	
14	FALL CREEK NO. 13	100.00	100.00	1940	
15	FALL CREEK NO. 14	100.00	100.00	1940	
16	FALL CREEK NO. 15	100.00	100.00	1940	
17	FALL CREEK NO. 16	100.00	100.00	1940	
18	FALL CREEK NO. 17	100.00	100.00	1940	
19	FALL CREEK NO. 18	100.00	100.00	1940	
20	FALL CREEK NO. 19	100.00	100.00	1940	
21	FALL CREEK NO. 20	100.00	100.00	1940	
22	FALL CREEK NO. 21	100.00	100.00	1940	
23	FALL CREEK NO. 22	100.00	100.00	1940	
24	FALL CREEK NO. 23	100.00	100.00	1940	
25	FALL CREEK NO. 24	100.00	100.00	1940	
26	FALL CREEK NO. 25	100.00	100.00	1940	
27	FALL CREEK NO. 26	100.00	100.00	1940	
28	FALL CREEK NO. 27	100.00	100.00	1940	
29	FALL CREEK NO. 28	100.00	100.00	1940	
30	FALL CREEK NO. 29	100.00	100.00	1940	
31	FALL CREEK NO. 30	100.00	100.00	1940	
32	FALL CREEK NO. 31	100.00	100.00	1940	
33	FALL CREEK NO. 32	100.00	100.00	1940	
34	FALL CREEK NO. 33	100.00	100.00	1940	
35	FALL CREEK NO. 34	100.00	100.00	1940	
36	FALL CREEK NO. 35	100.00	100.00	1940	
37	FALL CREEK NO. 36	100.00	100.00	1940	
38	FALL CREEK NO. 37	100.00	100.00	1940	
39	FALL CREEK NO. 38	100.00	100.00	1940	
40	FALL CREEK NO. 39	100.00	100.00	1940	
41	FALL CREEK NO. 40	100.00	100.00	1940	
42	FALL CREEK NO. 41	100.00	100.00	1940	
43	FALL CREEK NO. 42	100.00	100.00	1940	
44	FALL CREEK NO. 43	100.00	100.00	1940	
45	FALL CREEK NO. 44	100.00	100.00	1940	
46	FALL CREEK NO. 45	100.00	100.00	1940	
47	FALL CREEK NO. 46	100.00	100.00	1940	
48	FALL CREEK NO. 47	100.00	100.00	1940	
49	FALL CREEK NO. 48	100.00	100.00	1940	
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51	FALL CREEK NO. 50	100.00	100.00	1940	
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53	FALL CREEK NO. 52	100.00	100.00	1940	
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55	FALL CREEK NO. 54	100.00	100.00	1940	
56	FALL CREEK NO. 55	100.00	100.00	1940	
57	FALL CREEK NO. 56	100.00	100.00	1940	
58	FALL CREEK NO. 57	100.00	100.00	1940	
59	FALL CREEK NO. 58	100.00	100.00	1940	
60	FALL CREEK NO. 59	100.00	100.00	1940	
61	FALL CREEK NO. 60	100.00	100.00	1940	
62	FALL CREEK NO. 61	100.00	100.00	1940	
63	FALL CREEK NO. 62	100.00	100.00	1940	
64	FALL CREEK NO. 63	100.00	100.00	1940	
65	FALL CREEK NO. 64	100.00	100.00	1940	
66	FALL CREEK NO. 65	100.00	100.00	1940	
67	FALL CREEK NO. 66	100.00	100.00	1940	
68	FALL CREEK NO. 67	100.00	100.00	1940	
69	FALL CREEK NO. 68	100.00	100.00	1940	
70	FALL CREEK NO. 69	100.00	100.00	1940	
71	FALL CREEK NO. 70	100.00	100.00	1940	
72	FALL CREEK NO. 71	100.00	100.00	1940	
73	FALL CREEK NO. 72	100.00	100.00	1940	
74	FALL CREEK NO. 73	100.00	100.00	1940	
75	FALL CREEK NO. 74	100.00	100.00	1940	
76	FALL CREEK NO. 75	100.00	100.00	1940	
77	FALL CREEK NO. 76	100.00	100.00	1940	
78	FALL CREEK NO. 77	100.00	100.00	1940	
79	FALL CREEK NO. 78	100.00	100.00	1940	
80	FALL CREEK NO. 79	100.00	100.00	1940	
81	FALL CREEK NO. 80	100.00	100.00	1940	
82	FALL CREEK NO. 81	100.00	100.00	1940	
83	FALL CREEK NO. 82	100.00	100.00	1940	
84	FALL CREEK NO. 83	100.00	100.00	1940	
85	FALL CREEK NO. 84	100.00	100.00	1940	
86	FALL CREEK NO. 85	100.00	100.00	1940	
87	FALL CREEK NO. 86	100.00	100.00	1940	
88	FALL CREEK NO. 87	100.00	100.00	1940	
89	FALL CREEK NO. 88	100.00	100.00	1940	
90	FALL CREEK NO. 89	100.00	100.00	1940	
91	FALL CREEK NO. 90	100.00	100.00	1940	
92	FALL CREEK NO. 91	100.00	100.00	1940	
93	FALL CREEK NO. 92	100.00	100.00	1940	
94	FALL CREEK NO. 93	100.00	100.00	1940	
95	FALL CREEK NO. 94	100.00	100.00	1940	
96	FALL CREEK NO. 95	100.00	100.00	1940	
97	FALL CREEK NO. 96	100.00	100.00	1940	
98	FALL CREEK NO. 97	100.00	100.00	1940	
99	FALL CREEK NO. 98	100.00	100.00	1940	
100	FALL CREEK NO. 99	100.00	100.00	1940	

EXPLORATION
FALL CREEK AND GRASSY FLAT
UNDER DIRECTION OF
L. D. CRAWFORD

FALL 1939
SUMMER 1940



(8) Remarks The trait Cr. ditch was dug in the late 1860's. I have dated this claim when the exploration work was done and the ditch was maintained. I purchased the property in 1950



County of Alameda

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Vernon K. Blasse (Claimant)
Subl J. Blasse

Sworn to before me this 30th day of July, 1953.

Notary Public
Residing at San Jose

My commission expires 5-10-56

FOR DEPARTMENT USE ONLY			
Received by <u>SP</u>	Date <u>6/30/53</u>	Exception filed by:	Forwarded to claimant by:
Prelim. check by <u>SP</u>	Date <u>1-30-54</u>		
\$30.00 fee received by <u>SP</u>	Date <u>7/5/53</u>	<u>26910</u>	
Published in <u>San Jose</u>			
Dates <u>7/22 & 7/24/53</u>			

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

RECEIVED

JUL 19 2002

WATER RESOURCES
WESTERN REGION

Ident. Number 63-5295
Date Received: 5/17/1989
Receipt No: C006835
Received By:

AMENDED

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

1. Name of Claimant(s)

VERNON K BRASSEY FAMILY PARTNERSHIP Phone: (208)342-0242
2602 TERRACE WAY
BOISE ID USA 83702

2. Date of Priority: 04/01/1863

3. Source: CANYON CREEK Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	04E	21	SW NW SW	BOISE	

5. Description of diverting works:

DIVERSION DAM & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.88	
MINING	02/20	09/30	0.44	

7. Total Quantity Appropriated is:
1.88 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
07N	04E	21	SE	NW		IRRIGATION	0.7
			NE	SW		IRRIGATION	18
			NW	SW		IRRIGATION	3.5
			NE	SE	6	IRRIGATION	27
			NW	SE		IRRIGATION	32
			SW	SE		IRRIGATION	3
			SE	SE	7	IRRIGATION	6.5
			SE	NW		MINING	
			NE	SW		MINING	
			NW	SW		MINING	
			NE	SE	6	MINING	
			NW	SE		MINING	
			SW	SE		MINING	
			SE	SE	7	MINING	
						Section Acres	90.7
						Total Acres	90.7

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:

15. Basis of Claim: Beneficial Use

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 A63-05295
Date Received 5-17-89 RLB
Receipt Number 0006835

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) The Vernon K. Brassey Family Partnership Phone (208) 342-0242

Mailing Address 3200 Treasure Dr., Boise, ID Zip 83703

2. Date of Priority (Only one (1) per claim) 1940

3. Source of water supply (a) Canyon Creek
which is tributary to (b) Clear Creek

4. a. Location of existing point of diversion is: Township 7N Range 4E Section 21,
NW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

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 Ditch 1/2 mile

long 6 cfs.

MICROFILMED

JUL 25 1994

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.

Janyon Creek Flat

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Mining purposes from 2-20 to 11-15 amount 6 cfs or _____

For Irrigation purposes from 4-15 to 10-31 amount 2.4 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 8.4 (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.) Used to mine placer gravel shown on map designated as Block BCDEF and G, 4443287 Cu yards. We will reclaim area for pasture land.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
7N	4E	21	5	5	40	40	5		5	40	5	X	X	X	5	5	X	X	155
											X					X			
		22							5										5

Total number of acres irrigated 160

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

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. _____ or None ()

14. Remarks: The trail Cr. ditch was dug in the late 1860's. I have dated this claim from the time the exploration work was done and the ditch was maintained. I purchased the property in 1950. The property was given to the Vernon K. Brassey Family Partnership July 14, 1988, Record No. 131796.

MICROFILMED

Last Name Brassey Ident No. _____

Copies: 1 State Year 1994 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.

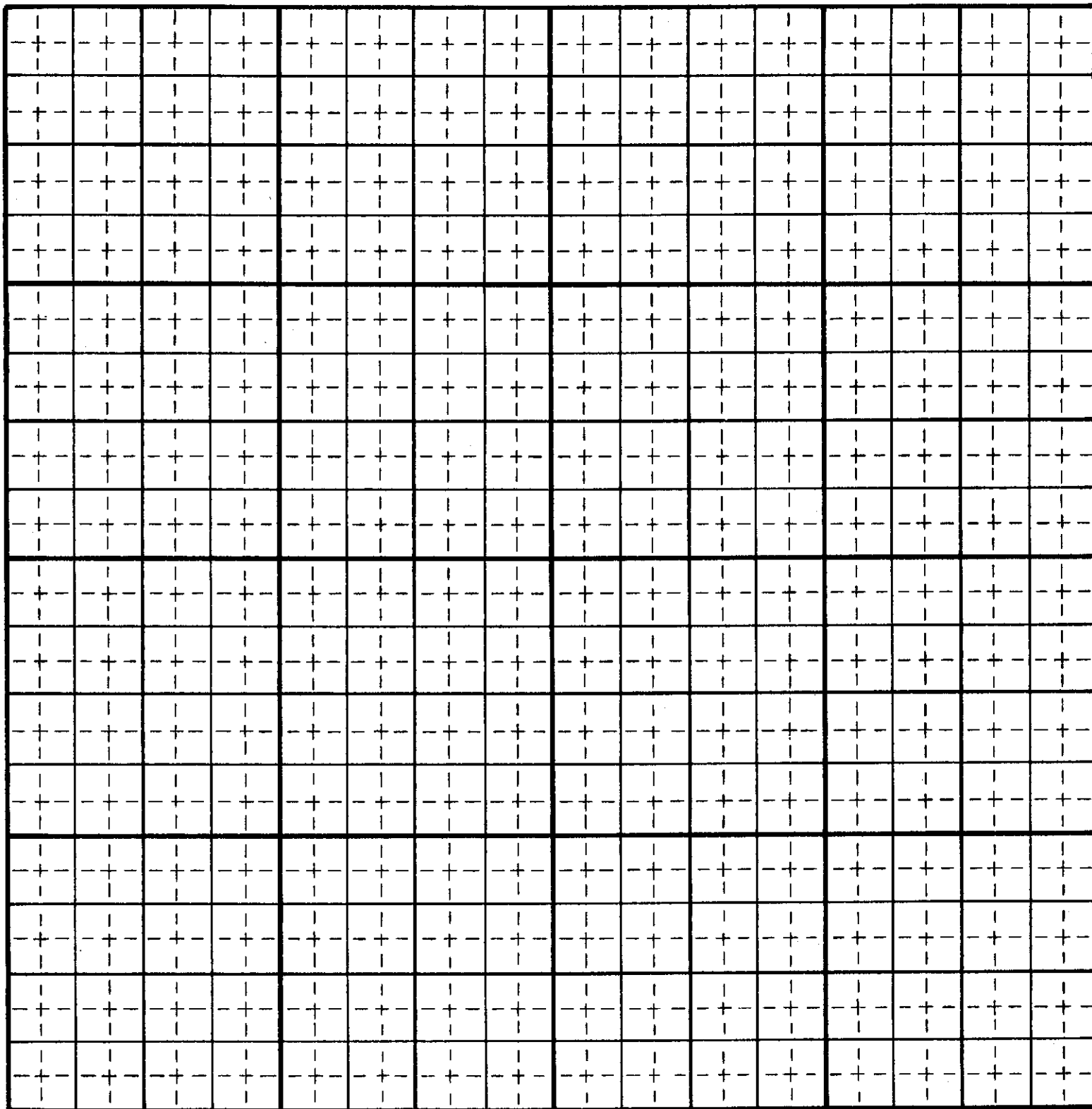
If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost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

Simple Grid Map

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

See attached maps.



MICROFILMED

Last Name

BRASSEY

Ident No.

Copies: White-State, *July 25 1994*

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

Decree _____

If applicable provide IDWR Water Right Number 63-5295

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 3

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Title

of The Vernon K. Brassey Family Partnership _____, that I have signed the foregoing

Organization

document in the space below as Managing Partner _____ of The Vernon K. Brassey Family Partnership _____

Title

Organization

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

Signature of Authorized Agent Vernon K. Brassey _____

Title and Organization Mgr., The Vernon K. Brassey Family Partnership Date 5-14-89

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 14 day of MAY 19 89

SEAL

Notary Public [Signature] _____

Residing at BOISE _____

My Commission Expires JUL 1 1990

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 _____ Ident. Number _____

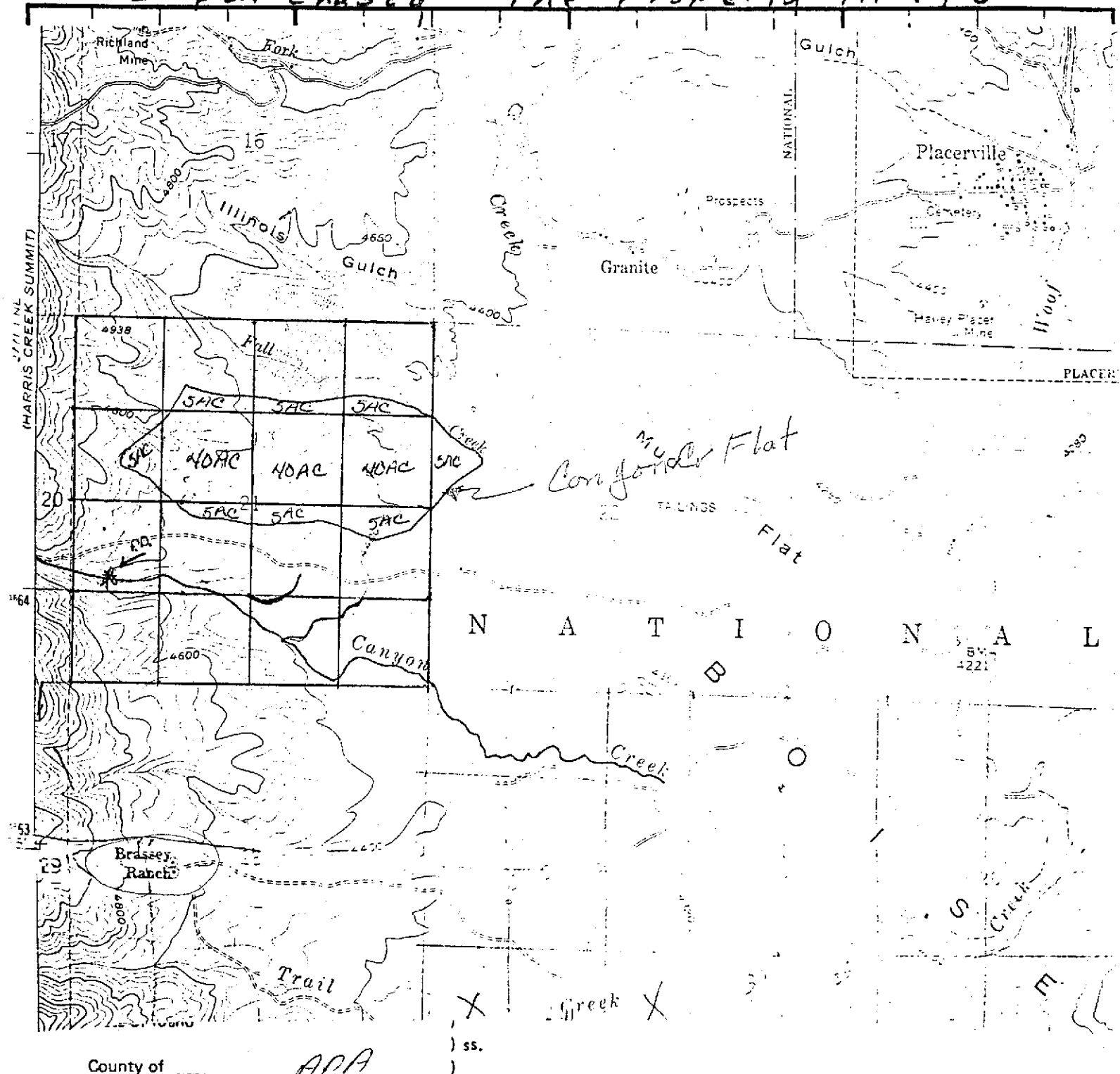
Copies White State, Yellow-Claimant

MICROFILMED

III 25 1994

POOR ORIGINAL

Remarks The trait Cr. ditch was dug in the late 1860's I have dated this claim when the exploration work was done and the ditch was maintained I purchased the property in 1950

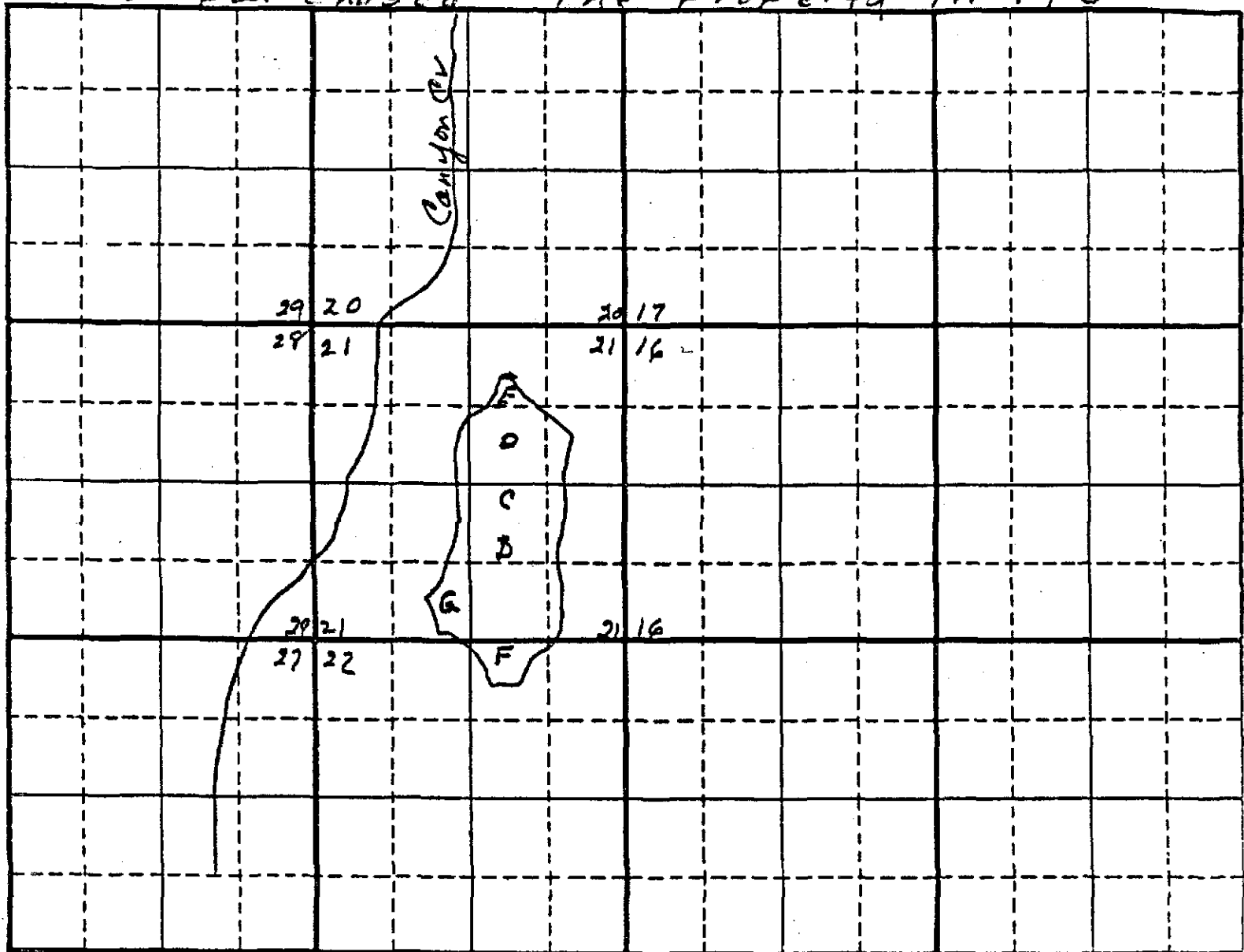


Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Leon K. Brassey MICROFILMED
(Claimed) JUL 25 1994

POOR ORIGINAL

(8) Remarks *The trait Cr. ditch was dug in the late 1860's. I have dated this claim when the exploration work was done and the ditch was maintained. I purchased the property in 1950.*



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of _____)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

MICROFILMED

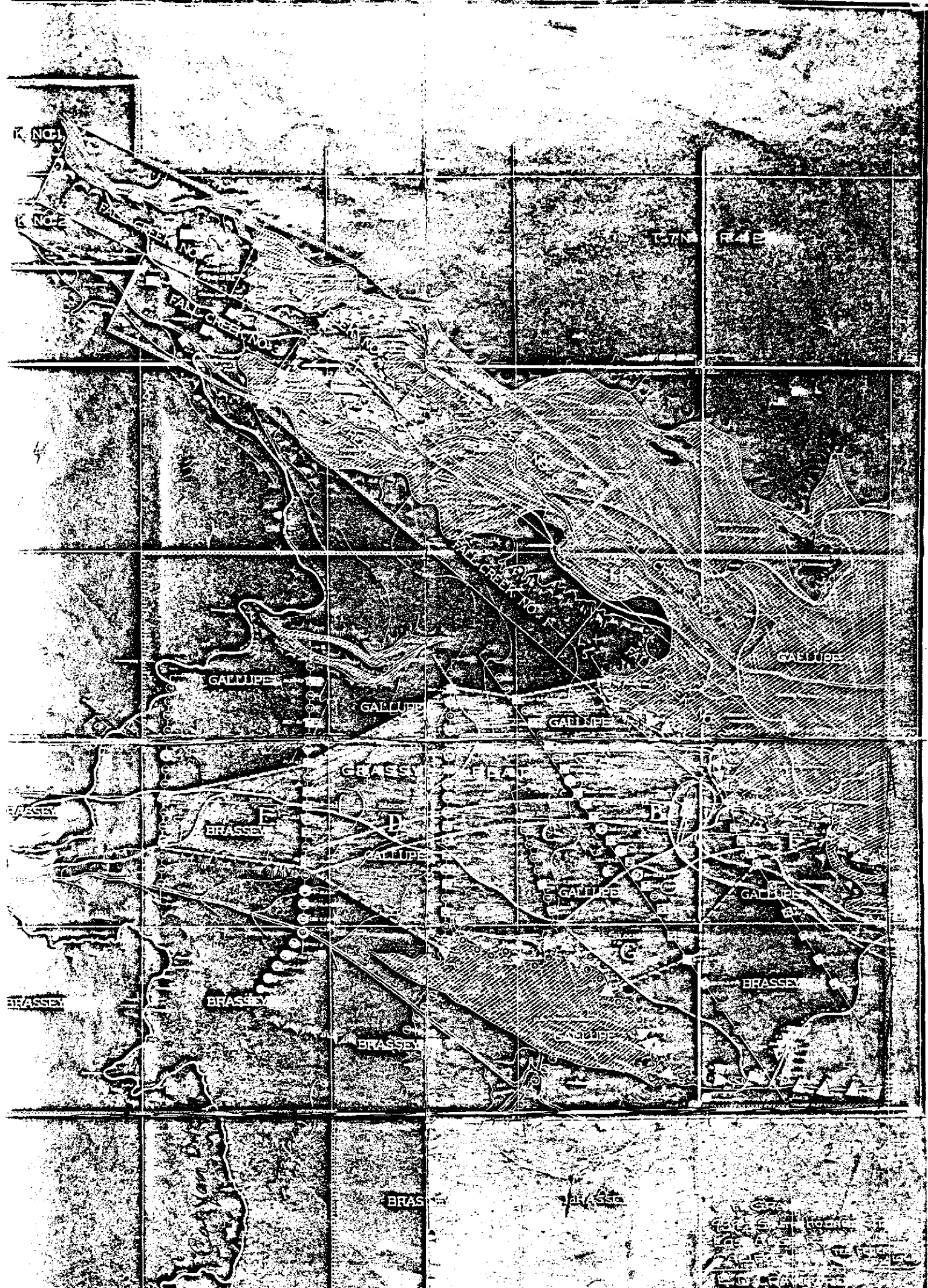
(Claimant) JUL 25 1994

Sworn to before me this _____ day of _____, 19____.

Canyon Creek Flat outlined in red

These = mining claims, not 40 acre sections

POOR ORIGINAL



SUMMARY OF VALUES DATE AUG 10 1940

SECTION	VALUATION	DATE	BY
1	100.00	8/10/40	L.D. CRAWFORD
2	100.00	8/10/40	L.D. CRAWFORD
3	100.00	8/10/40	L.D. CRAWFORD
4	100.00	8/10/40	L.D. CRAWFORD
5	100.00	8/10/40	L.D. CRAWFORD
6	100.00	8/10/40	L.D. CRAWFORD
7	100.00	8/10/40	L.D. CRAWFORD
8	100.00	8/10/40	L.D. CRAWFORD
9	100.00	8/10/40	L.D. CRAWFORD
10	100.00	8/10/40	L.D. CRAWFORD
11	100.00	8/10/40	L.D. CRAWFORD
12	100.00	8/10/40	L.D. CRAWFORD
13	100.00	8/10/40	L.D. CRAWFORD
14	100.00	8/10/40	L.D. CRAWFORD
15	100.00	8/10/40	L.D. CRAWFORD
16	100.00	8/10/40	L.D. CRAWFORD
17	100.00	8/10/40	L.D. CRAWFORD
18	100.00	8/10/40	L.D. CRAWFORD
19	100.00	8/10/40	L.D. CRAWFORD
20	100.00	8/10/40	L.D. CRAWFORD
21	100.00	8/10/40	L.D. CRAWFORD
22	100.00	8/10/40	L.D. CRAWFORD
23	100.00	8/10/40	L.D. CRAWFORD
24	100.00	8/10/40	L.D. CRAWFORD
25	100.00	8/10/40	L.D. CRAWFORD
26	100.00	8/10/40	L.D. CRAWFORD
27	100.00	8/10/40	L.D. CRAWFORD
28	100.00	8/10/40	L.D. CRAWFORD
29	100.00	8/10/40	L.D. CRAWFORD
30	100.00	8/10/40	L.D. CRAWFORD
31	100.00	8/10/40	L.D. CRAWFORD
32	100.00	8/10/40	L.D. CRAWFORD
33	100.00	8/10/40	L.D. CRAWFORD
34	100.00	8/10/40	L.D. CRAWFORD
35	100.00	8/10/40	L.D. CRAWFORD
36	100.00	8/10/40	L.D. CRAWFORD
37	100.00	8/10/40	L.D. CRAWFORD
38	100.00	8/10/40	L.D. CRAWFORD
39	100.00	8/10/40	L.D. CRAWFORD
40	100.00	8/10/40	L.D. CRAWFORD

FALL CREEK AND GRASSY FLAT
UNDER DIRECTION OF
L.D. CRAWFORD
SUMMER 1940

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: 1

For Organizations:

I do solemnly swear or affirm that I am a Managing Partner of
the Vernon K Bracey Family Partnership that I have signed the foregoing
Organization Title
document in the space below as Managing Partner of
the Vernon K Bracey Family Partnership and that the statements contained in the
Organization Title
foregoing document are true and correct.

Carol Lynn Bracey
Signature of Authorized Agent
Managing Partner, the Vernon K Bracey Family Partnership
Title and Organization
7-17-2002
Date

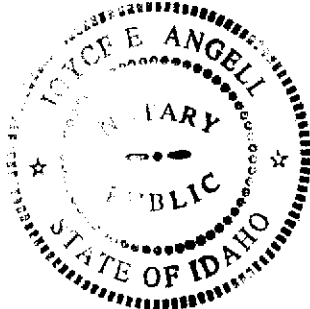
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this

July 17 2002

Joyce E. Gell
Notary Public

Residing at Boise, Idaho
My commission Expires 7-24-02



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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-5295
Date Received: 5/17/1989
Receipt No: C006835
Received By:

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

1. Name of Claimant(s)

VERNON K BRASSEY FAMILY PARTNERSHIP Phone: (208)342-0242
2602 TERRACE WAY
BOISE ID USA 83702

2. Date of Priority: 02/20/1940

3. Source: CANYON CREEK Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	04E	21	NW SW	BOISE	

5. Description of diverting works:

DIVERSION DAM & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	4	
MINING	02/20	09/30	0.45	

7. Total Quantity Appropriated is:
4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07N	04E	21	NW NE	IRRIGATION	5
			SE NE	IRRIGATION	40
			SW NW	IRRIGATION	5

SE	NW	IRRIGATION	40
NE	SE	IRRIGATION	5
NE	NE	IRRIGATION	5
SW	NE	IRRIGATION	40
NE	NW	IRRIGATION	5
NE	SW	IRRIGATION	5
NW	SE	IRRIGATION	5
NE	SE	MINING	
NE	SW	MINING	
NW	SE	MINING	
NW	SW	MINING	
NW	SE	MINING	
SE	NE	MINING	
SE	SE	MINING	

Section Acres 155

07N	04E	22	SW	NW	IRRIGATION	5
			SW	NW	MINING	

Section Acres 5

Total Acres 160

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:

15. Basis of Claim: Statutory Claim

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 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 _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20____

Notary Public

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. Number A63-05295

Date Received _____

Receipt Number _____

AMENDED NOTICE OF CLAIM
TO A
WATER RIGHT
AQUIRED UNDER STATE LAW

RECEIVED

NOV 29 2001

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant(s) Vernon K. Brassey Family Partnership Phone (208) 342-0242
Mailing Address 2602 Terrace Way Boise, Idaho Zip 83702
2. Date of Priority (Only one (1) per claim) 1940
3. Source of water supply (a) Canyon Creek
Which is tributary to (b) Clear Creek
4. a. Location of point of diversion is: Township 7N Range 4E Section 21, _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt.
Lot _____, B.M., County of Boise
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of
_____ $\frac{1}{4}$, 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 check and ditches culvert used to control diversion.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/15 to 10/15 amount 4.00 or _____

For Mining purposes from 2/20 to 9/30 amount 0.45 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.00 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Mining and prospecting occurs with portable equipment by pumping water from ditches used for irrigation.

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 ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	
7N	4E	21	5	5	40	40	5		5	40	5				5	5			155
		21				M					M	M			M	M		M	
		22							5										5
		22							M										

Total number of acres irrigated 160

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

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

_____ or None (XX)

14. Remarks:

The Trail Creek ditch was dug in the late 1860's. I have dated this claim from the time the exploration work was done and the ditch was maintained. I purchased the property in 1950. The property was given to the Vernon K. Brassey Family Partnership July 14, 1988, record no. 131796.

15. Basis of Claim (Check One) Beneficial Use XX Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 63-5295

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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." I/We do _____ do not XX 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) _____ Date _____

_____ Date _____

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

of Vernon K. Brassey Family Partnership _____, that I have signed the foregoing
Organization Title
document in the space below as Managing Partner of Vernon K. Brassey Family Partnership
Title Organization

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

Signature of Authorized Agent C. K. Brassey

Title and Organization Managing Partner

Vernon K. Brassey Family Partnership

Date 11/26/2001

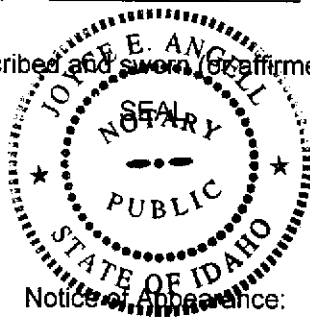
State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26th day of November 20 01

Notary Public Jose E. Angell

Residing at Boise, Idaho

My Commission Expires July 24, 2002



17. Notice of Appearance:

Please Print Name

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 Brassey Ident. Number A63-05295

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: **A63-05295**
Date Received: 5/17/1989
Receipt No: C006835
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: VERNON K BRASSEY FAMILY PARTNERSHIP 208-342-0242
Address: 3200 TREASURE DR
BOISE ID 83703

2. Date of Priority: FEB 20, 1940

3. Source: CANYON CREEK Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	04E	21		NW	SW		BOISE

5. Description of diverting works:
DIVERSION DAM & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/31	2.400		
MINING	02/20	11/15	6.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
PLACER MINING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	04E	21	NE	NE		IRR	5.0
			NW	NE		IRR	5.0
			SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	04E	21	SE	NE		IRR	40.0
			NE	NW		IRR	5.0
			SW	NW		IRR	5.0
			SE	NW		IRR	40.0
			NE	SW		IRR	5.0
			NE	SW		MINING	
			NE	SE		IRR	5.0
			NW	SE		IRR	5.0
			NW	SE		MINING	
						Section Acres	155.0
		22	SW	NW		IRR	5.0
						Section Acres	5.0
						Total Acres	160.0

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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

In Re SRBA)
)
Case No. 39576)
)
_____)

Subcase Nos. 63-5232, 63-5294, 63-5295, 63-5304

AFFIDAVIT OF VERNON K. BRASSEY

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

Vernon Keith Brassey, being first duly sworn, deposes and says:

1. I was born in 1923 and was raised in Placerville, Boise County, Idaho. My father, W.C. Brassey, had been in the Boise Basin area, and in particular Placerville, Idaho, since approximately 1913.
2. I am a resident of the City of Boise, County of Ada, State of Idaho, and reside at 3200 Treasure Drive, Boise Idaho. I also have a home near Placerville, Idaho, where I live a portion of each year.
3. I am the direct predecessor in title to the Vernon K. Brassey Family Partnership, an Idaho limited liability partnership, to property in Boise County, generally described as:

Township 7 North, Range 4 East, B.M., Boise County, Idaho:

Section 16: SESW
Section 21: NENE (Lot 1), NWNE (Lot 2), NENW (Lot 3), S1/2,
 S1/2NE1/4, SENW
Section 22: SWNW, NWSW, SWSW
Section 23: NESW (Lot 7), SENW (lot 4), SWNW (Lot 3)
Section 28: SW1/4, SENW, N1/2NW1/4

Exhibit A, attached hereto and incorporated herein, is a map of the Boise County property I owned and later conveyed to the Vernon K. Brassey Family Partnership.

4. A stream known as Canyon Creek runs through the property described in paragraph 3 above. A spring commonly referred to as the Brassey Spring but shown upon various maps as an unnamed spring also runs through the property described in paragraph 3 above. Brassey Spring is tributary to Canyon Creek. The water from the spring and Canyon Creek is utilized for the irrigation of adjacent grounds and has been for as long as I can remember. My parents used the spring water to irrigate the property for grazing cows, sheep, pigs and horses. The spring water also provided stock water for these same animals. I have continued irrigation from the spring since the late 1940's.
5. A stream known as Fall Creek runs through the property described in paragraph 3 above. Water from Fall Creek and Canyon Creek has been used for mining on adjacent lands as long as I can remember. A large Norwegian Community lived on this property from the early 1900's and used vast amounts of Canyon Creek water in their dredge mining operations. The Norwegians also panned gold and irrigated the land for grazing livestock. I was a friend of the Doaka brothers who were part of the Norwegian community that was dredge mining on the property. My uncle, Anthony Fairchild, and his wife Della had a placer mine on the property from approximately 1915 to the late 1950's and placer mined during those years. A dredge mine operated on the property until 1948, when I spent an entire summer tearing the dredge down and moving it to Long Valley in Valley County, Idaho. I have personally observed continuous mining activity on the property to the present.
6. A stream known as Woof Creek runs through the property described in paragraph 3 above. Water from Woof Creek has been diverted and impounded for a pond as long as I can remember. The pond was originally used for mining, then logging, and now for aesthetic purposes.
7. There are many ditches on the property described in paragraph 3 which I maintained for most of my life. They are still prevalent today and in the spring my son uses them to irrigate the adjacent ground. We still allow Frank Shields to run his sheep through our

property every year, which is one reason we irrigate the ground. Mr. Shields is not very good about paying us the contract rate we agreed on for using the property but I was raised to help my fellow man so I continue to let him bring the sheep. Prior to Mr. Shields, we always let the Basque shepherders graze their sheep on the property, even though they started a few forest fires over the years. Sometimes they'd give us a sheep or two in return.

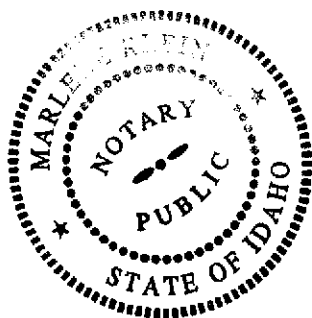
8. Canyon Creek, Brassey Spring (also known as an unnamed spring), Fall Creek, and Woof Creek were used prior to my acquisition of the above-described property and the reputation in the area was that the springs and creeks were utilized from the first settlement of the area, being approximately 1863.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 17th day of July 2002.

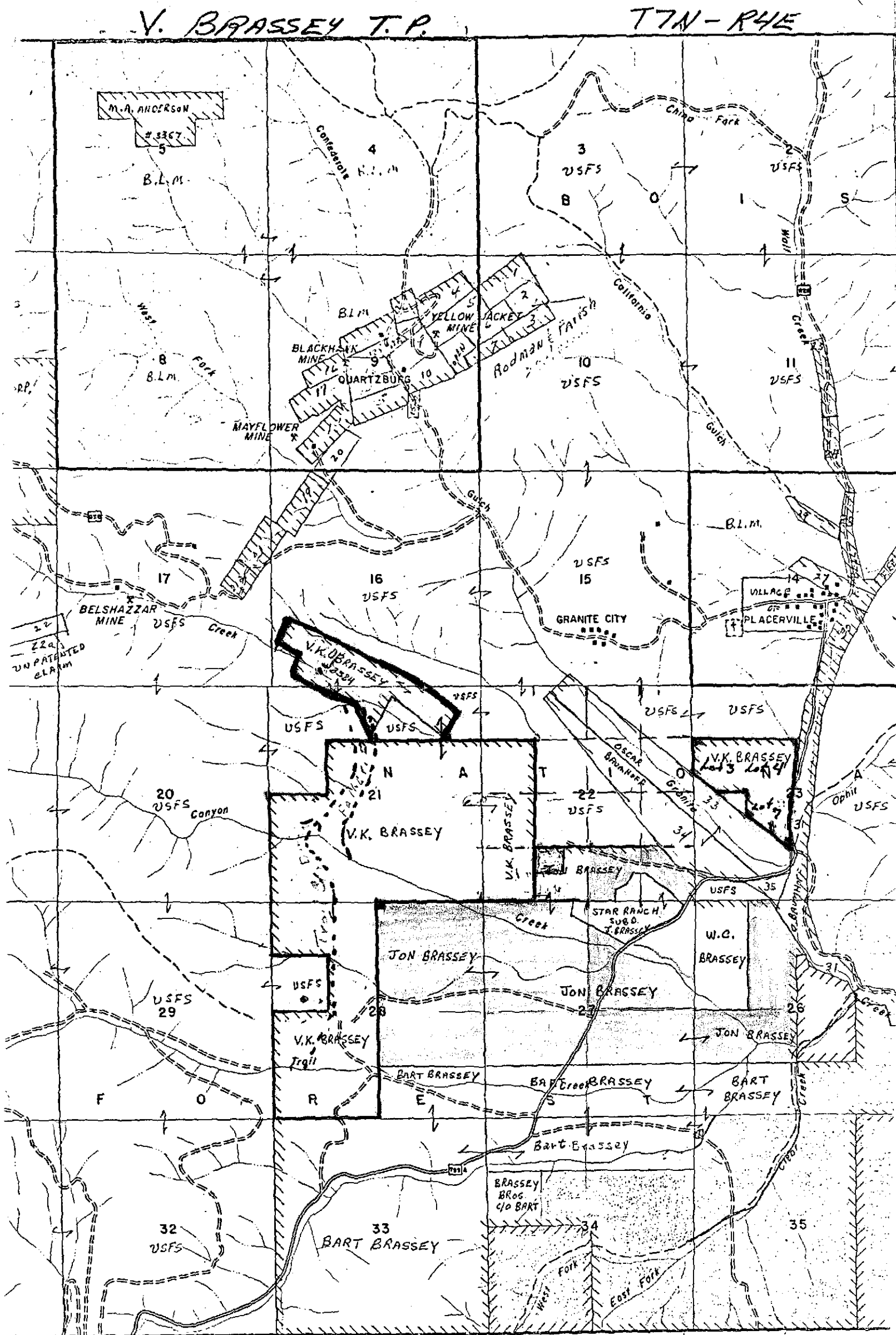
Vernon K. Brassey
Vernon K. Brassey

SUBSCRIBED AND SWORN to before me this 17 day of July 2002.



ZA30155332

Marlene Klein
Notary Public in and for the State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 11/7/07



02/08/93 15:48:07
Page 1
\$810.00

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808NP
(OD-26)

Water Right Number - 63-05295 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BRASSEY
VERNON K.
1 - 3200 TREASURE DR.
2 -
3 -
City- BOISE State- ID Zip- 83703
Phone -
ISABEL J.
1 - 3200 TREASURE DR.
2 -
3 -
City- BOISE State- ID Zip- 83703
Phone -

+ - - Priority Date - - - + - - - Region - - - + - - - Stage - - - + - - - Status - - - +
02/20/1940 - - - 14 WESTERN S - STATUTORY CLAIM
+ - - - - Source - - - - + - - - - Tributary - - - - - +
CANYON CREEK CLEAR CREEK
+ - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code)
TwN Rng Sec Tract Lot RFlg County
07N / 04E / 24 / NW SW (15) BOISE

+ - - - - Description - - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - -
Code
01 - IRRIGATION
13 - MINING
05/15 09/01
02/20 11/15
2.400
6.000

+ - - Total Div. Rate - - + - - Total Div. Volume - - + - - Total Div. Capacity - - +
8.400

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
07N	04E	21	NE NE	5.0	01	IRRIGATION	(15)	BOISE	(15)
07N	04E	21	NW NE	5.0	01	IRRIGATION	(15)	BOISE	(15)
07N	04E	21	SW NE	40.0	01	IRRIGATION	(15)	BOISE	(15)
07N	04E	21	SE NE	40.0	01	IRRIGATION	(15)	BOISE	(15)
07N	04E	21	NE NW	5.0	01	IRRIGATION	(15)	BOISE	(15)
07N	04E	21	SW NW	5.0	01	IRRIGATION	(15)	BOISE	(15)
07N	04E	21	SE NW	40.0	01	IRRIGATION	(15)	BOISE	(15)
07N	04E	21	NE SW	5.0	01	IRRIGATION	(15)	BOISE	(15)
07N	04E	21	NE SE	5.0	01	IRRIGATION	(15)	BOISE	(15)
07N	04E	21	NW SE	5.0	01	IRRIGATION	(15)	BOISE	(15)
07N	04E	22	SW NW	5.0	01	IRRIGATION	(15)	BOISE	(15)
07N	04E	21	NW SW	13	MINING	(15)	BOISE	(15)	(15)
07N	04E	21	SW SW	13	MINING	(15)	BOISE	(15)	(15)
07N	04E	21	SE SW	13	MINING	(15)	BOISE	(15)	(15)
07N	04E	21	SW SE	13	MINING	(15)	BOISE	(15)	(15)
07N	04E	21	SE SE	13	MINING	(15)	BOISE	(15)	(15)

Water right number - 63-05295 Prefix Translation: WATER RIGHT

Trn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
Total Acres: 160.0								
+ - - Diversion Means - DIVERSION DAM & DITCH								
+ - - Non-Irrigation Use -								
+ - - Other Rights for Same Use -								
+ - - Remarks - No Remarks found.								
+ - - Old Water Right Numbers found.								
+ - - Conditions of Approval -								
+ - - Decree Plaintiff - - - Decree Defendant - - - Decree Date - - 00/00/0000								
+ - - Comments - No Comments Found								

+ - - Audit Fields - 02/07/86 05/01/88 CONVERT

Water Rights Dates and Flags Area			
Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -	
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -	
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P	
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -	
Order Show Cause - 00/00/0000	Receipt Number -	Water District -	
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -	
Decree Date - 00/00/0000	Presumption Flag -		

MICROFILMED
JUL 25 1994

07/19/2002

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

RIGHT NUMBER: 63-5295

NAME AND ADDRESS: VERNON K BRASSEY FAMILY PARTNERSHIP
2602 TERRACE WAY
BOISE ID 83702

SOURCE: CANYON CREEK

TRIBUTARY: CLEAR CREEK

QUANTITY: 1.88 CFS

PRIORITY DATE: 04/01/1863

POINT OF DIVERSION:

T07N R04E S21 SWNWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.880 CFS
MINING	02/20 09/30	0.440 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T07N R04E S21	SENW	0.7	T07N R04E S21	NESW	18.0
T07N R04E S21	NWSW	3.5	T07N R04E S21 Lot 6	NESE	27.0
T07N R04E S21	NWSE	32.0	T07N R04E S21	SWSE	3.0
T07N R04E S21 Lot 7	SESE	6.5			

MINING same as IRRIGATION

90.7 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: Beneficial Use

BEEMAN & ASSOCIATES, P.C.

Counselors and Attorneys at Law
409 West Jefferson Street
Boise, Idaho 83702-6049

Josephine P. Beeman
jo.beeman@beemanlaw.com

Telephone
(208) 331-0950
Facsimile
(208) 331-0954

July 19, 2002

Via hand delivery

Ron Howerton
IDWR Western
2735 Airport Way
Boise, ID 83705

RECEIVED

JUL 19 2002

WATER RESOURCES
WESTERN REGION

Re: Vernon K. Brassey Family Partnership
Amended SRBA Notices of Claim 63-5232, 63-5294, 63-5295, 63-5304
Affidavit of Vernon K. Brassey

Dear Ron:

I enclosed the following signed and notarized SRBA amended claims for the Vernon K. Brassey Family Partnership:

1. 63-5232 (Woof Creek/Aesthetic and diversion of storage)
2. 63-5294 (Brassey Spring/Irrigation)
3. 63-5295 (Canyon Creek/Irrigation and Mining)
4. 63-5304 (Fall Creek/Mining)

Each amended SRBA claim has a priority date of April 1, 1863. The Affidavit of Vernon K. Brassey supports the April 1, 1863 priority date and is provided as an attachment to each amended claim.

We appreciate your continuing assistance in the investigation and amendment of these claims.

Sincerely,

BEEMAN & ASSOCIATES, P.C.


Josephine P. Beeman

JPB:cjf
Enclosures
cc: Carol Lynn Brassey w/encl
David B. Shaw, ERO Resources w/encl
Z33015\5335

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-5295

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: AUG 10, 1940 1863

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

Rock / PLASTIC DAM, GRAVITY DITCHES**OVERLAP REVIEW**Other water rights with the same point of diversion: NONE

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES☒ No change☐ Different UsesCORRECTED IRRIG SEASON TO STANDARDS
& ADJUSTED DTY OF WATERUse IRR From 4-1 To 10-31 Amount 1.88 CFS _____ AFAUse MINING From 2-20 To 9-30 Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:

IRR SAME AS: Place of Use <u>MINING</u>			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	4E	21								.7	18	3.5			27	32	3	6.5	90.7
															lot 6			lot 7	

Overlap with other water rights: NONE

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: ROCK PLASTIC DAM, GRAVITY DITCHES FOR IRRIGATION AND MINING, 5.5 HP PUMP FOR PLACER MINING WASHING, GRAVEL THROUGHOUT THE IRRIGATION DITCHES IN THE SAME PLACE OF USE AS IRRIGATION.

- MINING Pump - SEE COPY OF SPECS.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
		5.5		SEBZUL	CODE 16340
					195 GPM

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

IRR. MANNING MEASUREMENT SHOWED CAPACITY OF 1.97 CFS

± Duty of water (90.7 ACRES)(.02) = 1.81 CFS = IRR

+ Ditch LOSS ADDED FOR IRR = .07 = 1.88 CFS

MINING - GAS Pump RATED AT 195 GPM = 195/440.8 = .44 CFS

SEE ATTACHED SYSTEM DIAGRAM FOR
ADDITIONAL INFORMATION.

SEE PHOTOS & MEASUREMENT FORMS

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 6-24-02

FIELD EXAMINER: Ron Howerton

Ron Howerton
Sr Water Agent

SYSTEM DIAGRAM

FX CANYON CR 63-5295

6-24-02

ACCOMPANIED BY VERN BRASSEY & DAVE SHAW

GPS POD

Photos: POD - ROCK PLASTIC DAM

CULVERT FROM POD

Ditch just below POD

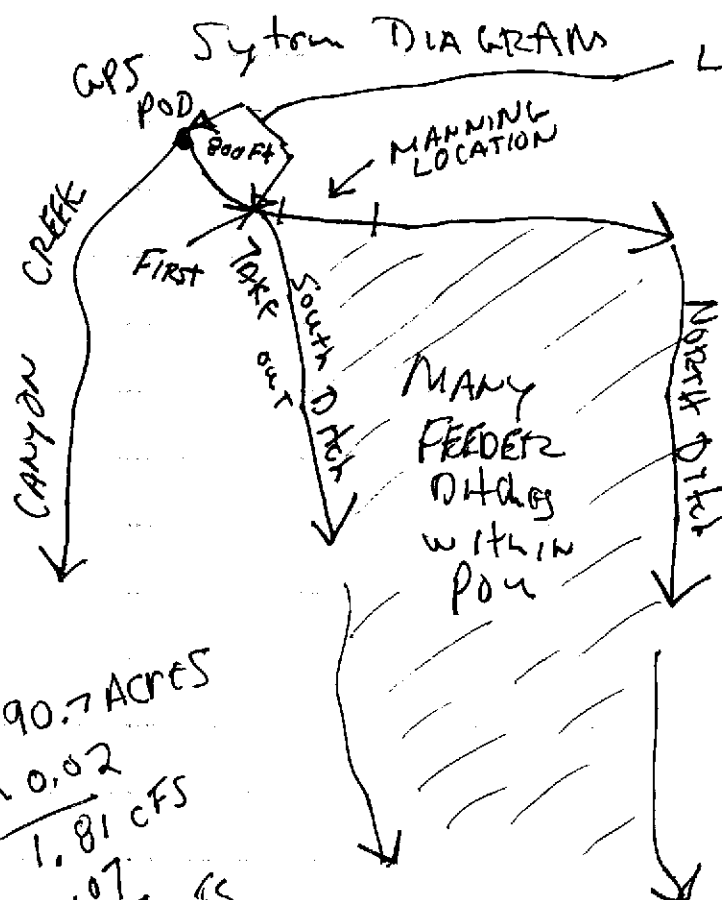
TAKE OUT (1st)

MANNING LOCATION (Just below ABOVE TAKE OUT)

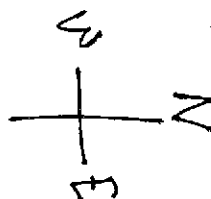
PON MIDDLE OF FIELD LOOKING WEST (NWSE)

PON LOWER LOOKING WEST (NESE)

SOME
NOTE: INCORRECT TRACTS
WERE CLAIMED
VERN BRASSEY &
DAVE SHAW AGREED
WITH MY FIELD
MAP TO THE
PLACE OF USE



LOCATION FOR DITCH LOSS CALC.
DECOMPOSED GRANITE
MEDIUM SIZE ROCKS
& COARSE SAND.



CLAIMANT (PLACER MINING)
WASHES 5.5 HP
GRAVEL with PORTABLE GAS PUMP

MINING - USES:

5.5 HP Pump

rated at: 195/448.8

195 GPM = .44 cfs

MANNING FOR ITR

MAX 1.97 cfs

$$\begin{array}{r} 90.7 \text{ Acres} \\ \times 0.02 \\ \hline 1.81 \text{ cfs} \\ + .07 \\ \hline 1.88 \text{ cfs} \end{array}$$

$$\begin{array}{r} \text{MINING} \\ .44 \text{ cfs} \\ \hline \text{TOTAL IS} \\ 1.88 \text{ cfs} \end{array}$$

☐ **SEB2RL E5IC**

2" 5.5 HP Flows to 240 GPM

2 pulgadas 5.5 Caballos de fuerza

Capacidades de hasta 240 GPM

☒ **SEB2UL E5IC**

2" 5.5 HP Flows to 195 GPM

2 pulgadas 5.5 Caballos de fuerza

Capacidades de hasta 195 GPM

SEB2UL E5IC

CODE 16340

← on NAME PLATE



Photo 1. FX 6-24-02 by RDH. 63-5295 point of diversion. Located by GPS in the SWNWSW, S21, T07N, R04E. Rock and plastic dam.



Photo 2. Culvert from above POD to ditch.



Photo 3. Ditch at POD location, ditch has decomposed granite with broken rocks and coarse sand. Length of ditch to first take out is 800 feet, per GPS map measurement.



Photo 4. First takeout location 800 feet from POD. Washing gravel for mining is accomplished by pumping water from these ditches throughout the place of use.



Photo 5. Manning measurement location in the NWSW, S21, T07N, R04E.

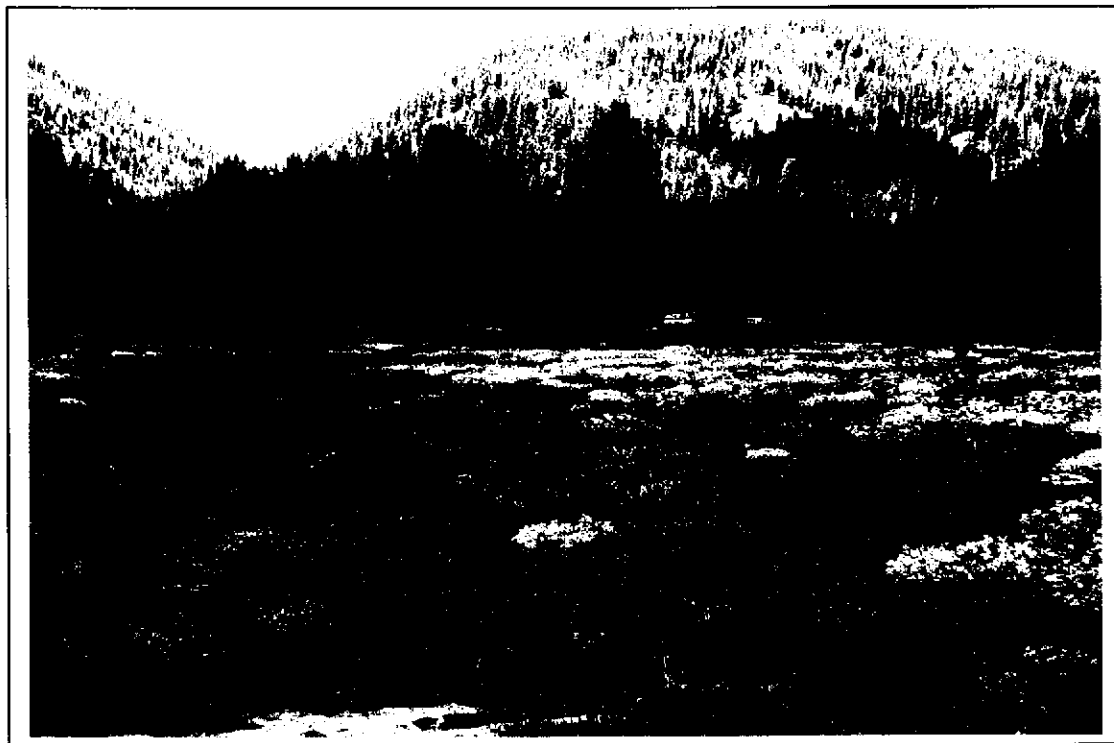


Photo 6. Place of use for irrigation looking West from the NWSE , S21.



Photo 7. Place of use for irrigation West from the NESE, S21.

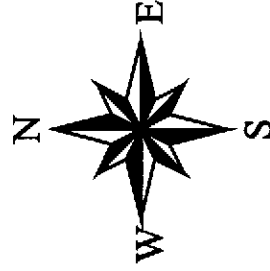
IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-05295
Updated: 6-26-02
Prepared By: Ron Howerton



0 0.25 0.5 0.75 1 Miles

T07N, R04E
S21

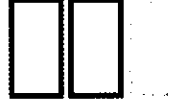


④ Point of Diversion

Place of use

Section

Quarter/Quarter



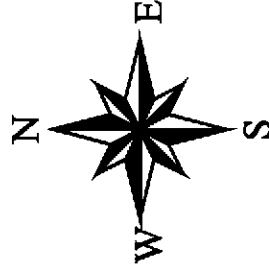
90.7 Acres

1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-05295
Updated: 6-26-02
Prepared By: Ron Howerton

T07N, R04E
S21



● Point of Diversion

□ Place of use

□ Section

□ Quarter/Quarter

1987 NAPP



1 Miles

0.75

0.5

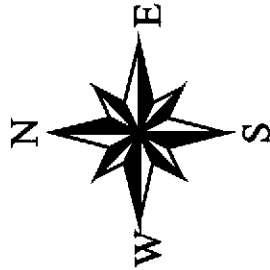
0.25

0

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-05295
Updated: 6-26-02
Prepared By: Ron Howerton

T07N, R04E
S21



- Point of Diversion
- Place of use
- Section
- Quarter/Quarter

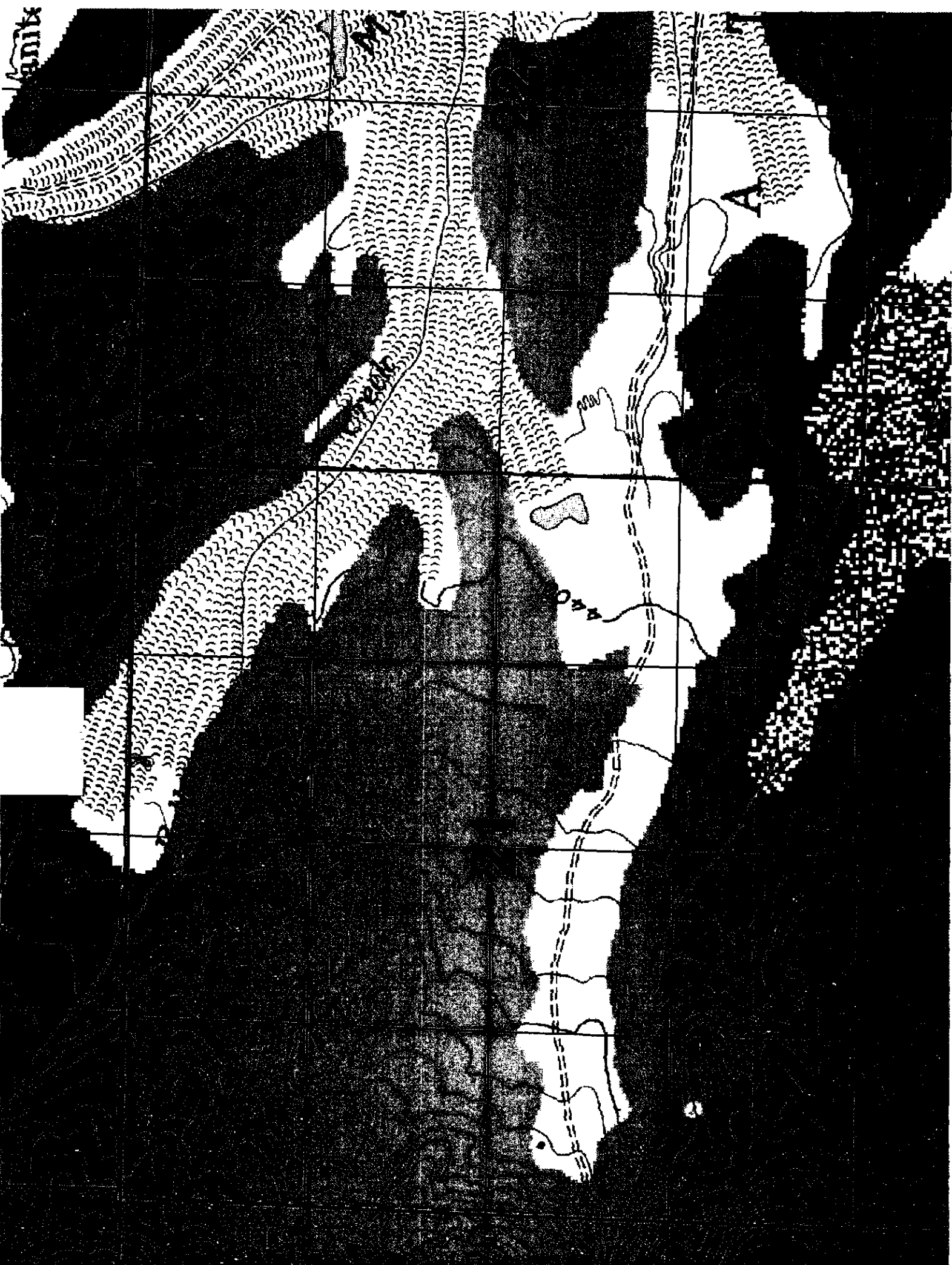
1987 NAPP



A635295

FIELD MAP

35
32



MANNING EQUATION CHANNEL CAPACITY RESULTS

06-26-2002

File Number: 63-5295

Claimant: BRASSEY

Channel measured: CANYON CREEK DITCH

Date of measurement: 6-24-02

Measurement location:

Calculation prepared by: RDH

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 123 feet.

The upstream and downstream rod readings are 5.65 and 6.05 feet.

The channel cross section is 1.15 ft-sq.

The wetted perimeter is 3.22 feet.

The hydraulic radius is 0.36 feet.

The slope is 0.0033

The roughness coefficient is 0.0250

The flow velocity is 1.712 ft/sec.

The rate of flow is 1.97 cfs.

CROSS SECTION NUMBER 1

For File Number 63-5295 for the CANYON CREEK DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.50	0.50	0.50
3	0.50	0.50	1.00
4	0.50	0.50	1.50
5	0.50	0.50	2.00
6	0.50	0.50	2.50
7	0.00	0.00	2.60

The area for this cross section is 1.15 square feet
and the wetted perimeter is 3.22 feet.

Claim Number(s): 63-5295

Name of Claimant(s): BRASSEY

Name of Ditch, Canal, or Stream: CANYON CREEK Ditch

Date of Measurement: 6-24-02 Data Collected By: Rdh

Measurement Location: 1/4 1/4 Section T R

Cross Section Data

Basis: high water mark(☒) maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
1. <u>0</u>	<u>0</u>	7. <u></u>	<u></u>
2. <u>.5</u>	<u>.5</u>	8. <u></u>	<u></u>
3. <u>.5</u>	<u>1.0</u>	9. <u></u>	<u></u>
4. <u>.5</u>	<u>1.5</u>	10. <u></u>	<u></u>
5. <u>.5</u>	<u>2.0</u>	11. <u></u>	<u></u>
6. <u>.5</u>	<u>2.5</u>	12. <u></u>	<u></u>
<u>0</u>	<u>2.6</u>		

Slope Data

Basis: high water mark() channel bottom() land surface()

Level Readings:	upstream	downstream	
upper stadia	<u>5.97</u>	<u>5.92</u>	
center	<u>5.65</u>	<u>6.05</u>	
lower stadia	<u>5.35</u>	<u>5.31</u>	channel length
stadia difference	<u>(.62 + .61)</u> x 100 = <u>123</u>		

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes(☒)

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	X	(1)	negligible	.000	X	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000	X	(1)	low	.005	X	(1)
minor	.005		(2)		.010		(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	X	(1)	minor	1.00	X	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER:

Row Howerston

FIELD EXAM DATE:

6-24-02

FOR CLAIM(S)

63-5295

FORMULA: $S = (W)(i)(0.0667)$

Where: S = Loss in CFS per Mile

W = The top width of the high water mark in feet

i = The loss rate in feet per day (see table)

0.0667 is a factor used to convert to CFS per mile

TABLE:

Type of Soil	Loss Rate i (Ft/Day)
Medium clay loam.....	0.5 to 1.5
Impervious clay.....	0.5
Medium soils.....	1.0
Somewhat pervious soils.....	1.5 to 2.0
Gravel.....	2.5 to 5.0

DECOMPOSED
GRANITE

WORK SHEET

$W = (2.9 \text{ FT})$ $i = (2.5 \text{ FT/DAY})(0.0667)$

$S = .48 \text{ CFS/MILE}$

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = $(.48 \text{ CFS/MILE})(.15 \text{ MILE})$

CONVEYANCE LOSS =

.07 CFS

TOP OF DITCH = W

MAP MEASUREMENT

Section 1 = 2.6

Length in Inches = _____ = A

Section 2 = 3.2

Map Scale: _____ In. = 1 Mile = B

Section 3 = _____

Total... = 5.8

$A/X: B/5,280 = \text{Ft}/5,280 = \text{Mile}$

/2 or 3... = 2.9 = W

$800/5280 = .15 \text{ MILE}$

Data/forms/Conv.los.doc

GIS
MEASUREMENT

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: CANYON CR 63-5295 BY: RDH DATE: JUNE 24, 2002

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	800	2.9	2.50	0.07		0.00	0.0000	0.00	0.07
2				0.00		0.00	0.0000	0.00	0.00
3				0.00		0.00	0.0000	0.00	0.00
4				0.00		0.00	0.0000	0.00	0.00
5				0.00		0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	800			0.07	0.00			0.00	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY;
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;
IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE
PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 07/01/02
Time: 12:46:37

Rec/No - C006835 AR/No -
From: - BRASSEY, CAROL L.

Receipt Type - CK Doc/No - 2407
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 05/17/1989

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	9337		410162	6490		1525.00

Total Due - 1525.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6305232	210.00	A6305304	420.00	A6305294	60.00
A6305293	25.00	A6305295	810.00		

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

Boise, Idaho
August 10, 1940

W. C. Brassey
Placerville, Idaho

Dear Sir

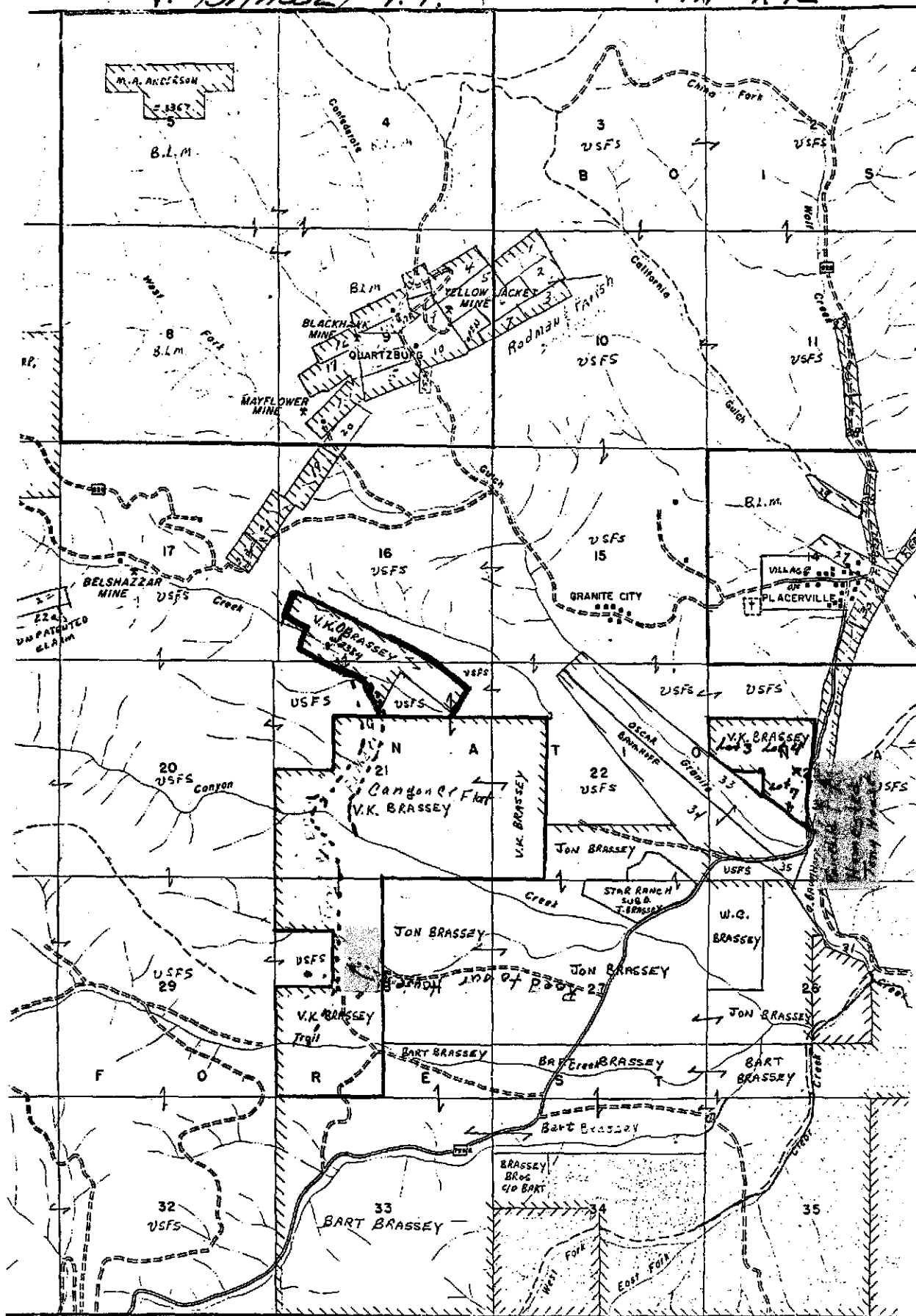
This is to confirm our oral understanding that when I and my successors and assigns have permanently abandoned mining operations on the property purchased and leased from you, and on the property covered by the Peck lease and option, and on the property covered by the Edna Gallupe lease and option, and on the property covered by the Stiles and Tucker lease and option, I will convey to you the water and water rights used by me in said mining operations.

I shall be glad to sign a formal agreement covering our oral understanding if you care to submit such an agreement to me, the same to be in form satisfactory to me.

Yours truly,


L. D. CRAWFORD

T7N-R4E





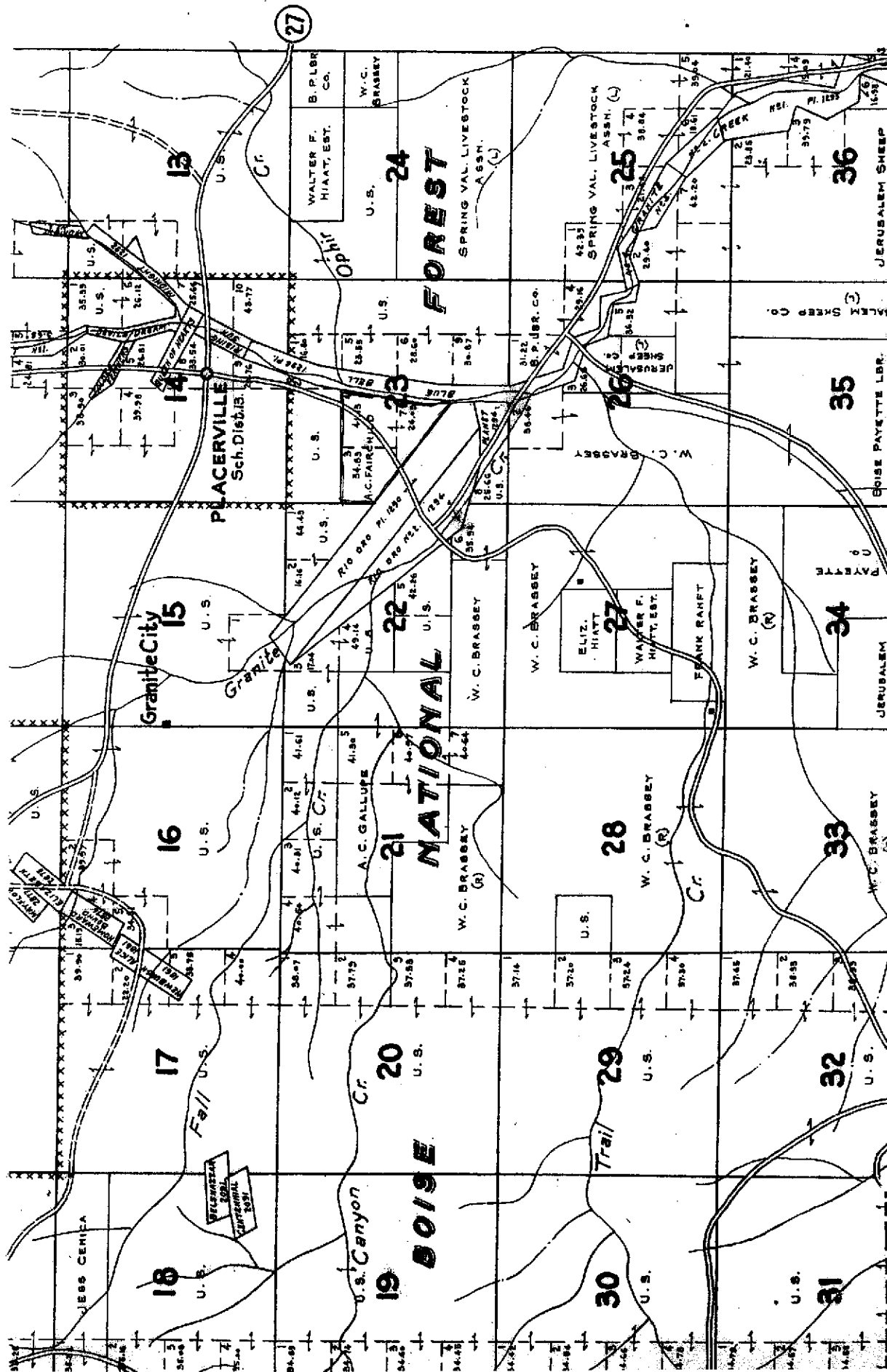
DATE	DESCRIPTION	REMARKS
1939	...	...
1940	...	...
1941	...	...
1942	...	...
1943	...	...
1944	...	...
1945	...	...
1946	...	...
1947	...	...
1948	...	...
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1996	...	...
1997	...	...
1998	...	...
1999	...	...
2000	...	...

739 SOUTH HOUSTON ST.
LOS ANGELES
CALIFORNIA TEL. FEVER 9-1061

L. D. CRAWFORD
4187 HERRING RD.
LOS ANGELES, CALIF.

EXPLORATION

FALL CREEK AND GRASSY FLAT
UNDER DIRECTION OF
L. D. CRAWFORD
FALL 1939
SUMMER 1940



BULLION DEPOSIT - MEMO REPORT

Mint Form 42K
(Revised)
SOURCE DATA

Deposit No. 35 Date June 20, 1958 Memos Required by Depositor 3 Silver Price or Class 88¢ State Idaho
Depositor A. A. Fairchild Other Data County Boise
Placerville, Idaho. Mine Fairchild

Description of Deposit	Assay Number	Weights				ASSAY CERTIFICATE FINESS			Refin. Cts. Per Oz.	GOLD—FINE OZ.	SILVER—FINE OZ.
		Before Melt		After Melt		Gold	Silver	Base			
		Ounces	Dec	Ounces	Dec						
Amalgam & Grains	57	33.80		31.02		798 1/2	155	046 1/2	\$ 8	24.777	4.00
PAYABLE BY CHECK EXCEPT AS NOTED											
		② Weigh Clerks				Asst. Assayer		Assayer			

The Idaho First National Bank
P. O. Box 140, Boise, Idaho.

Melting 2.50
Refining 2.40
Handling 2.17
Other Chg.
TOTAL CHRGs. 7.15

VALUES, \$
NET VALUE
Bars
Cash
Check

807.20
864.27

Calculator

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		Before Melt		After Melt		Gold	Silver	Base			
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PAYABLE BY CHECK EXCEPT AS NOTED											
		Weigh Clerks				Asst. Assayer		Assayer			

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Melting 2.50
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Other Chg.
TOTAL CHRGs. 7.15

VALUES, \$
NET VALUE
Bars
Cash
Check

807.20
864.27

Calculator

63-5295

MINING DEED.

THIS INDENTURE, made this 26th day of August, 1950, between Baumhoff-Marshall, Inc., a corporation organized under the laws of the State of Idaho, and doing business at Centerville, Idaho, party of the first part, and Vernon K. Brassey, Barton A. Brassey and Jon W. Brassey of Placerville, Idaho, parties of the second part, WITNESSETH:

That the said party of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00), to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have GRANTED, BARGAINED, REMISED, RELEASED, and FOREVER QUITCLAIMED, and by these presents does grant, bargain, remise, release and forever quitclaim unto the said parties of the second part, and to their heirs and assigns, the following described property situate in Boise County, State of Idaho, to-wit:

Item 1. The Fall Creek and Fall Creek Nos. 1, 2, 3, 4, 5 and 6 patented mining claims, Sur. No. 3384 containing approximately 112.53 Acres, the patent for which is on record in the office of the County Recorder of Boise County in Book 8 of Patents on Page 235.

Item 2. The Canyon and Canyon No. 1, patented placer mining claims, the patent for which is on record in the office of the County Recorder of Boise County in Book 8 of Patents on Page 233, together with all surface rights in and to the lands embraced in the above described Canyon and Canyon No. 1 placer mining claims, the same also being described as follows:

Canyon Placer Mining Claim comprising the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}/NW\frac{1}{4}$), of Section 22 and Lot No. 5, the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}/NE\frac{1}{4}$), and the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4}/NW\frac{1}{4}$), of Section 21, T 7 N, R 4 E of the B.M.

Canyon No. 1 Placer Mining Claim comprising the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}/SW\frac{1}{4}$), of Section 22 and Lots Nos. 6 & 7 and the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}/SW\frac{1}{4}$), of Section 21, T 7 N, R 4 E of the B.M.

Item 3. The Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}/SW\frac{1}{4}$), of Section 21, except minerals and mineral rights therein; together with the tenements, hereditaments and appurtenances, including water and ditches thereunto belonging or in any wise appertaining.

Item 4. All that portion of the Lux Placer Mining Claim

which is located over the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ /SW $\frac{1}{4}$), of Section 21, T 7 N, R 4 E of the B.M., the location notice of said Lux Placer Mining Claim is recorded in Book 12 of Placer Locations at Page 391.

Together with all water and ditch rights, if any, appurtenant to the whole or any part of the above described property.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances and privileges thereto incident, unto the said parties of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set their hand and seal the day and year first above written.

BAUMHOFF-MARSHALL, INC.

By A. F. Baumhoff
President

STATE OF IDAHO)
) ss.
County of Boise)

On this 26th day of August, in the year 1950, before me Hermette Tennad, a Notary Public in and for said County and State, personally appeared A. F. Baumhoff, known to me and as President of the Baumhoff-Marshall, Inc., whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

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

Hermette Tennad

Notary Public for Idaho,
Placerville, Idaho.
My Commission expires:

April 8, 54

A Tribute to Willis Brassey

By Spike Ericson

Willis C. Brassey, one of Boise Basin's well-known residents died of natural causes Sunday, September 9, 1984 in a Boise hospital. He was almost 90 years old. From 1916 to 1940 he lived in Placerville. His parents, Cenia and Christian Brasse, moved to Idaho from Nevada in 1880 according to records from the State Historical Society. Christian changed the family name from Brasse to Brassey so that his mail would not be confused with his neighbor's, who spelled their name Braase.

Willis Brassey was born in Middleton in 1894 and grew up from age five in Pearl, Idaho. In the small mining camp of Pearl young Willis learned all about the mining trade. When he was 18 he was driving the mail from Horseshoe Bend to Pearl. The next year he worked 500 feet down in a mine near Placerville. Right away he opened his own "auto livery" business running passengers between Boise and the Placerville-Centerville area for \$5.00 per person. He had saved money through his various jobs and bought a 1915 Studebaker which he soon traded in on a new 1916 seven-passenger Cadillac. He left this thriving business in 1917 to join the war effort and spent two years in France with the 20th Engineers division of the Army. When he returned home he bought a logging truck and supplied many of the area mines with timber.

Brassey also hauled ore to Centerville and to the Boise assay office from the Gold Hill, the Belshazzar, the Mountain Chief, and the Mayflower mines. All the ore went through the mills at the mines and the concentrates were hauled down along with his timber runs. The concentrates were stored at the mills during the winter. Sometimes as much as five- to seven-hundred tons would be hauled by Brassey in the spring to Centerville, where it would be loaded in to boxcars and shipped to Murray, Utah to recover the gold values. With his old Cadillac Brassey often hauled gold retorts, melted down at the mills, to the Boise assay office. One chunk from the Gold Hill was worth \$51,000. He kept the "Gold buttons" in an oak box under the seat of the stage car and the passengers never knew there was any such cargo. "The assay office was a very efficient, very good agency of the government" in those days. "It really was the thing that started the development of this whole area around here. That's why the people came here in the first place, was the mining; that's all that ever brought 'em."

Brassey continued hauling ore until 1931 when that big forest fire came into the Boise Basin. That burned all the mines up there... And there's really been no mining to amount to anything up there since



William Brassey at age 25

Willis C. Brassey 1894 - 1984

Brassey, who was almost caught in the fire when it broke out said it was started by a man who came over the Jerusalem Summit with a couple of horses; and "he must have thrown a cigar or a match on the road up near the Belshazzar mine about 11 O'clock on the morning of August 18, 1931. The fire kept running and going until a snow storm really put it out near Summit Flat that fall. It burned down the whole of Quartzburg. Burned down the mining plant and everything. A real disaster for the Boise Basin - burned down the power lines and everything."

In about 1940 he moved to Boise where he bought property for a housing development and worked as a contractor in this area for many years.

Considering his rich life and many experiences Brassey thought he was privileged: "I always credit the Lord for taking us to the right place at the right time for a great many of

Brassey is survived by his wife, Josephine Fairchild Brassey, also from a pioneer family, and his three sons, Bart, Vernon and John. Vernon Brassey is a State Legislator and John Brassey also served the state in that capacity. Brassey left ten grandchildren and five great grandchildren. His funeral was held Wednesday, September 12 at Saint Michael's Cathedral, Boise and he is buried at Star Cemetery, just a few miles from his birthplace.

(Ed. note: Quotations reprinted by permission of the Idaho State Historical Society Library. Taken from the Oral History transcript #OH-16. Willis Brassey was interviewed and recorded in December, 1974, by Annabelle Alexander.)

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Vernon K. & Isabel J. Bracey
(Name of Claimant)
Measure Boise Ida 83703 Telephone No. 342024
Mailing Address (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) 1940

- (1) Date of priority: (When was the water first applied to a beneficial use) 1940

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

- Canyon Cr. tributary to CLARK CR. ~~Boys & Ride~~

Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(Both dates inclusive)

(cfs at)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
----------	-------------------------------------	------------	------------

Quantity 405 Use Mining Period of Use From 2-20 To 11-1

Quantity 2.4 cfs Use 1 crigation Period of Use From 3/15 to 7-1
 Quantity _____ Use _____ Period of Use From _____ To _____

Quantity	Use	Period of Use From	To
Quantity	Use	Period of Use From	To

Quantity	Use	Period of Use From	To

- (4) 8.4 TOTAL QUANTITY USED

- (c) (5) DPP /

A) Point of diversion: (Location of point where water is diverted from its source)

Additional points of diversion:

[illegible]

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. Di. version Dam Ditch 1/2 mile

- 1009 6 253

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.

[illegible]

No. of acres 160

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

To be used, to mine Placer, ground Show

on map designated as Block 8 C D E

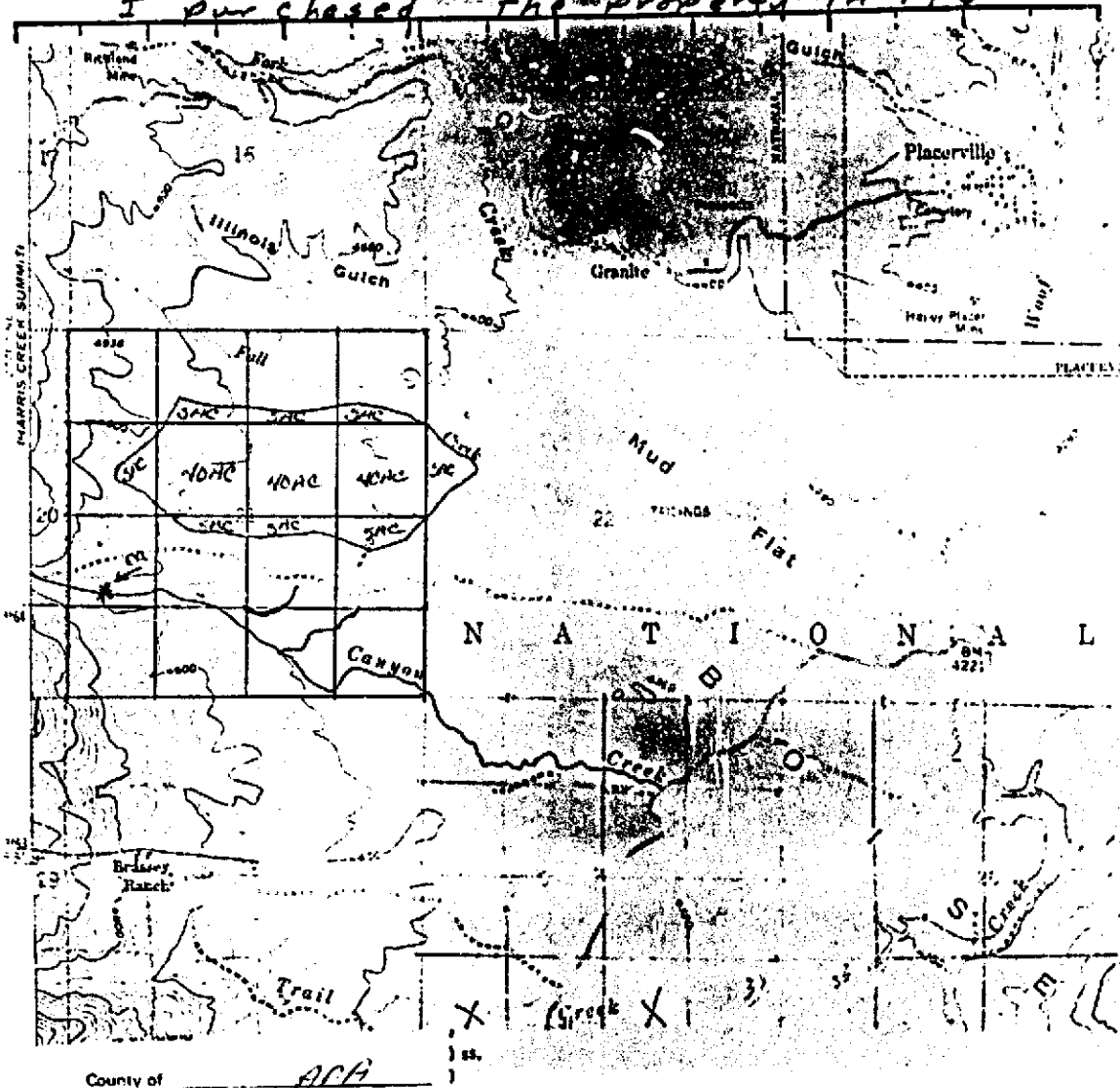
claim Area for Agricultural Land

[illegible]

NOTE: Include here the type and number of stock watered: None

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

(8) Remarks The trait on ditch was dug in the late 1860's. I have dated this claim when the exploration work was done and the ditch was maintained. I purchased the property in 1950



Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Vernon K. Bracey (Claimant)

Sworn to before me this 30th day of July, 1953.

Notary Public
Residing at San Jose

My commission expires 5-10-56

FOR DEPARTMENT USE ONLY			
Received by <u>SLB</u>	Date <u>6/30/53</u>	Exception filed by:	Forwarded to claimant by:
Prelim. check by <u>SLB</u>	Date <u>1-30-54</u>		
\$30.00 fee received by <u>SLB</u>	Date <u>7/5/53</u>	26710	
Published in <u>San Jose Record</u>			
Dates <u>7/22 & 7/23/54</u>			



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

VERNON K BRASSEY
3200 TREASURE DR
BOISE, ID 83703

Re: Claim No(s) 63-5232

63-5294, 63-5295,

63-5304

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures