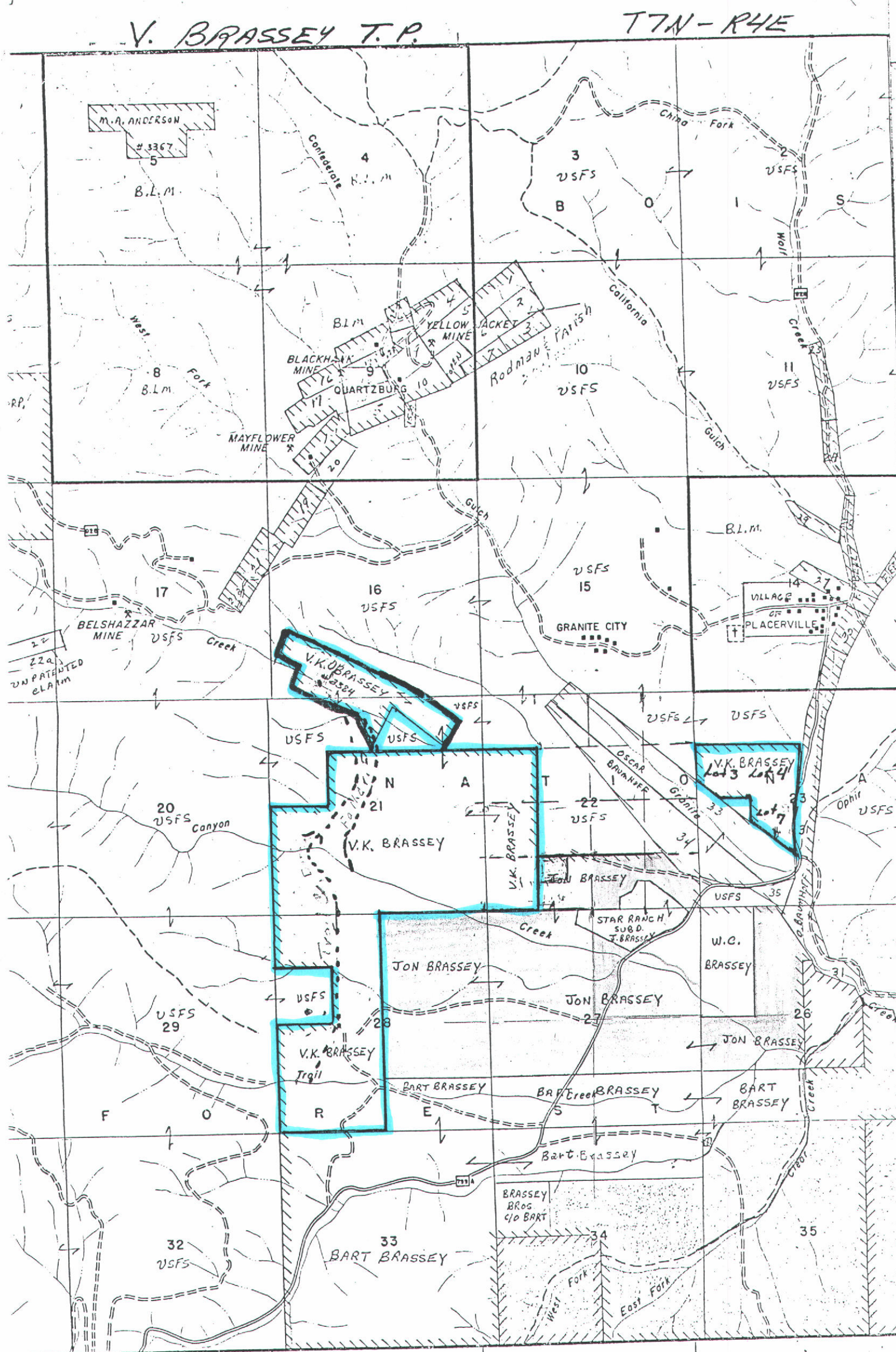
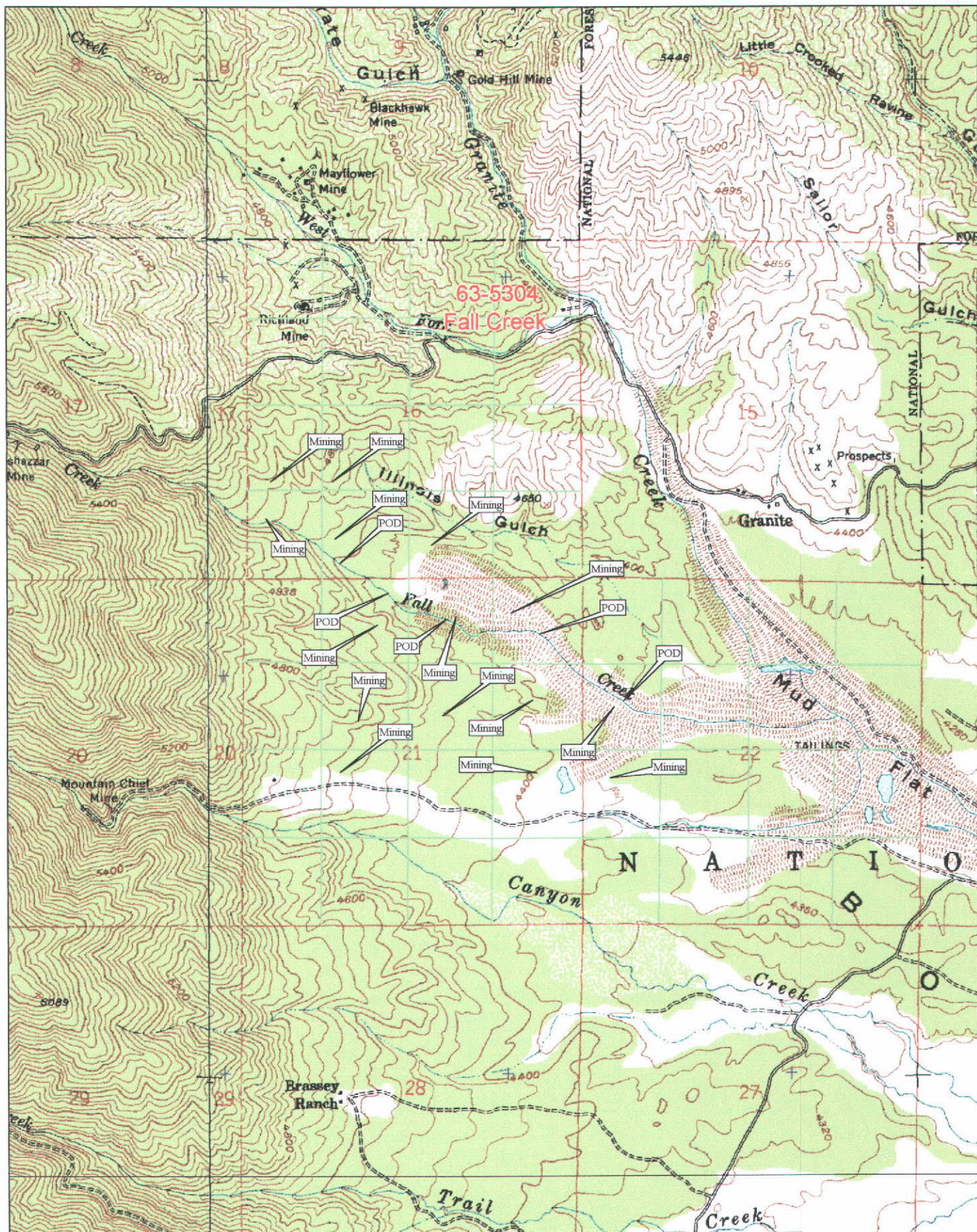






POOR ORIGINAL

[illegible]

County of \_\_\_\_\_

Vernon K. Brassley      Isabel J. Brassley  
(Claimant)  
is 30th day of June 1953

Sworn to before me this 30TH day of JUNE

(Claimant)

, 19 53

Notary Public

Residing at

My commission expires

8-10-86

JG

1-30-84

7-5-83 FOR DEPARTMENT USE ONLY

Received by

SRC

Date \_\_\_\_\_

6/30/93

Exception filed by:

Forwarded to

Date \_\_\_\_\_

Prelim. check by

JG

Date \_\_\_\_\_

1-30-84

Exception filed by:

claimant by:

\$30.00 fee received by

△

Date \_\_\_\_\_

7/5/93

6910

Published in

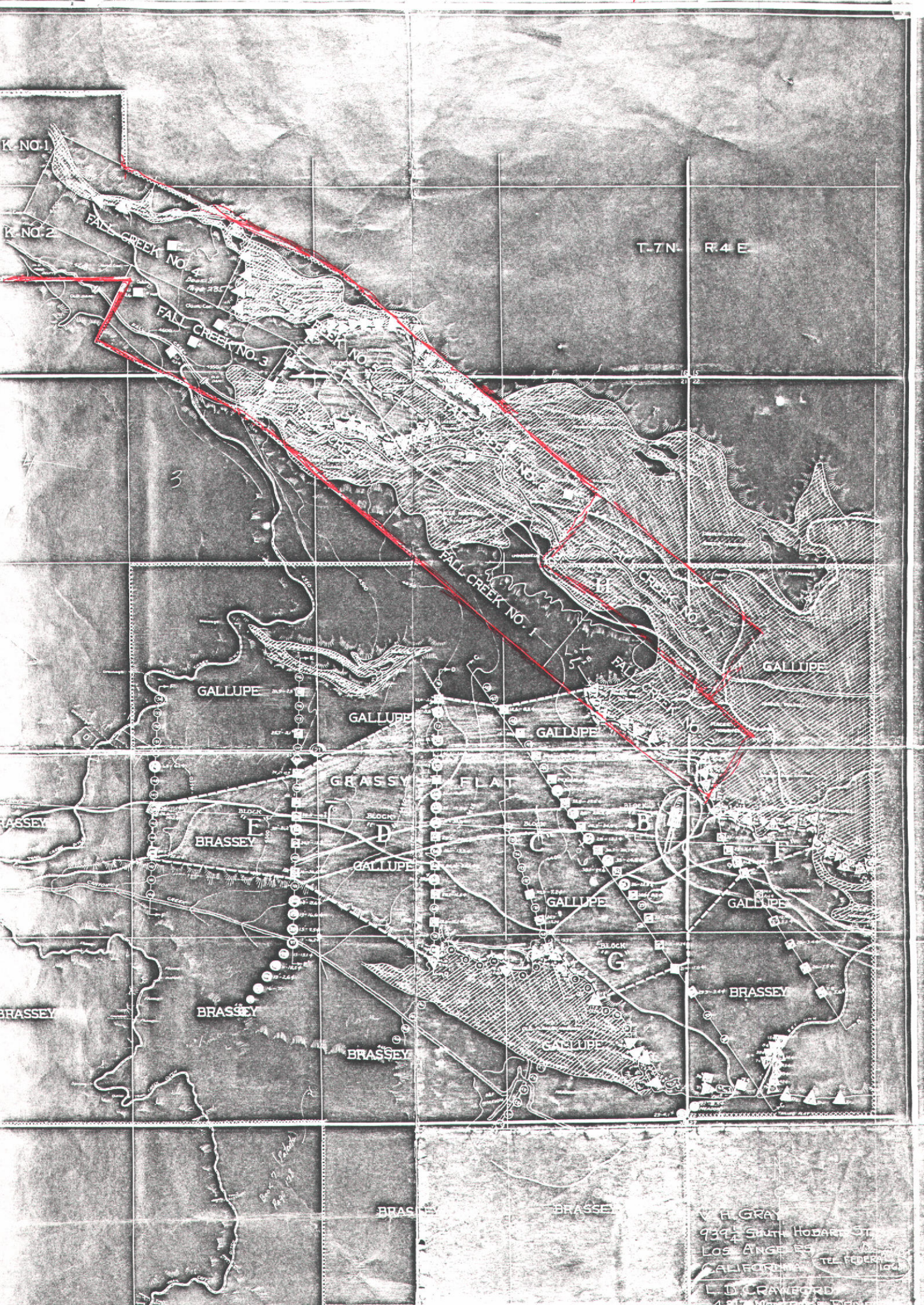
Idaho World

## Dates

2/22 & 2/23/84

Mud Flat Placer Mining Irrigation

POOR ORIGINAL



SUMMARY OF VALUES DATE AUG-10-1940

| Block            | Area (Acres) | Value (\$) | Per Acre (\$) |
|------------------|--------------|------------|---------------|
| A                | 355,087.00   | 38,178.03  | 0.1072        |
| B                | 905,427.00   | 210,364.49 | 0.2323        |
| C                | 673,792.00   | 318,981.37 | 0.4734        |
| D                | 355,808.00   | 25,844.00  | 0.0726        |
| E                | 209,090.00   | 51,227.05  | 0.2449        |
| F                | 94,210.00    | 13,029.24  | 0.1383        |
| G                | 28,908.00    | 26,035.00  | 0.8999        |
| ALL D.C.D.E.F.G. | 4,143,286.00 | 862,711.82 | 0.2082        |
| GRASSY FLAT      | 58,547.00    |            |               |

COMPUTATIONS BY WILLIAM M. WATSON

EXPLORE

FALL CREEK AND GRASSY FLAT

UNDER DIRECTION OF

L.D. CRAWFORD

PLACER MINING, IDAHO

FALL 1939

SUMMER 1940

SCALE 1 INCH = 1 MILE

U.S. GEOLOGICAL SURVEY

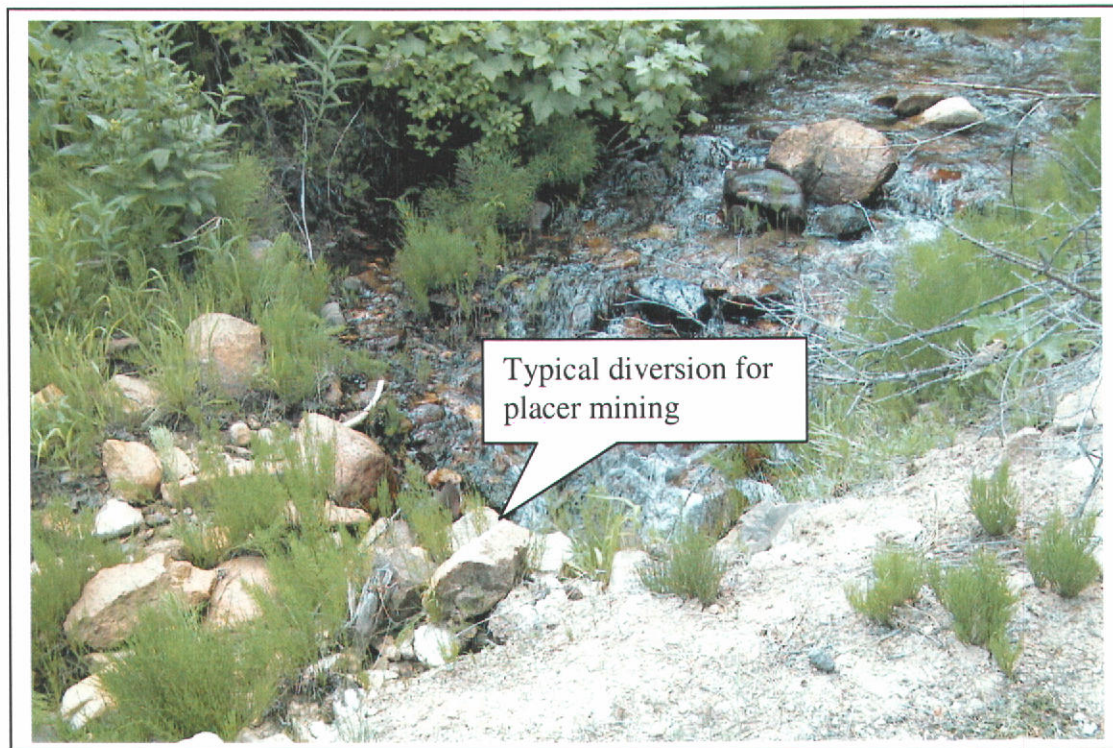


Photo 1. FX 6-24-02 by RDH. 63-5304 Typical point of diversion for Fall Creek placer mining. Claimant stacks up rocks and puts pump intake in area pooled up behind rocks. 195 GPM 5.5 HP portable gas pump is moved along each non-specific point within each claimed  $\frac{1}{4}$   $\frac{1}{4}$  of Fall Creek for washing of rocks. This photo location is in the NWNE, Lot 2, S21, T07N, R04E.

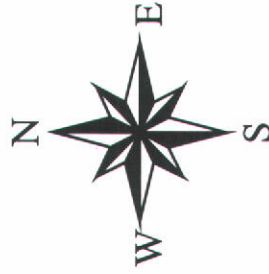
# IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-5304

Updated: 7-01-02

Prepared By: Ron Howerton

T07N, R04E



● Point of Diversion

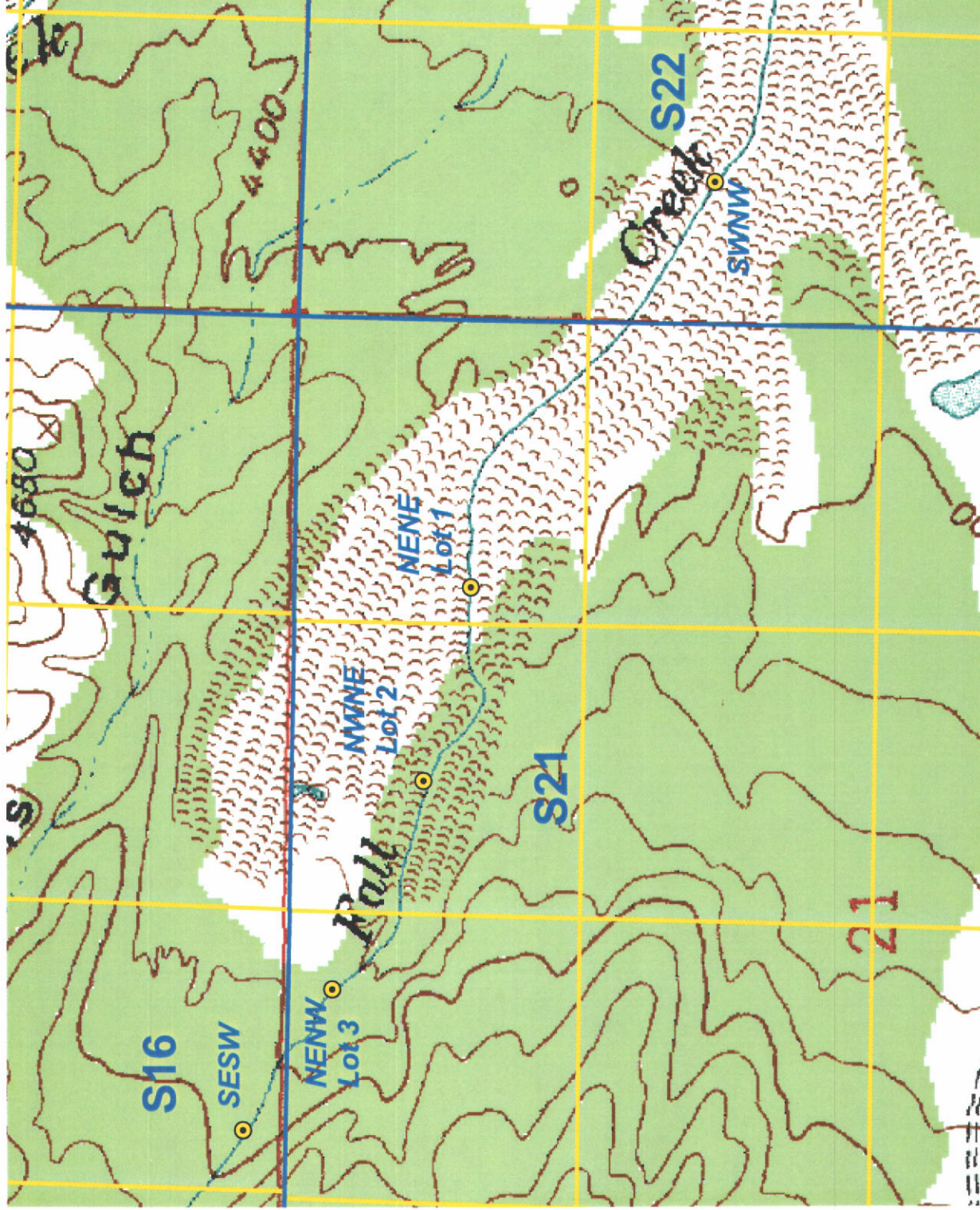
Place of use

Section

Quarter/Quarter



W11 TOPO



0 0.25 0.5 0.75 Miles

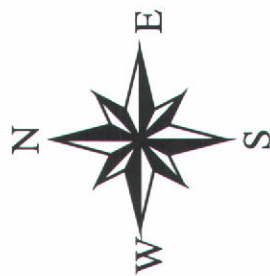
# IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-5304

Updated: 7-01-02

Prepared By: Ron Howerton

T07N, R04E



● Point of Diversion

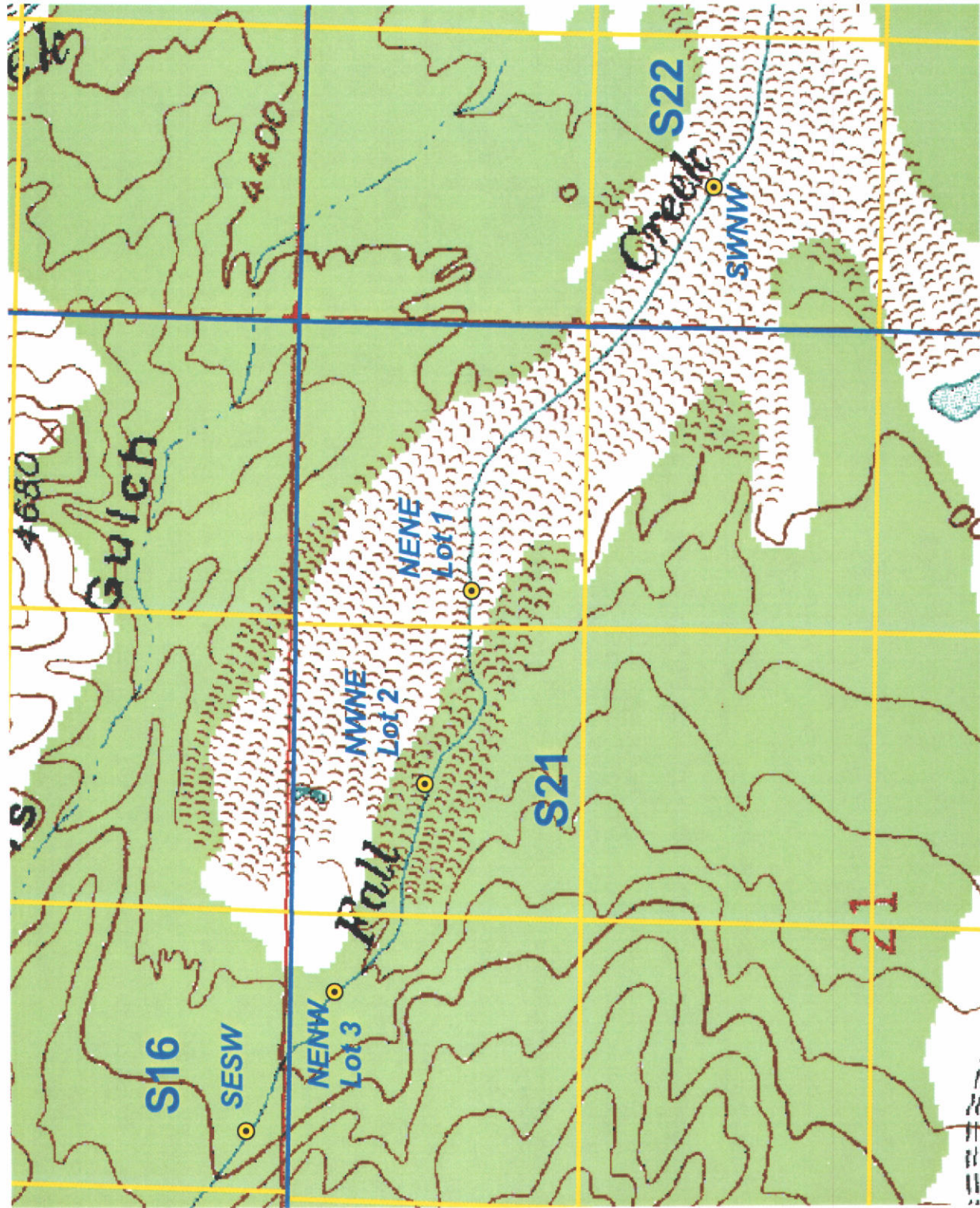


Place of use

Section

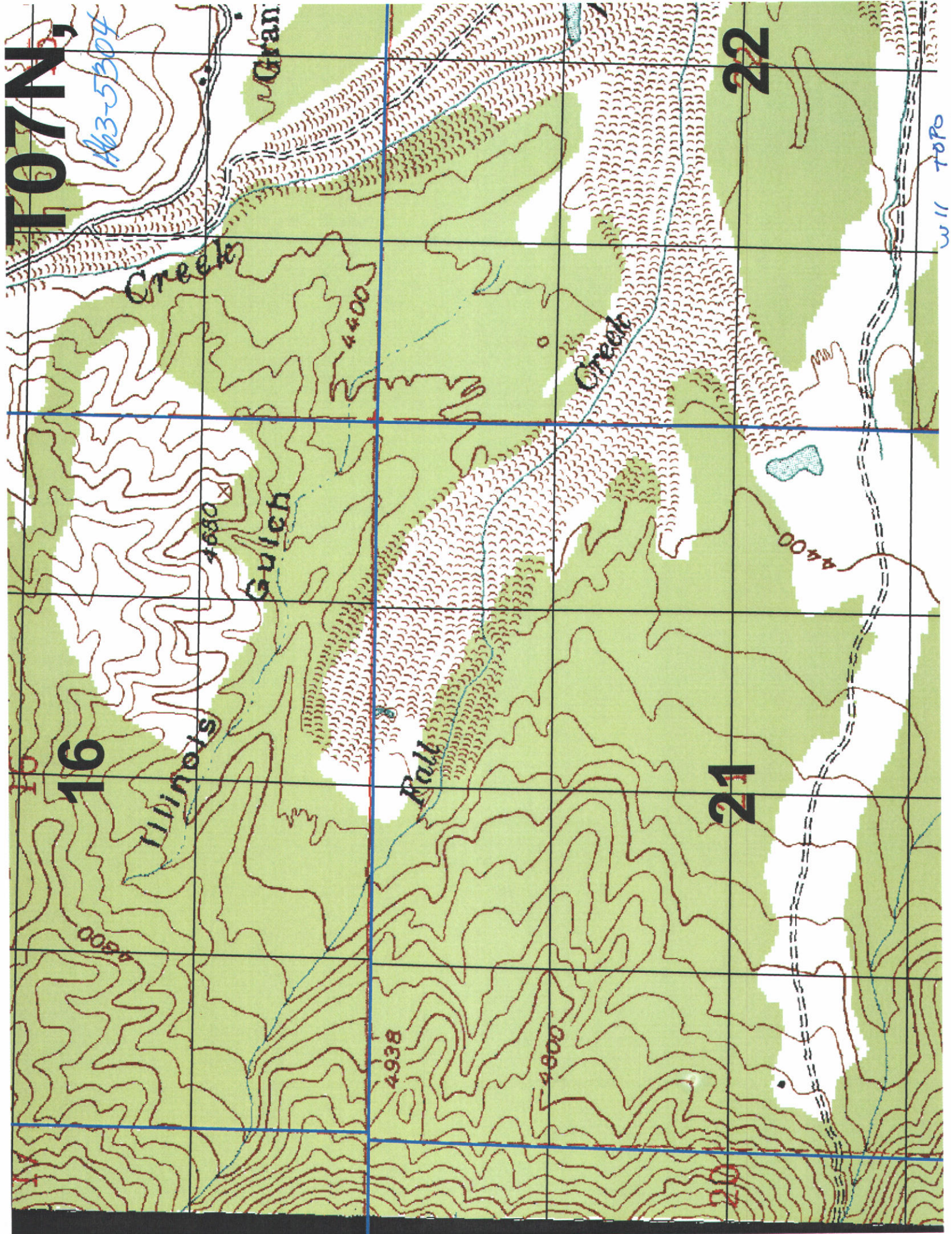
Quarter/Quarter

W11 TOPO



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

**RECEIVED**

**JUL 19 2002**

**WATER RESOURCES  
WESTERN REGION**

Ident. Number 63-5304  
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: FALL CREEK Trib. to: GRANITE CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 07N      | 04E   | 21      | NE NE 1               | BOISE  |      |
| 07N      | 04E   | 16      | SE SW                 | BOISE  |      |
| 07N      | 04E   | 21      | NW NE 2               | BOISE  |      |
| 07N      | 04E   | 21      | NE NW 3               | BOISE  |      |
| 07N      | 04E   | 22      | SW NW                 | BOISE  |      |

5. Description of diverting works:

PUMP

6. Water is used for the following purposes:

| Purpose | From  | To    | C.F.S. | (or) A.F.A |
|---------|-------|-------|--------|------------|
| MINING  | 02/20 | 09/30 | 0.44   |            |

7. Total Quantity Appropriated is:  
0.44 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   | 16      | SE  | SW     |     | MINING |       |
| 07N      | 04E   | 21      | NE  | NE     | 1   | MINING |       |
|          |       |         | NW  | NE     | 2   | MINING |       |
|          |       |         | NE  | NW     | 3   | MINING |       |
| 07N      | 04E   | 22      | SW  | NW     |     | MINING |       |

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:

PLACER MINING WITH PORTABLE EQUIPMENT

15. Basis of Claim: Beneficial Use

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 as managing partner of  
The Vernook Brancey Family Partnership that I have signed the foregoing  
Organization Title  
document in the space below as managing partner of  
The Vernook Brancey Family Partnership and that the statements contained in the  
Organization Title  
foregoing document are true and correct.

Cara Lynn Brancey  
Signature of Authorized Agent

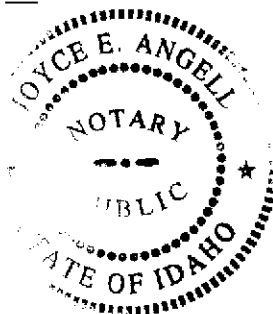
Managing Partner Vernook Brancey Family Partnership  
Title and Organization

7-17-02  
Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this

July 17 2002



Joyce E. Angell

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 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.

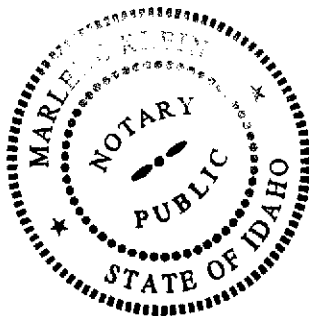
8. Canyon Creek, Brassey Spring (also known as an unnamed spring), Fall Creek, and Woof Creek were used prior to my acquisition of the above-described property and the reputation in the area was that the springs and creeks were utilized from the first settlement of the area, being approximately 1863.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 17<sup>th</sup> day of July 2002.

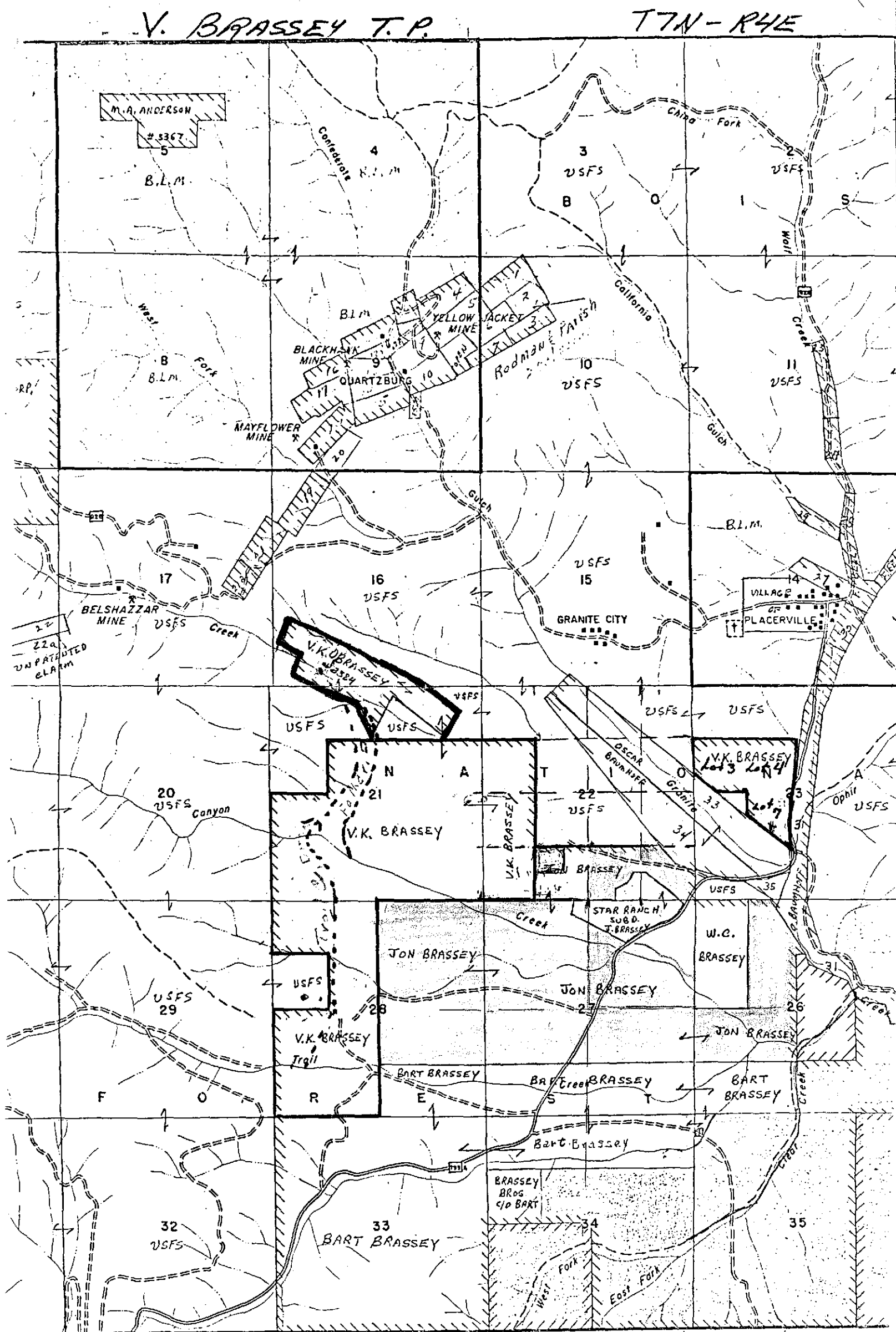
Vernon K. Brassey  
Vernon K. Brassey

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



Z:\3015\5332

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



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 63-5304  
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: 06/01/1908

3. Source: FALL CREEK Trib. to: GRANITE CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    | County | Type |
|----------|-------|---------|-----------------------|----|--------|------|
| 07N      | 04E   | 21      | NE                    | NE | BOISE  |      |
| 07N      | 04E   | 16      | SE                    | SW | BOISE  |      |
| 07N      | 04E   | 21      | NW                    | NE | BOISE  |      |
| 07N      | 04E   | 21      | NE                    | NW | BOISE  |      |
| 07N      | 04E   | 22      | SW                    | NW | BOISE  |      |

5. Description of diverting works:

DITCHES & GRAVITY

6. Water is used for the following purposes:

| Purpose | From  | To    | C.F.S. | (or) A.F.A |
|---------|-------|-------|--------|------------|
| MINING  | 02/20 | 09/30 | 0.45   |            |

7. Total Quantity Appropriated is:  
0.45 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   | 16      | SE  | SW     |     | MINING |       |
|          |       |         | SW  | SE     |     | MINING |       |
|          |       |         | NE  | SW     |     | MINING |       |
|          |       |         | NW  | SW     |     | MINING |       |
|          |       |         | SW  | SW     |     | MINING |       |
| 07N      | 04E   | 21      | NE  | SW     |     | MINING |       |
|          |       |         | NE  | NE     |     | MINING |       |
|          |       |         | NW  | NE     |     | MINING |       |
|          |       |         | SW  | NE     |     | MINING |       |
|          |       |         | SE  | NE     |     | MINING |       |
|          |       |         | NE  | NW     |     | MINING |       |
|          |       |         | SE  | NW     |     | MINING |       |
|          |       |         | NE  | SE     |     | MINING |       |
| 07N      | 04E   | 22      | SW  | NW     |     | MINING |       |
|          |       |         | NW  | SW     |     | MINING |       |

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:

PLACER MINING WITH PORTABLE EQUIPMENT

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 A63-05304

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

**AMENDED NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED 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) June 1908
3. Source of water supply (a) Fall Creek  
Which is tributary to (b) Granite Creek
4. a. Location of point of diversion is: Township 7N Range 4E Section 16, \_\_\_\_\_  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , Govt.  
Lot \_\_\_\_\_, B.M., County of Boise  
Additional points of diversion if any: NE NW, N1/2 NE Sec. 21, SW NW Sec. 22, all in T7N, R4E,  
B.M.  
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. Portable pump is used for mining and prospecting at various locations  
on this property. Pump is 5 hp gas powered.

6. Water is claimed for the following purposes:

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

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 \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.45 (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.) Placer mining with portable equipment.

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  | 16  |      |    |    |    |      |    |    |    | M    | M  | M  | M  |      |    | M  |    |        |
| 7N  | 4E  | 21  | M    | M  | M  | M  | M    |    |    | M  | M    |    |    |    | M    |    |    |    |        |
| 7N  | 4E  | 22  |      |    |    |    |      |    | M  |    |      | M  |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total number of acres irrigated \_\_\_\_\_

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 \_\_\_\_\_

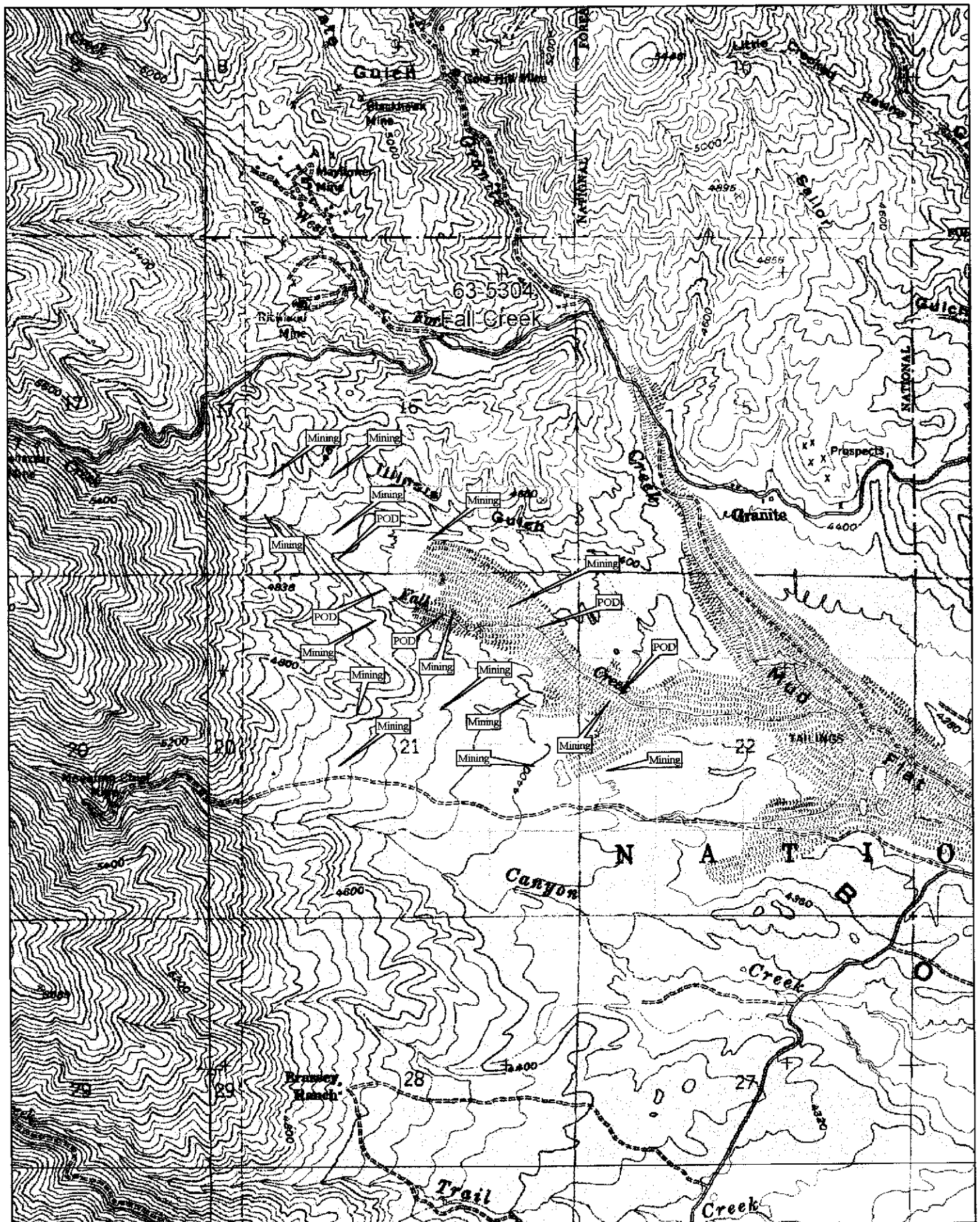
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

\_\_\_\_\_ or None (XX)

14. Remarks:

John Stanton bought the land and ditch from Dennis Dasey June 4, 1908, recorded June 5, 1908, record no. 9063. W.C. Brassey purchased same May 21, 1920. V.K. Brassey purchased same August 26, 1950. Property was given to 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 63-5304

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 0

**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

Title

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

Organization

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 Coral A. Brassey

Title and Organization Managing Partner Date 11/26/2001

Vernon K. Brassey Family Partnership

State of Idaho/or \_\_\_\_\_)

) SS.

County of Ada \_\_\_\_\_)

Subscribed and sworn (or affirmed) before me this 26th day of November 2001

Notary Public Joyce E. Gell

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 A63-05304

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: **A63-05304**  
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: JUN 1, 1908

3. Source: FALL CREEK Trib. to: GRANITE CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 07N      | 04E   | 16      |        | SE     | SW  |     | BOISE  |

5. Description of diverting works:  
DITCHES & GRAVITY

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 09/30 | 1.400 |      |        |
| MINING     | 02/20 | 09/30 | 3.000 |      |        |

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

8. Total consumptive use is 175.0 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   | 16      | SE     | SW  |     | IRR | 30.0  |
|          |       |         | SW     | SE  |     | IRR | 15.0  |

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10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 45.0  |
|          |       | 21      | NW         | NE  | IRR           | 10.0  |
|          |       |         | NE         | SW  | IRR           | 15.0  |
|          |       |         |            |     | Section Acres | 25.0  |
|          |       |         |            |     | Total Acres   | 70.0  |

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

\$420

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 395761  
Ident. Number A103-05304  
Date Received 5-17-89 Rkt  
Receipt Number C006835NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Vernon K. Brussey Family Partnership by V.K. Brussey Phone (208) 342-0242  
Mailing Address 3200 Treasure Dr. Boise ID. Zip 837032. Date of Priority (Only one (1) per claim) June, 19083. Source of water supply (a) Fall Creek  
which is tributary to (b) Granite Creek4. a. Location of existing point of diversion is: Township 7N Range 4E Section 16,  
SE 1/4 of SW 1/4 of 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 \_\_\_\_\_, \_\_\_\_\_ 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. Ditches and Gravity

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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Mining purposes from 2-20 to 9-30 amount 3 or \_\_\_\_\_

For Irrigation purposes from 4-15 to 9-30 amount 1.4 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 4.4 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 175 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic Placer Gravel Sec. A on map 955887 yards to be washed.  
Land reclaimed will be irrigated for pasture per our past practice.

10. Description of place of use:

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

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

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| 7N  | 4E  | 16  |        |       |       |       |        |       |       |       |        |       |       | X     |        |       |       |       | 30     |
| 7N  | 4E  | 16  |        |       |       |       |        |       |       |       |        |       |       |       |        | X     |       |       | 15     |
| 7N  | 4E  | 21  |        | X     |       |       |        |       |       |       |        |       |       |       |        |       |       |       | 10     |
| 7N  | 4E  | 21  |        |       |       |       |        |       |       | X     |        |       |       |       |        |       |       |       | 15     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 70

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 (X)

14. Remarks: John Stanton bought the land and ditch from Dennis Dasey  
June 4, 1908, recorded June 5, 1908, Record No. 9063. W.C. Brassey  
purchased same May 21, 1920. V.K. Brassey purchased same  
August 26, 1950. Property was given to the Vernon K. Brassey  
Family Partnership on July 14, 1988, Record No. 131796

Last Name Brassey Ident No. \_\_\_\_\_

MICROFILMED

Copies: White 1994 Yellow-Claimant  
JUL 29 1994

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.

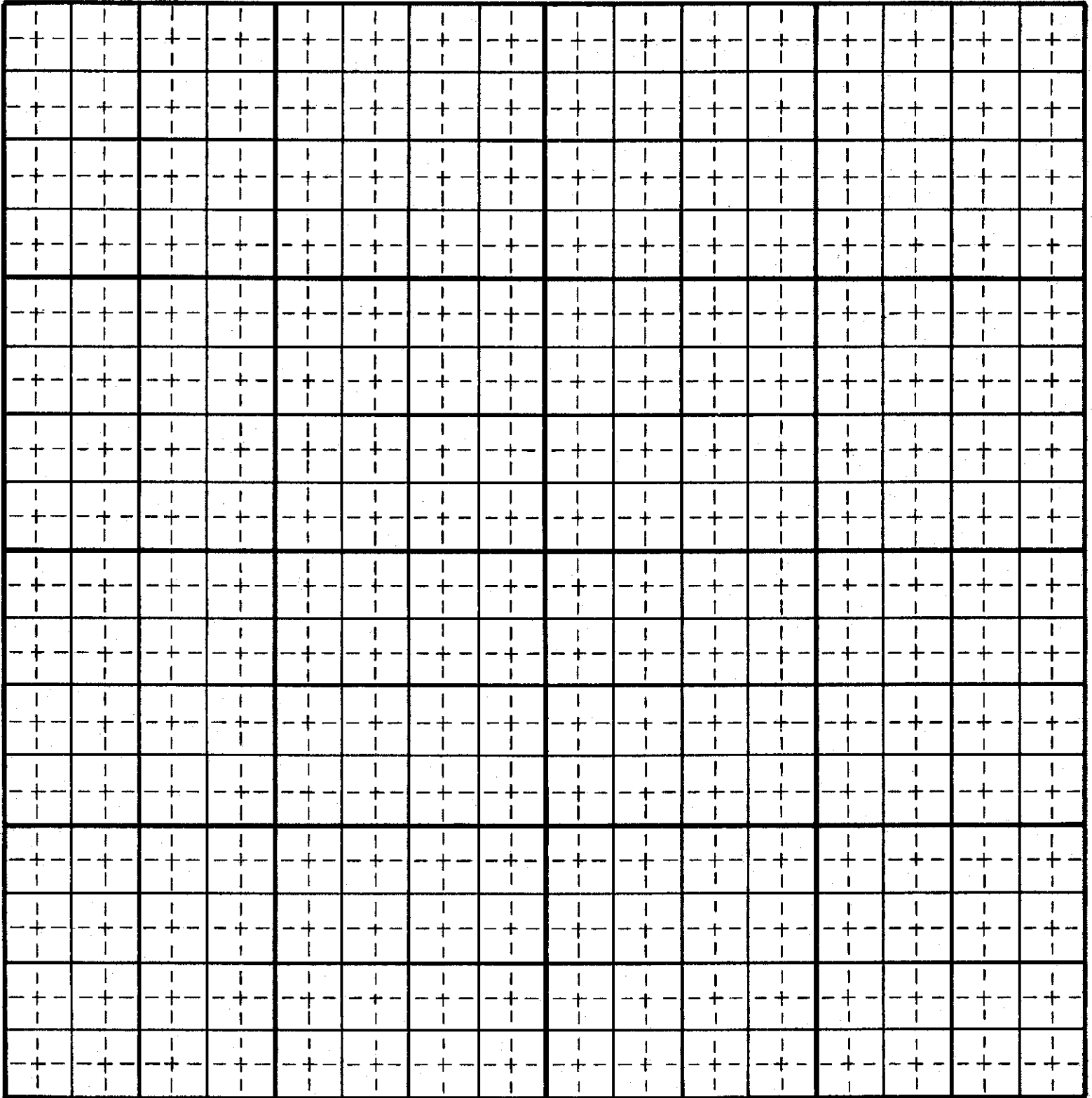
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

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.

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 map*



Last Name BRASSEY Ident No. \_\_\_\_\_

**MICROFILMED**

Copies: White-State, Yellow-Claimant  
JUL 25 1994

15. Basis of Claim (check one) Beneficial Use X Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number \*63-5304  
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 a managing partner  
of the Vernon K Brassey Family Partnership Organization Title \_\_\_\_\_, that I have signed the foregoing document in the space below as an acting manager Title of the Vernon K Brassey Family Partnership Organization and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Vernon K. Brassey

Title and Organization Manager, 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 Stuart M. Perry

Residing at BOISE

My Commission Expires JULY 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 \_\_\_\_\_

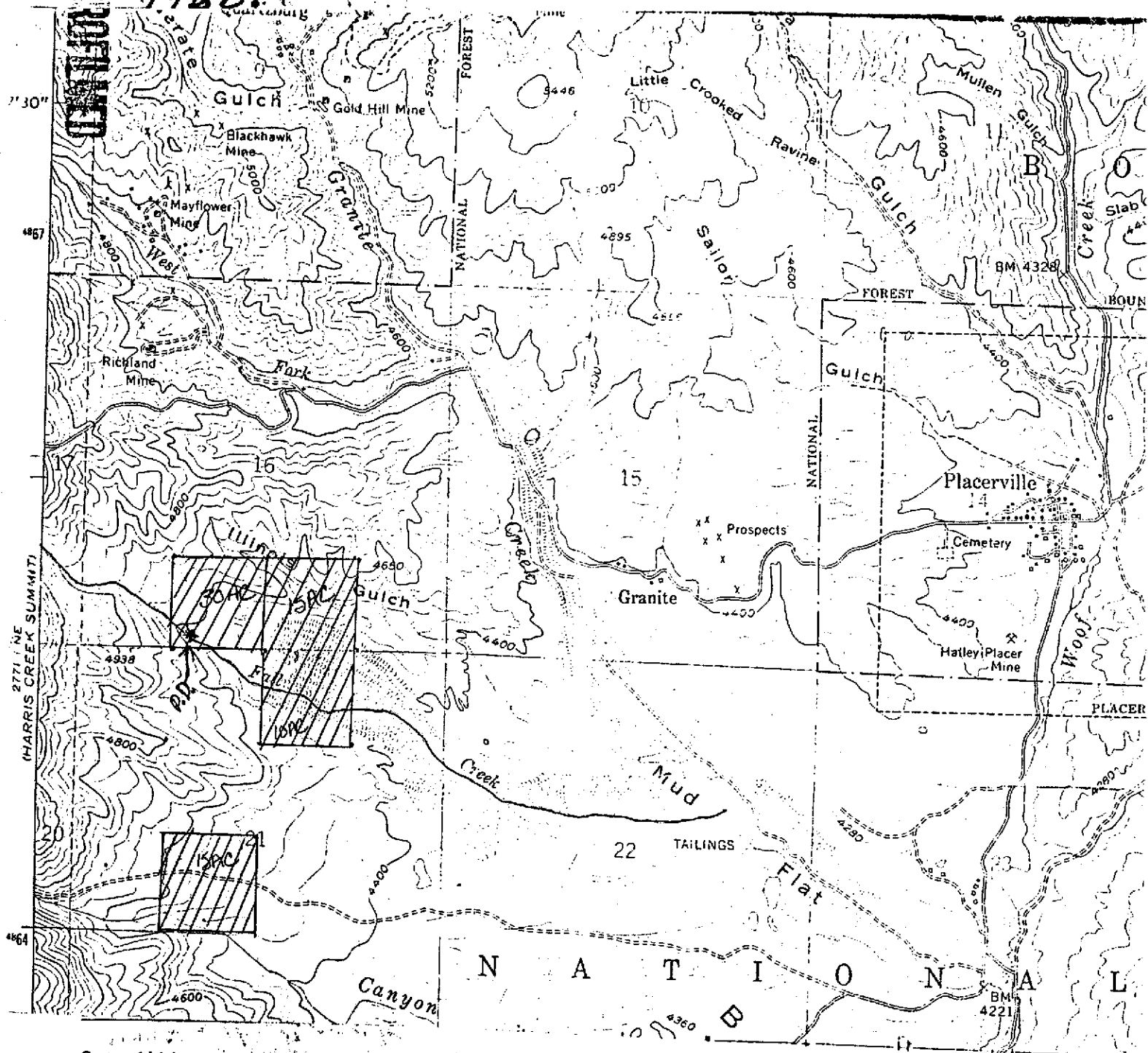
MICROFILMED

Copies 2 State Year 1989 Claimant

Mud Flat

POOR ORIGINAL

(8) Remarks John Stanton Bought Land and Ditch from  
Dennis Dasey 4th of June 1908 Recorded June 5  
1908 Record No 9063 W.C. Brassey purchased  
same 21 May 1920 He purchased 26 August  
1950.



State of Idaho

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.

Vernon K. Brassey Isabel J. Brassey  
(Claimant)

Sworn to before me this 30th day of JUNE

19 83

Notary Public

Residing at

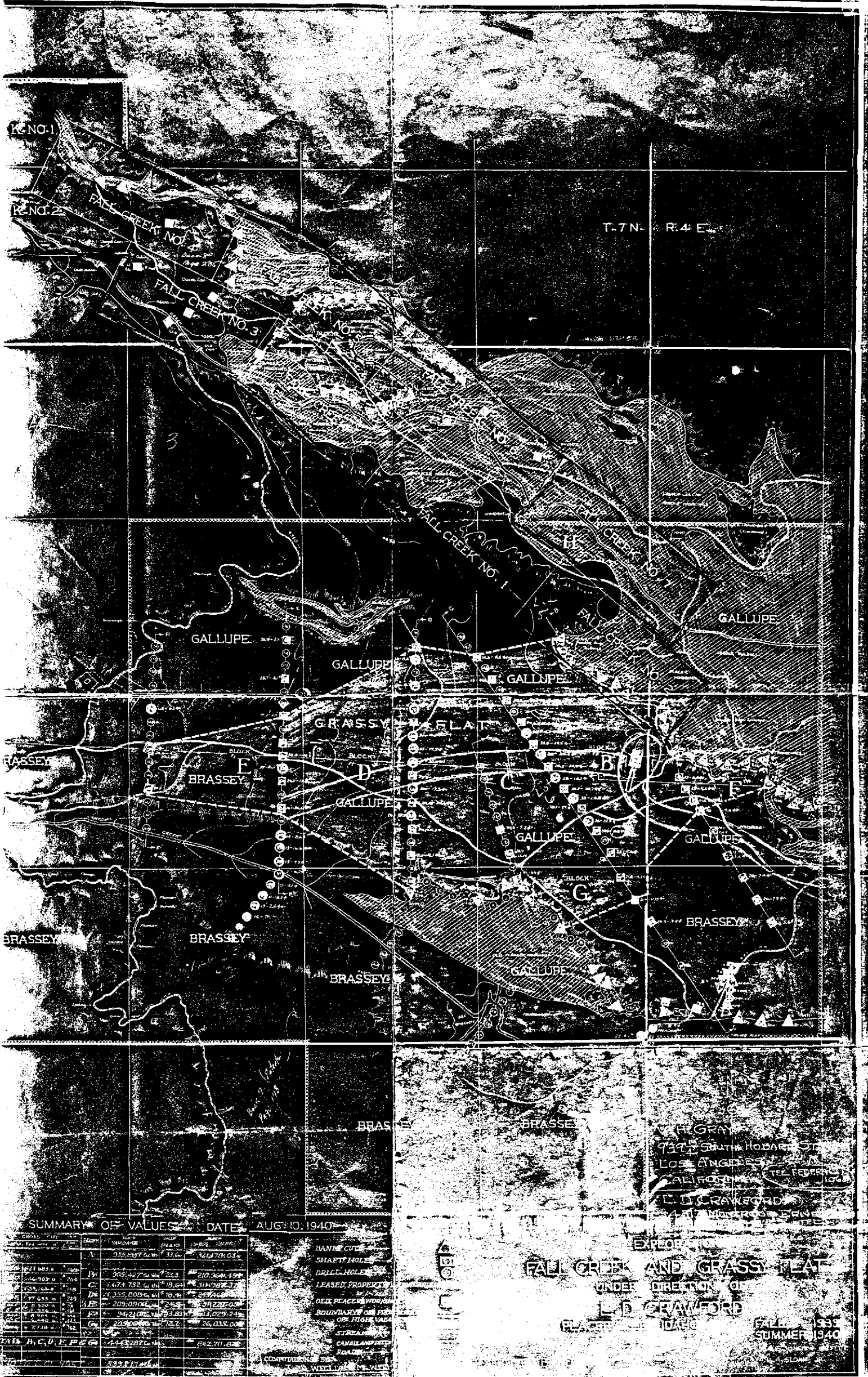
Box 70

My commission expires

8-10-86

|                                   |                                |                     |              |
|-----------------------------------|--------------------------------|---------------------|--------------|
| Received by <u>JG</u>             | 1-30-84                        |                     |              |
| Prelim. check by <u>JG</u>        | 7-5-83 FOR DEPARTMENT USE ONLY |                     |              |
| \$30.00 fee received by <u>JG</u> | Date <u>6/30/83</u>            | Exception filed by: | Forwarded to |
| Published in <u>Idaho World</u>   | Date <u>1-30-84</u>            | claimant by:        | Date         |
| Dates <u>2/22 &amp; 2/23/84</u>   | Date <u>7/5/83</u>             |                     |              |

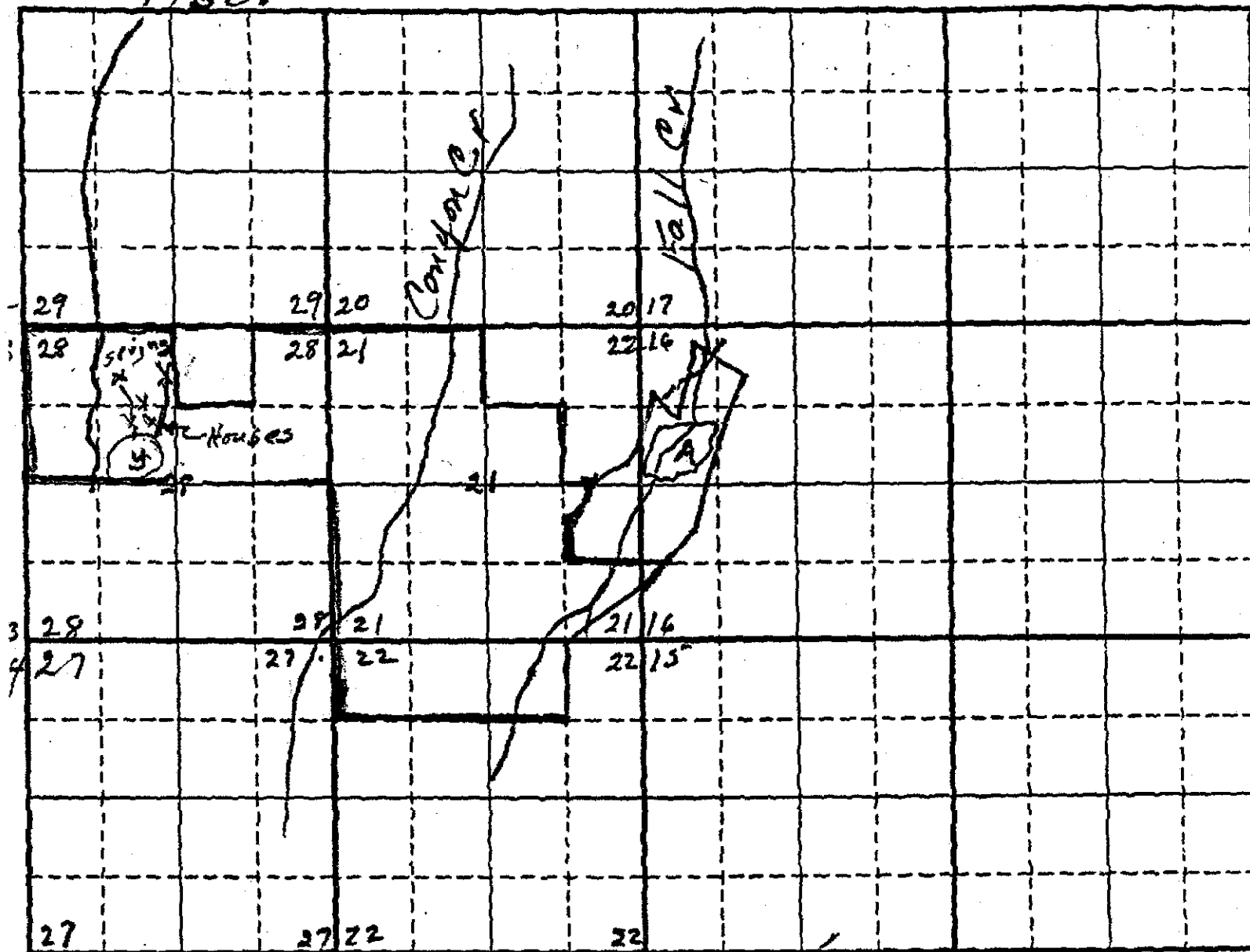
POOR ORIGINAL



MUD Flat

POOR ORIGINAL

(8) Remarks John Stanton Bought Land and Ditch from  
Dennis Dasey 4<sup>th</sup> of June 1908 Recorded June 5  
1908 Record No 9063 W.C. Brassey purchased  
same 21 May 1920 He purchased 26 August  
1950.



Scale: 2 inches equal 1 mile.

X - 3 houses y - 10 A Field,

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

JUL 25 1994

(Claimant)

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

02/08/93 15:49:08  
Page 1  
\$440.00

Water Right Number - 63-05304 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  
Phone -  
1 - 3200 TREASURE DR.  
2 -  
3 -  
State- ID Zip- 83703

BRASSEY  
ISABEL J.  
City- BOISE  
Phone -  
1 - 3200 TREASURE DR.  
2 -  
3 -  
State- ID Zip- 83703

Priority Date - - - +  
06/01/1908  
+ - - - - Region - - - - +  
14 WESTERN  
+ - - - - Source - - - - +  
FALL CREEK  
+ - - - - Stage - - - - +  
S - STATUTORY CLAIM  
+ - - - - Tributary - - - - +  
GRANITE CREEK

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

TwN Rng Sec Tract Lot RFlg County  
07N 04E 16 SE SW (15) BOISE

Code Description Period From Period To Water Use Diversion Rate Diversion Volume  
01 - IRRIGATION -  
13 - MINING -  
05/15 09/01 1.400  
02/20 07/15 3.000

+ - - Total Div. Rate - + - - Total Div. Volume - + - - Total Div. Capacity - +  
4.400

| TwN          | Rng | Sec | Tract | Lot  | Acres | Place of Use | Description | County |
|--------------|-----|-----|-------|------|-------|--------------|-------------|--------|
| 07N          | 04E | 16  | SE SW | 30.0 | 01    | IRRIGATION   | (15) BOISE  |        |
| 07N          | 04E | 16  | SW SE | 15.0 | 01    | IRRIGATION   | (15) BOISE  |        |
| 07N          | 04E | 21  | NW NE | 10.0 | 01    | IRRIGATION   | (15) BOISE  |        |
| 07N          | 04E | 21  | NE SW | 15.0 | 01    | IRRIGATION   | (15) BOISE  |        |
| Total Acres: |     |     |       | 70.0 |       |              |             |        |

+ - - Diversion Means - DITCHES & GRAVITY  
+ - - Non-Irrigation Use -  
+ - - Other Rights for Same Use -

+ - - Remarks -  
No Remarks found.

[illegible]

MICROFILMED  
JUL 25 1994

07/19/2002

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

RIGHT NUMBER: 63-5304

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

SOURCE: FALL CREEK

TRIBUTARY: GRANITE CREEK

QUANTITY: 0.44 CFS

PRIORITY DATE: 04/01/1863

POINT OF DIVERSION:

T07N R04E S16 SESW Within BOISE County  
T07N R04E S21 NENE Lot 1 Within BOISE County  
T07N R04E S21 NWNE Lot 2 Within BOISE County  
T07N R04E S21 NENW Lot 3 Within BOISE County  
T07N R04E S22 SWNW Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| MINING                | 02/20 09/30          | 0.440 CFS       |

PLACE OF USE: MINING Within BOISE County

|                     |      |                     |      |
|---------------------|------|---------------------|------|
| T07N R04E S16       | SESW | T07N R04E S21 Lot 1 | NENE |
| T07N R04E S21 Lot 2 | NWNE | T07N R04E S21 Lot 3 | NENW |
| T07N R04E S22       | SWNW |                     |      |

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](mailto: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:

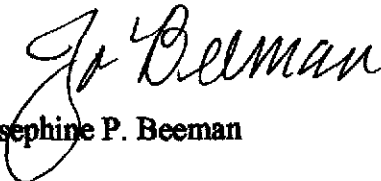
1. 63-5232 (Woof Creek/Aesthetic and diversion of storage)
2. 63-5294 (Brassey Spring/Irrigation)
3. 63-5295 (Canyon Creek/Irrigation and Mining)
4. 63-5304 (Fall Creek/Mining)

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  
Z:\3015\5335

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**WESTERN REGION ADJUDICATION SECTION**  
**CLAIM VERIFICATION FIELD EXAM SHEET**  
(Use with the ECVR)

CLAIM NO(s). A63-5304

1. ☒ No Change NAME IS SAME  
☐ NEW OWNER: \_\_\_\_\_  
☐ No Change ADDRESS  
☐ NEW ADDRESS: \_\_\_\_\_
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted  
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: 6-4-1908 1863  
(If the priority date, based on your exam, seems questionable, explain below.)

DAY OF JUNE WAS CLAIMED AS 1ST EVIDENCE  
ON WARRANTY DEED SHOWS 4th

3. ☒ No Change — SAME SOURCE  
☐ Source is different than that claimed:

Source found: \_\_\_\_\_

4. ☒ No Change — POINT OF DIVERSION Cont  
☐ Point of diversion is different than the claim and/or new P/D's: LOTS ADDED

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS  
☐ Incomplete description, list below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

|           |            |          |              |           |           |
|-----------|------------|----------|--------------|-----------|-----------|
| Use _____ | From _____ | To _____ | Amount _____ | CFS _____ | AFA _____ |
| Use _____ | From _____ | To _____ | Amount _____ | CFS _____ | AFA _____ |
| Use _____ | From _____ | To _____ | Amount _____ | CFS _____ | AFA _____ |

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

☒ Changes found, the new total is, Amount .44 CFS \_\_\_\_\_ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: \_\_\_\_\_ Stock # \_\_\_\_\_ List types: \_\_\_\_\_

Additional comments: \_\_\_\_\_

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

|            |                |             |               |           |           |
|------------|----------------|-------------|---------------|-----------|-----------|
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |

Remarks: (Comments pertinent to field examination) See additional attachment

RECOMMENDED TRACTS ONLY THAT ARE INCLUDING FALL  
CREEK SOURCE.

SEE FX NARRATIVE DATED 6-24-02

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 6-24-02

FIELD EXAMINER: Ron Howerton

Sr Water Agent  
Print Name

Ron Howerton  
Signature

FX FALL CR 63-5364

6-24-02

ACCOMPANIED BY VERN BRASSEY & DAVE SHAW

MINING WASHING IS BY MOVING PORTABLE GAS 5.5 HP Pump to  $\frac{1}{4}$   $\frac{1}{4}$  TRACTS ALONG FALL CR. The pump is moved WITHIN the  $\frac{1}{4}$   $\frac{1}{4}$  AS NEEDED and doesn't have any permanent structure or location within the tract.

Photo 1 shows a typical POD IN the creek, stacks rocks to pool up a spot to put intake hose from pump and washes the gravel at that location.

SEE ATTACHED Pump Specs.

$$195 \text{ GPM} / 448.8 = .44 \text{ CFS}$$

PLACER MINING AT POINTS OF DIVERSION AND SAME  $\frac{1}{4}$   $\frac{1}{4}$ .

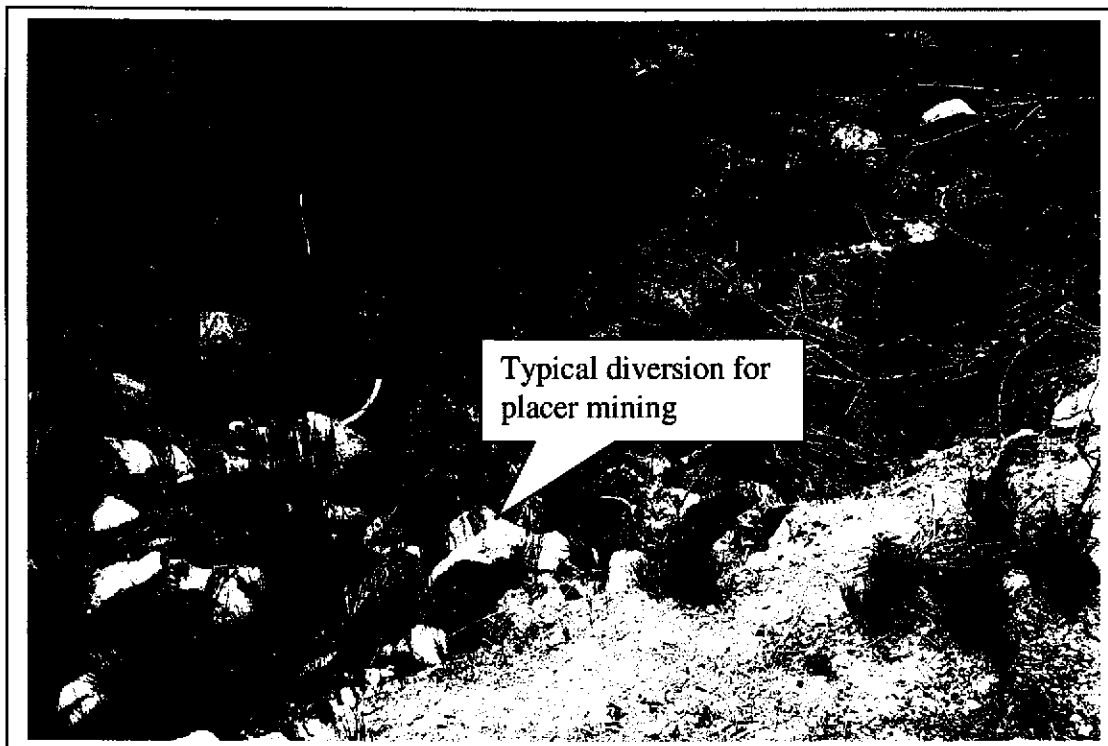


Photo 1. FX 6-24-02 by RDH. 63-5304 Typical point of diversion for Fall Creek placer mining. Claimant stacks up rocks and puts pump intake in area pooled up behind rocks. 195 GPM 5.5 HP portable gas pump is moved along each non-specific point within each claimed  $\frac{1}{4}$   $\frac{1}{4}$  of Fall Creek for washing of rocks. This photo location is in the NWNE, Lot 2, S21, T07N, R04E.

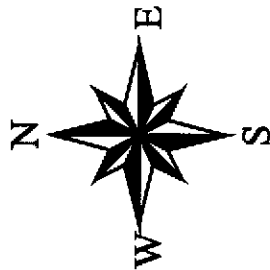
# IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-5304

Updated: 7-01-02

Prepared By: Ron Howerton

T07N, R04E



● Point of Diversion

□ Place of use

□ Section

□ Quarter/Quarter

W11 TOPO



0 0.25 0.5 0.75 Miles

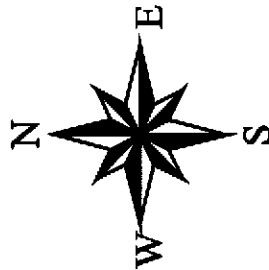
# IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-5304

Updated: 7-01-02

Prepared By: Ron Howerton

T07N, R04E



● Point of Diversion

□ Place of use

□ Section

□ Quarter/Quarter

W11 TOPO

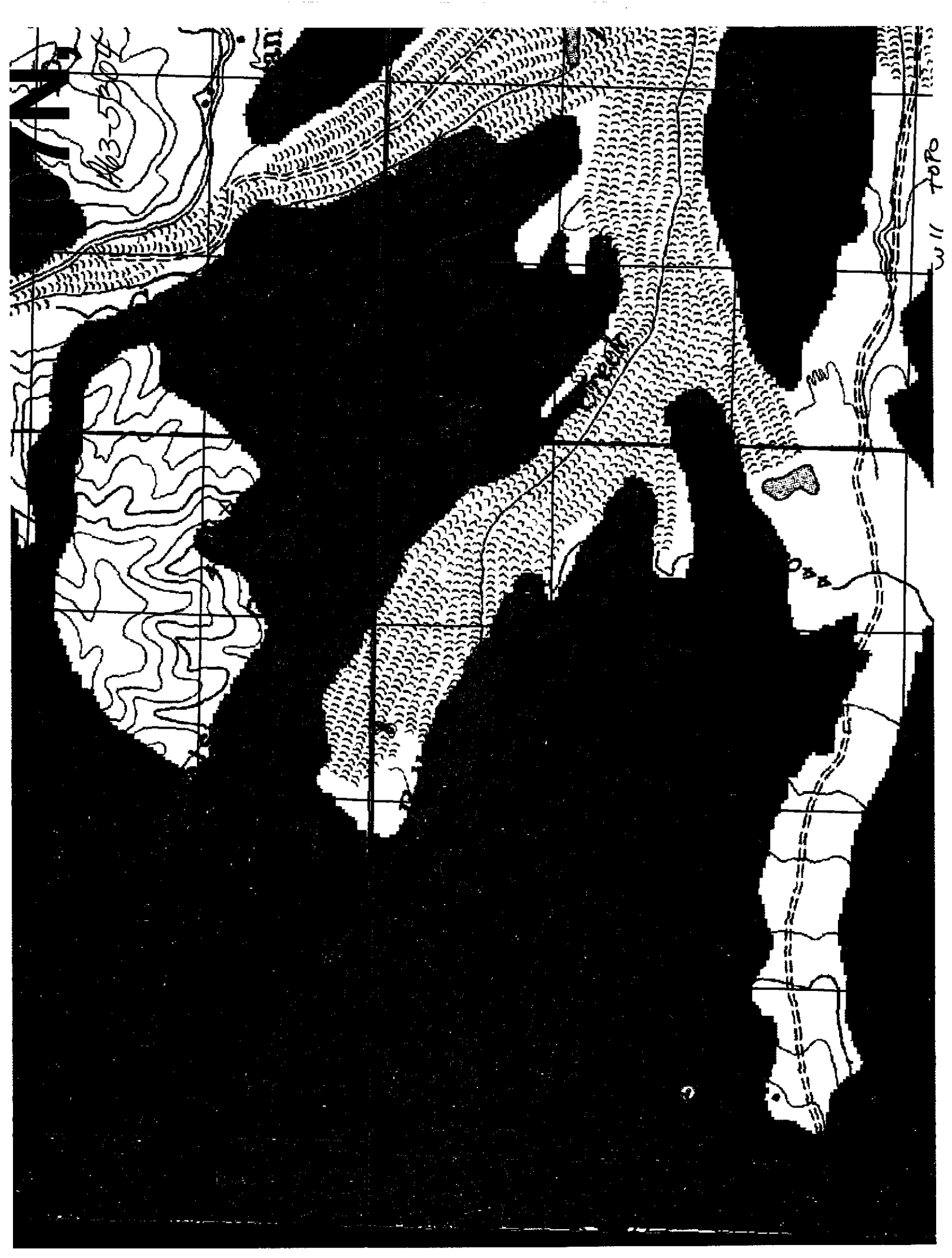


0.75 Miles

0.5

0.25

0



☐ **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

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 |          |        |

This Indenture, Made this Fourth day of June  
in the year of our Lord one thousand nine hundred and Eight between  
Catherine Leary  
of Granit Creek County of Boise State of Idaho  
the party of the first part, and John Stanton  
of Hall Creek County of Boise State of Idaho  
the party of the second part;

Witnesseth, That the said party of the first part, for and in consideration of the sum of  
Three Hundred Dollars,  
lawful money of the United States of America, to her in hand paid by the said party of the second part,  
the receipt whereof is hereby acknowledged, had granted, bargained and sold, and by these presents do  
grant, bargain, sell, convey and confirm unto the said party of the second part, and to her heirs  
and assigns forever, all the following described real estate, situate in Boise County, State of  
Idaho, to wit:

One Eighth interest in a certain  
Ditch and water right conveying water from  
Canyon Creek over unto Hall Creek for  
mining or irrigation purposes the same  
ditch and water right formerly belonged to  
Harris Dancy of Shaffer Creek in Boise  
County Idaho

Together With all and singular the tenements, hereditaments and appurtenances thereunto be-  
longing or in any wise appertaining, and 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.

To Have and to Hold, All and singular, the above mentioned and described premises, together  
with the appurtenances, unto the party of the second part, and to her heirs and assigns forever. And  
the said party of the first part, and her heirs, the said premises in the quiet and peaceable possession  
of the said party of the second part, her heirs and assigns, against the said party of the first  
part, and her heirs and against all and every person and persons whomsoever, lawfully claiming or to  
claim the same shall and will WARRANT and by these presents forever DEFEND.

In Witness Whereof, The said party of the first part had hereunto set her hand  
and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Dr. J. M. Dwyer

Catherine Leary



State of Idaho,  
County of Boise } ss.

On this Fourth day of June in the year 1908  
before me James M. Derick a Notary Public  
in and for said county personally appeared Catherine O. Leary

known to me to be the person... whose name... subscribed to the within instrument and acknowledged  
to me that she executed the same, and on this fourth day of June  
~~in the year 1908, before me the officer above described, personally appeared~~

known to me to be the person whose name is subscribed to the within instrument, described as a married woman;  
and upon an examination, without the hearing of her husband, I made her acquainted with the contents of the  
instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to re-  
tract such execution.

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

James M. Derick  
Notary Public

Approximate Date:

to

Date June 4th 1908

County of Boise State of Idaho, ss.

I hereby certify that this instrument  
was filed for record at the request of

James M. Derick  
at 30 minutes past 10

o'clock A.M., this 5th  
day of June 1908

in my office, and duly recorded in Book  
30 of Records at page 253

CLP Derick  
Ex-Officio Recorder

By CLP Derick Deputy.

Fees, \$ 1.00

COMPARED

PRINTED AND ON SALE BY THE  
CAPITAL NEWS PUBLISHING CO.  
BOISE, IDAHO  
INDEXED

# Revised Station

63-5304

## AGREEMENT

THIS AGREEMENT, made the 21<sup>st</sup> day of May 1920, by and between John Stanton of Nampa, Idaho, party of the first part and W.C. Brassey and L.A. Brassey of Placerville Idaho, parties of the second part,

WITNESSETH: That the seller and the buyer, here and hereafter referring to the party of the first part and the parties of the second part respectively, in consideration of their mutual promises to each other, hereinafter stated, have agreed, and by these presents do agree as follows, to wit: The seller agrees to sell to the buyer and their heirs and assigns, the following described placer claim and water right situated in the County of Boise and state of Idaho: Twenty acres of placer mining ground called the "Irwin Placer Claim" located on the 15th day of November 1901 by Robert K. Irwin, and recorded on the 19th day of November 1901 in the office of the Recorder of Boise County, Idaho. Said placer claim being situated on the Fall Creek Flats and bounded by the claims of Riley & Co., said claim being sold by said R.K. Riley on the 13th day of August 1902 to John Stanton and the transfer thereof being recorded in Book 23 of Deeds at page 280, Records of Boise County, Idaho. Said claim herein being sold and also together with the certain water right, to wit: A one-eighth interest in that certain ditch and water right conveying waters from Canyon Creek to Fall Creek for mining and irrigation, said ditch and water right being formerly owned by Dennis Dacey, ~~all above property being in Boise County, Idaho.~~ And the buyers agree to purchase the said mining claim and water right, and to pay the seller therefor the sum of One Thousand Dollars in lawful money of the United States of America, as follows, to wit: ~~One hundred~~ hundred and twenty dollars on the execution of this agreement, receipt whereof is hereby acknowledged, and one hundred dollars on the 15th of June 1920 and the same amount on the 15th of each succeeding month until the sum of ~~\$2000~~ ~~has been paid~~, at which time the deed to the above described property shall be delivered to the buyers. It is further agreed between the parties hereto that in case the buyers should sell the above described mining claim or water rights for any sum over and above \$380 or should the second parties work said mining claim and take therefrom any sum over and above \$380, that the latter amount shall be paid over and unto the party of the first part.

It is further agreed by and between the parties hereto that all payments under this agreement shall be made at the office of RHODES & PARTRIDGE at Nampa, Idaho, and that D.L. Rhodes shall hold the deed until the payments as herein agreed have been made, at which time the deed shall be turned over to the parties of the second party.

WITNESS the hands of the parties to this agreement hereunto set the day and year first above written.

J. Stanton  
Seller

L. A. Brassey  
Buyer

W. C. Brassey  
Buyer

AGREEMENT

THIS AGREEMENT, made the 21<sup>st</sup> day of May 1920, by and between John Stanton of Nampa, Idaho, party of the first part and W.C. Brassey and L.A. Brassey of Placerville Idaho, parties of the second part,

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J. Stanton  
Seller

L.A. Brassey  
Buyer

W.C. Brassey  
Buyer

# 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.)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243 Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

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

Notice is hereby given that Vernon K. & Isabel J. Brassey  
(Name of Claimant)  
3200 Treasure Boise Ida. 83703 Telephone No. 342-0242  
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use) June 1908

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)  
Fall Creek tributary to GRANITE CR. Boise River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.

| (cfs. at)              | (Domestic, Irrigation, Stock, Etc.) | (Start dates inclusive)        | (Mo., Day) | (Mo., Day)  |
|------------------------|-------------------------------------|--------------------------------|------------|-------------|
| Quantity <u>3 CFS.</u> | Use <u>Mining</u>                   | Period of Use From <u>2-20</u> | To         | <u>7-15</u> |
| Quantity <u>1.4</u>    | Use <u>Irrigation</u>               | Period of Use From <u>5-15</u> | To         | <u>9-1</u>  |
| 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         |             |
| <u>4.4</u>             | TOTAL QUANTITY USED.                |                                |            |             |

(4) A) Point of diversion: (Location of point where water is diverted from its source)  
SE 1/4 SW 1/4 Sec. 16 Twp 7N Rge. NE B.M., County of Boise  
Additional points of diversion:

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.  
DITCHES & GRAVITY

(5) 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     | NW | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE |           |
| <u>7N</u> | <u>4E</u> | <u>16</u> |        |    |    |    |        |    |    |    |        |    |    |    | X      |    |    |    | <u>30</u> |
| <u>7N</u> | <u>4E</u> | <u>16</u> |        |    |    |    |        |    |    |    |        |    |    |    |        |    | X  |    | <u>15</u> |
| <u>7N</u> | <u>4E</u> | <u>21</u> |        |    | X  |    |        |    |    |    |        |    |    |    |        |    |    |    | <u>10</u> |
| <u>7N</u> | <u>4E</u> | <u>21</u> |        |    |    |    |        |    |    |    | X      |    |    |    |        |    |    |    | <u>15</u> |
|           |           |           |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |           |
|           |           |           |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |           |
|           |           |           |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |           |
|           |           |           |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |           |
|           |           |           |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |           |
|           |           |           |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |           |
|           |           |           |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |           |
|           |           |           |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |           |
|           |           |           |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |           |

No. of acres 70

B) If water is used for other than irrigation, fully describe that use, being as specific as possible. Placer  
Gravel Section A on Map 955 887  
to be washed land reclaimed will be  
Irrigated for pasture as we have done  
in the past.

NOTE: Include here the type and number of stock watered none  
If you are claiming water as a member of an organization, list name of organization.

1950

Guich

Granville

Little Canyon

Sands

Placerville

Mud Flat

National Canyon

Shaded Area

Dashed Boundary

Granite

Creek

Flat

N A T I O N A L

B

4221

County of \_\_\_\_\_

Herman K. Blosser - Heather Blosser  
(Claimant)

Sworn to before me this 17 day of Oct

My commission expires

Received by \_\_\_\_\_  
 Premium check by \_\_\_\_\_  
 \$30.00 fee received by \_\_\_\_\_  
 Published in \_\_\_\_\_  
 Date \_\_\_\_\_

Date 11/1/04  
Date 1-30-04  
Date 1-1-04

FOR DEPARTMENT USE ONLY

**Exception filed by:**

Forwarded to  
claimant by:

Date \_\_\_\_\_



## 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