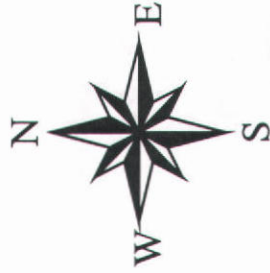


IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-5296
Date Prepared: 09-17-03
Prepared By: Gene Gibson

T03N, R02E
S15

SENW



● Point of Diversion



Place of use

Section

1/4 1/4

1987 NAPP



CENTE
SEC.15

BUILDING PERMIT

NOTICE TO THE PUBLIC AND BUILDER

It is unlawful for any person to enter upon or interfere with the building operations carried on under this permit, or in any way to interfere with the building material.

TEMPORARY OCCUPANCY

The permittee is granted the use of the streets or public property as provided by Chapter 44 of the Boise City Building Code.

THIS CARD MUST BE TACKED ON THE FRONT OR STREET SIDE OF ALL BUILDING OPERATIONS SO THAT IT MAY BE SEEN FROM THE STREET.

Any violation of these regulations constitutes a misdemeanor.

Date 12-16-63 No. 144

To Construct frame

for shop building

1000 sq. ft.

No. 2001 Broadway Street

Owner Thompson

Architect

Builder Boise

Fee \$ 50.00

Building Inspector

INSPECTORS' REPORTS

Date _____ Footing Trenches _____

Foundation _____

Framing _____

Wiring, Plumbing, Heating _____

Lathing and Plastering _____

Final _____

Form B3

SEE OVER

Exhibit C
Affidavit of Carol L. Brassey
63-5292 and 63-5296
May 26, 2005

A63-5296 Waste Water 2HP 2" pump and lines









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 confirm 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 Treasur Drive Boise 83715 Telephone No. 3420242
(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) August 1962
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) Ada Co. Drainage Dist #3 tributary to BOISE RIVER.
- (3) Describe the purpose for (WASTE WATER) used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Both dates inclusive)
			(Mo., Day)	(Mo., Day)
Quantity	<u>.08 CFS</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr 15</u>	To <u>Oct 15</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
TOTAL QUANTITY USED.				

- (4) (cfs, af)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NW 1/4, Sec. 15 Twp. 3N Rge. 4E B.M., County of Ada
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. 2HP - 2" Pump 220 Gal. per.m.

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	2E	15																	4

No. of acres 4

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

- NOTE Include here the type and number of stock watered: None
- (7) If you are claiming water as a member of an organization, list name of organization:

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 63-5296
Date Received: 8/21/1989
Receipt No: C010011
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THE VERNON K BRASSY FAMILY PARTNERSHIP
2602 TERRACE WAY
BOISE ID USA 83702

Phone:

2. Date of Priority: 08/15/1962

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02E	15	SE NW	ADA	

5. Description of diverting works:

2HP 2" PUMP, 220 GPM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.08	

7. Total Quantity Appropriated is:
0.08 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
03N	02E	15	SE	NW	IRRIGATION	4
Section Acres						4
Total Acres						4

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Address correction by DH 9/30/2003

15. Basis of Claim: Statutory Claim

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

RECEIVED

CIVIL CASE NUMBER: 39576

SEP 30 2003

WATER RESOURCES
WESTERN REGION

Ident. Number 63-5296
Date Received: 8/21/1989
Receipt No: C010011
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THE VERNON K BRASSY FAMILY PARTNER Phone:

~~3701 E CLEMENT RD~~
~~BOISE ID USA 83704~~

Please change address to the following:
2602 Terrace Way
Boise ID 83702

2. Date of Priority: 08/15/1962

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02E	15	SE NW	ADA	

5. Description of diverting works:

2HP 2" PUMP, 220 GPM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.08	

7. Total Quantity Appropriated is:
0.08 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
03N	02E	15	SE NW	IRRIGATION	4
Section Acres					4

Total Acres 4

11. Place of use in counties: ADA

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) Carol Lynn Brassey

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

Number of attachments:

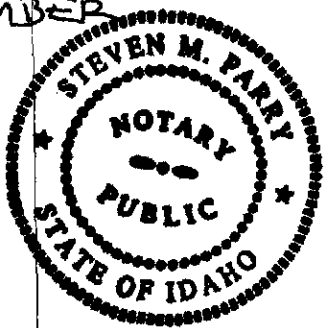
For Organizations:

I do solemnly swear or affirm that I am a Managing Partner of the Vernon K. Brassey Family Partnership, L.L.P. Title , that I have signed the foregoing document in the space below as a Managing Partner of the Vernon K. Brassey Family Partnership, L.L.P. Title and that the statements contained in the foregoing document are true and correct. Carol L. Brassey Signature of Authorized Agent Managing Partner, The Vernon K. Brassey Family Partnership, LLP Title and Organization September 28, 2003 Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this
of 28th 2003
SEPTEMBER

Steven M. Parry



Notary Public
Residing at BOLSE ID
My commission Expires 7/1/2005

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-05296
Date Received: 8/21/1989
Receipt No: C010011
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE VERNON K. BRASSY FAMILY PARTNERSHIP 208-342-0242
Address: 3701 E. CLEMENT RD.
BOISE, ID 83704

2. Date of Priority: AUG 15, 1962

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	15	SE	NW			ADA

5. Description of diverting works:
2HP 2" PUMP, 220 GPM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.080		

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

8. Total consumptive use is 14.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	15	SE	NW		IRR	4.0

Section Acres 4.0

Total Acres 4.0

A63-05296

Page 1

Date: 06/27/90

MICROFILMED

AUG 21 1992

*Needs a
signature
from claimant
and a notary*

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
A63-05292

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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

63-5292
63-5296

248E

Sent here
6-12-02

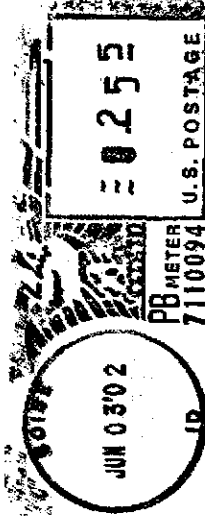
① 3200 Treasure Dr.

Boise 83703

② 119 Nelson Ave

Idaho City 83631

PRESORTED
FIRST CLASS



104

RECEIVED

JUN 11 2002

WATER RESOURCES
WESTERN REGION

THE VERNON K BRASSY Farm. Ptnshp
3701 E CLEMENT RD
BOISE ID 83704

RETURN
TO SENDER
UNDELIVERABLE
AS ADDRESSED

(Vern / Isabel)

RETURN
TO SENDER
UNDELIVERABLE

83704

83704



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 16, 1990

RECEIVED
JUL 18 1990

The Vernon K. Brassy Family Partnership
c/o Carol Lynn Brassy
3701 E. Clement Rd.
Boise, ID 83704

RE: Snake River Basin Adjudication (SRBA)
Ada County - Notice of Claim #A63-05292, A63-05296

Department of Water Resources
Western Regional Office

Dear Ms. Brassy:

We are forwarding to you a computer-generated copy of the Notice of Claims listed above which you filed for your property in Ada County. We are also enclosing Receipt #C010011 in the amount of \$110.50, for the filing fees. We have interpreted the data from your claims and have made some minor modifications which we feel more accurately describes your water rights. The items that were modified are highlighted.

At Item #8, you have failed to indicate the amount of consumptive use for your property. For your legal description the Department suggests 3.5 acre feet per acre per annum. You are claiming 4 acres of irrigated land, therefore your consumptive use would be 14 acre feet per annum.

If you agree with the modifications and the amount of consumptive use you do not have to return this form. If your actual usage is different, you may change the amount on the claims, and explain why it is different at item #14, "Remarks". You must initial the changes you make, sign the forms before a notary public and return the claims and a copy of this letter to:

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

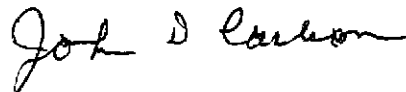
MICROFILMED

AUG 21 1992

The Vernon K. Brassy Family Partnership
July 16, 1990
Page 2

Please make these corrections before August 16, 1990. Do not hesitate to contact this office, or our Western Region Office, if you have any questions or concerns.

Sincerely,



John D. Carlson
Adjudication Supervisor

JDC:ALB:sf:state:west

Enclosures:

Copies of Claims #A63-05292, A63-05296

Receipt #C010011

MICROFILMED

AUG 21 1992

08/02/2005

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

RIGHT NUMBER: 63-5296

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

SOURCE: WASTE WATER

TRIBUTARY: BOISE RIVER

QUANTITY: 0.080 CFS

USE OF THIS RIGHT WITH RIGHT NO. 63-5292 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .08 CFS.

PRIORITY DATE: 04/30/1964

POINT OF DIVERSION:

T03N R02E S15 SENW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.080 CFS

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S15 SENW 3.0

3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-5292 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3 ACRES IN A SINGLE IRRIGATION
SEASON.

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

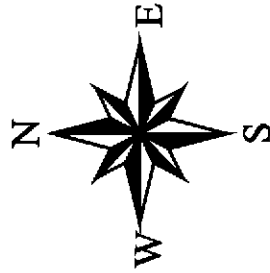
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-5296
Date Prepared: 09-17-03
Prepared By: Gene Gibson

T03N, R02E
S15



☉ Point of Diversion

☐ Place of use

☐ Section

1/4 1/4

1987 NAPP



0 0.05 0.1 0.15 0.2 0.25 0.3 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5296 V1

WATER RIGHT NUMBER: 63-5296 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ISABEL J BRASSEY 3200 TREASURE DR BOISE, ID 83703 (208)342-0242
Current Owner	THE VERNON K BRASSY FAMILY PARTNERSHIP 2602 TERRACE WAY BOISE, ID 83702
Original Owner	VERNON K BRASSEY 3200 TREASURE DR BOISE, ID 83703 (208)342-0242

Priority Date: 04/30/1964

Basis: Beneficial Use

Status: *Active*

<u>Source</u>	<u>Tributary</u>
WASTE WATER	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.080 CFS	
	<u>Total Diversion:</u>	0.080 CFS	

Location of Point(s) of Diversion

WASTE WATER	SE1/4NW1/4	Sec. 15, Twp 03N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	15								3.0									3.0

Total Acres: 3

Conditions of Approval:

1. E51 USE OF THIS RIGHT WITH RIGHT NO. 63-5292 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .08 CFS.
2. C18 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.
3. E55 USE OF THIS RIGHT WITH RIGHT NO. 63-5292 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5296 V1

Remarks:Comments:

1. ggibson 9/18/2003 Place of Use

Comment: Gene Gibson met with Vern Brassey on September 17, 2003, to conduct a field examination on Claims 63-5292 and 63-5296. During the field examination only three acres of the POU was found to be irrigatable and currently irrigated, Mr. Brassey agreed with this finding.

2. ggibson 9/18/2003 Period of USE

Comment: Changed Period of Use per IDWR Standards

3. dhatfield 9/30/2003 Address correction

Comment: The data in the name field was changed to show this right has an address correction.

4. segbert 8/2/2005 Priority Date

Comment: Advanced the priority date to 4-30-1964 per affidavit in file stating that is when pumping from this diversion began.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	9/18/2003 11:11:30 AM	ggibson			
Source	9/18/2003 11:13:53 AM	ggibson			
POU	9/18/2003 11:18:15 AM	ggibson			
Use	9/18/2003 11:51:30 AM	ggibson			
Season	9/18/2003 11:52:24 AM	ggibson			
Quantity	9/18/2003 11:54:06 AM	ggibson			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/18/2003 11:09:12 AM	ggibson	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5296 V1

Source	9/18/2003 11:13:54 AM	ggibson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field examination conducted by Gene Gibson on 9/17/2003.
POU	9/18/2003 11:18:17 AM	ggibson	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field examination conducted by Gene Gibson on 9/17/2003.
POD	9/18/2003 11:11:32 AM	ggibson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	9/18/2003 11:17:11 AM	ggibson	Edited shape boundary
Quantity	9/18/2003 11:54:07 AM	ggibson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Diversion rate is less than .2 cfs

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5296 V1

Use	9/18/2003 11:51:32 AM	ggibson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field examination conducted by Gene Gibson on 9/17/2003
Season	9/18/2003 11:52:26 AM	ggibson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

Water Supply Bank:

09/18/2003

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

RIGHT NUMBER: 63-5296

NAME AND ADDRESS: THE VERNON K BRASSY FAMILY PARTNER
3701 E CLEMENT RD
BOISE ID 83704

Need Address update

SOURCE: WASTE WATER ✓

TRIBUTARY: BOISE RIVER ✓

QUANTITY: 0.080 CFS ✓

USE OF THIS RIGHT WITH RIGHT NO. 63-5292 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .08 CFS.

PRIORITY DATE: 08/15/1962

Need probp

POINT OF DIVERSION: 4/30/64

T03N R02E S15 SENW Within ADA County ✓

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION ✓

PERIOD OF USE
4/15 10/15

QUANTITY
0.080 CFS

PLACE OF USE: IRRIGATION Within ADA County

3-1-11-15 per IDWR standards

T03N R02E S15 ✓ SENW 3.0 ✓

3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-5292 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3 ACRES IN A SINGLE IRRIGATION
SEASON.

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

EXPLANATORY MATERIAL:

*Advanced priority date to 4-30-1964 per
affidavit, point 8 which states that is
the month & year*

RECEIVED

MAY 31 2005

WATER RESOURCES
WESTERN REGION

BEEMAN & ASSOCIATES, P.C.

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

Josephine P. Beeman
jo.beeman@beemanlaw.com

Phone (208) 331-0950
Fax (208) 331-0954
office@beemanlaw.com

May 27, 2005

Jan Shurte
IDWR Western Region Office
2735 Airport Way
Boise, Idaho 83705

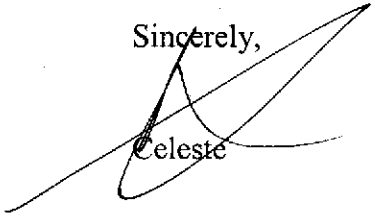
Re: 63-5292 & 63-5296 Vernon K. Brassey Family Partnership, LLP

Dear Jan:

Thank you for your time and assistance in the matter of water nos. 63-5292 and 63-5296. I have enclosed the exhibits and original signed affidavit for Carol Lynn Brassey in support of 63-5292 and 63-5292.

If you have any questions or require additional information please call.

Sincerely,



Celeste

Enclosure

MAY 31 2005

WATER RESOURCES
WESTERN REGION

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

AFFIDAVIT OF CAROL LYNN BRASSEY

STATE OF IDAHO)
COUNTY OF ADA) ss:

4. That Vernon K. Brassey began building the first of the four-plex on the

property in January 1964.

5. That in April 1964 Vernon K. Brassey landscaped the property, planting grass, shrubs, trees, and flowers.

6. That in 1964 affiant was 12 years old and affiant's sister, Ann Brassey Norris, was 14 years old. That it was affiant's and her older sister's responsibility to maintain the landscaping at the property. That affiant and her older sister watered the lawn and grounds, trimmed the shrubs, and mowed the lawns from April through November in 1964 and from March through November in 1965 and 1966, at the property.

7. That affiant has personal knowledge that in April of 1964 water was pumped from the drainage ditch that runs through the property to irrigate the property.

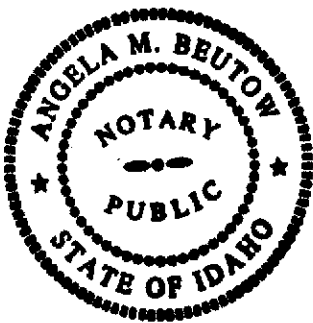
8. That affiant has personal knowledge that her family has pumped water from the drainage ditch from April 1964 to the present to irrigate the property.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 26th day of May, 2005.

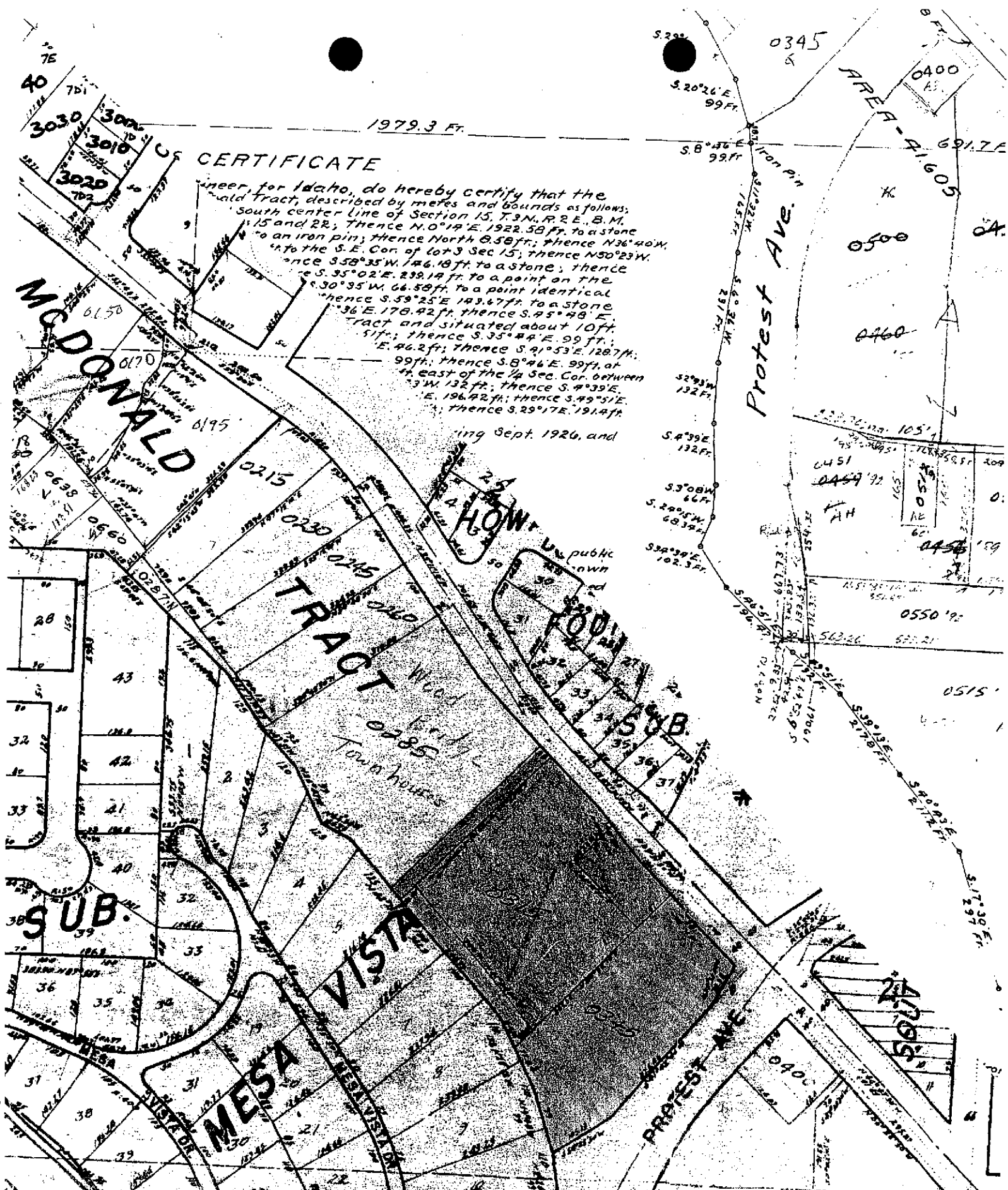
Carol Lynn Brassey
Carol Lynn Brassey

SUBSCRIBED AND SWORN to before me this 26th day of May, 2005.



Angela M. Beutow
Notary Public in and for the State of Idaho
Residing at: Ada County Boise Id.
My Commission Expires: 5/24/11

z:/3015/6710



Was filed for record 14
 0 minutes past 7 o'clock P.M., this 19 day of Oct.
 duly recorded in Book 8 of Plat Books at page 350.

Stephen Lister
 Ex-officio Recorder

Bu

Exhibit A
 Affidavit of Carol L. Brassey
 63-5292 and 63-5296
 May 26, 2005

CENTE
 SEC.15

APPLICATION FOR PERMIT BOISE CITY

DATE 13-16, 1983 No 1829

THE UNDERSIGNED HEREBY APPLIES FOR A PERMIT FOR THE WORK HEREIN INDICATED OR AS SHOWN AND APPROVED IN THE ACCOMPANYING PLANS AND SPECIFICATIONS.

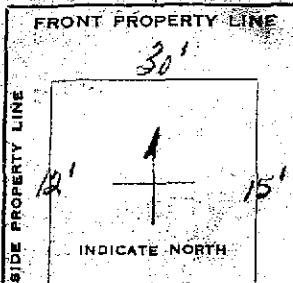
OWNER Carol L. Brassey ADDRESS 4001 S. 10th St. PHONE _____

BUILDER W. J. P. Co. ARCHITECT _____ DESIGNER _____

STRUCTURE: ☒ NEW ☐ REMODEL ☐ ADDITION ☐ REPAIR ☐ RENEWAL ☐ FIRE DAMAGE

☒ RESIDENCE ☐ COMM. ☐ EDUCATIONAL ☐ GOV'T ☐ RELIGIOUS ☐ FENCE ☐ PATIO ☒ CARPORT ☐ GARAGE ☐ AWNING

FOOTINGS	FOUNDATION	BASEMENT	FLOORS	EXT. WALLS	INT. WALLS	CEILING	ROOF	HEAT	INSULATED
☒ CONCRETE ☐ MASONRY	☒ CONCRETE ☐ MASONRY	☐ PARTIAL ☐ FULL ☒ NO	☒ WOOD ☐ CONCRETE ☐ OTHER	☒ WOOD ☐ MASONRY ☐ CONCRETE ☒ VENEER ☐ METAL	☐ WOOD ☐ MASONRY ☐ CONCRETE ☒ DRYWALL ☐ PLASTER ☐ TILE	☐ WOOD ☒ DRYWALL ☐ PLASTER ☐ TILE ☐ ACOUSTIC ☐ OPEN	☒ BUILT UP. ☐ WOOD SH. ☐ COMP. SH. ☐ TILE ☐ ROLL ROOF. ☐ METAL	☒ GAS ☐ OIL ☐ COAL ☐ FIREPLACE ☐ ELECTRIC	☒ WALLS ☒ CEILING ☐ FLOORS ☐ PERIMETER



This permit is issued subject to the regulations contained in the Building Code and Zoning Regulations of Boise City, and it is hereby agreed that the work to be done as shown in the plans and specifications will be completed in accordance with the regulations pertaining and applicable thereto:

REMARKS: 2x10 frame floor joists, 28' x 12' ft. x 4
2x10 dittoed & car port.

OCCUPANCY
A. B. C. D. E. F. G. H. I. J.
1. 2. 3. 4. 5.

ZONE
A. B. C. D. E. F.

TYPE
I. II. III. IV. V. N

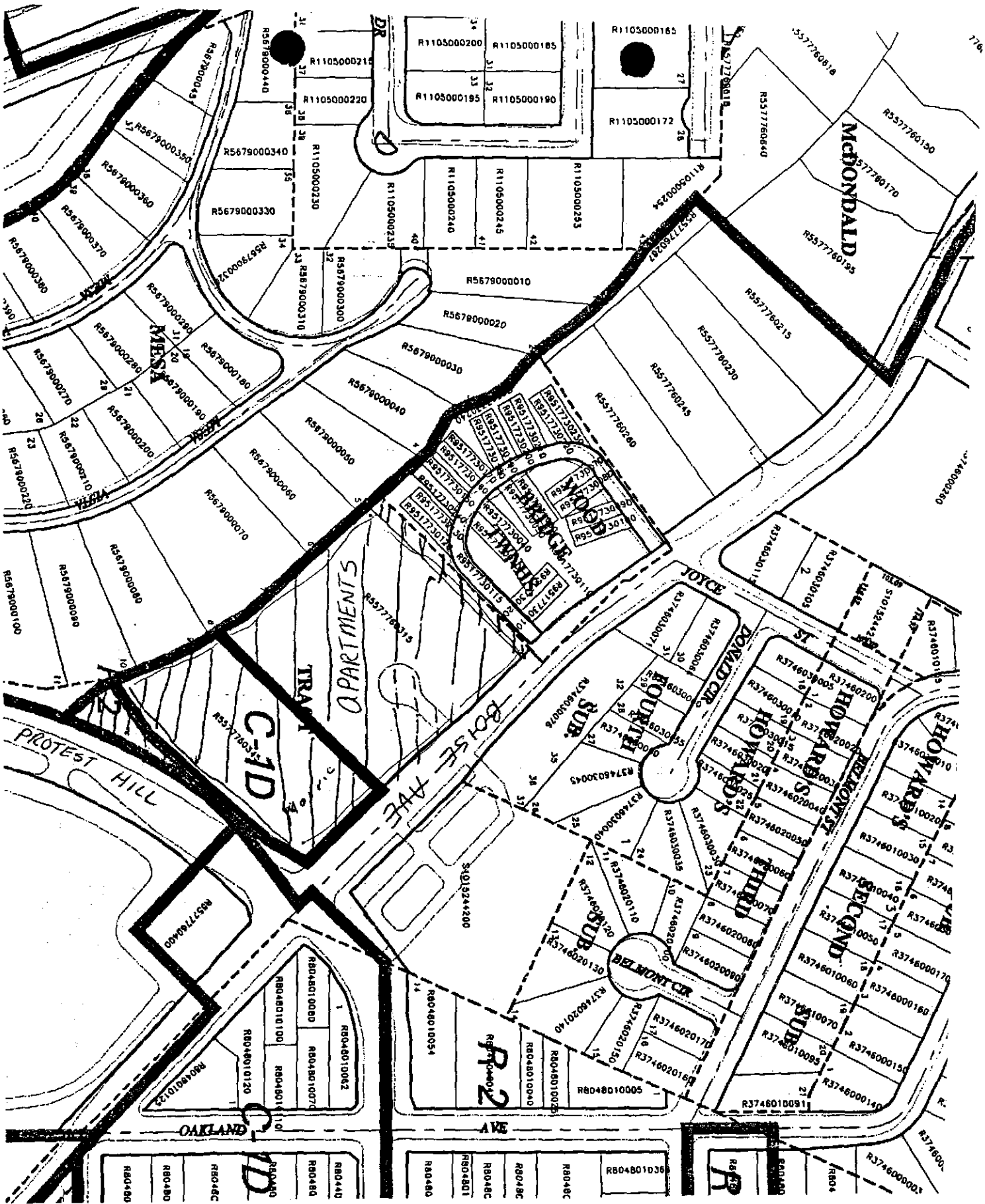
FIRE ZONE
1. 2. 3.

REAR PROPERTY LINE

DEPARTMENT OF BUILDING & ZONING	
VALUE	<u>26,000.00</u>
FEE PAID	<u>55.00</u> ☐ CASH ☒ CHECK
DIRECTOR	<u>W. J. P. Co.</u> BY <u>K</u>

APPLICANT Carol L. Brassey
ADDRESS _____

Exhibit B
Affidavit of Carol L. Brassey
63-5292 and 63-5296
May 26, 2005



Vernon K. Brassey
 Protest & Boise Ac. Property

BUILDING PERMIT

NOTICE TO THE PUBLIC

GENERAL INFORMATION

1. The purpose of this permit is to authorize the construction of a building or structure on the site of the proposed project. The permit is issued by the Building Department of the City of [City Name].

PERMIT REQUIREMENTS

2. The permit is required for all new construction, alterations, and additions to existing buildings or structures. The permit is also required for the installation of new plumbing, electrical, and mechanical systems.

3. The permit is valid for a period of one year from the date of issuance. The permit holder must comply with all applicable building codes and regulations during the term of the permit.

4. The permit holder is responsible for obtaining all necessary approvals and permits from the appropriate agencies and departments.

CONSTRUCTION REQUIREMENTS

5. The construction must be in accordance with the approved plans and specifications.

6. The construction must be completed within the specified time frame.

7. The construction must be inspected and approved by the Building Department.

8. The construction must be maintained in accordance with the approved plans and specifications.

9. The construction must be completed in accordance with the approved plans and specifications.

10. The construction must be completed in accordance with the approved plans and specifications.

11. The construction must be completed in accordance with the approved plans and specifications.

SIGNED ON BEHALF OF THE CITY OF [City Name]

Exhibit C
Affidavit of Carol L. Brassey
63-5292 and 63-5296
May 26, 2005

9-17-2003
Gene Gibson

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

CLAIM NO(s). 63-5292 63-5296
Well WASTE WATER

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

They Are researching Their records will submit proof
of priority AT A later date

3. No Change — SAME SOURCE GW WELL WASTE WATER Ditch
Source is different than that claimed:

Source found: _____

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

<u>Well</u>	Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____	<u>322000-279868</u>
<u>WW ditch</u>	Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____	<u>322006-279818</u>

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

Well 2HP Pump 2" inlet & outlet pipes

WASTE WATER 2HP Pump 2" inlet & outlet pipes

Neither one was running so no measurements were taken

6. No Change - WATER USES
Different uses, (list uses found):

GW
WW

Use	<u>IRR</u>	From	<u>3-15</u>	To	<u>14-15</u>	Amount	<u>.08</u>	CFS	<u> </u>	AFA
Use	<u>IRR</u>	From	<u>4-15</u>	To	<u>10-15</u>	Amount	<u>.08</u>	CFS	<u> </u>	AFA
Use	<u> </u>	From	<u> </u>	To	<u> </u>	Amount	<u> </u>	CFS	<u> </u>	AFA

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount CFS AFA

Changes found, the new total is, Amount .08 CFS AFA

8. No Change - NON-IRRIGATION USES:

Changes Exam found: Cooling no longer used as a beneficial use

Domestic # of homes: Stock # List types:

Additional comments:

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

Use:	<u> </u>	Township	<u> </u>	Range	<u> </u>	Section	<u> </u>	<u>1/4</u>	<u>1/4</u>
Use:	<u> </u>	Township	<u> </u>	Range	<u> </u>	Section	<u> </u>	<u>1/4</u>	<u>1/4</u>
Use:	<u> </u>	Township	<u> </u>	Range	<u> </u>	Section	<u> </u>	<u>1/4</u>	<u>1/4</u>
Use:	<u> </u>	Township	<u> </u>	Range	<u> </u>	Section	<u> </u>	<u>1/4</u>	<u>1/4</u>

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

See Conversation Memorandum 9-17-03

SYSTEM DIAGRAM INCLUDED NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED:

FIELD EXAMINER:

GG

Print Name

[Signature]

Signature

CONVERSATION MEMORANDUM

Date: 9-17-03

Employee Initials: GG

File #: 63-5292 & 63-5296

Name of Party: Vern Brassey c-866-6956

I met with Vern Brassey on Sept 17, 2003 to review claims 63-5292 & 63-5296. Vern & I talked about the number of acres as we walked the grounds. I told Vern according to the Ada County Tax Rolls that it showed 3.7 acres for the property and asked how many acres he thought was currently being irrigated? he stated around 3 acres (see pictures). I told him I would reduce the acres to 3 he agreed. The cooling portion of the water right 63-5292 was stopped about 15 years ago he agreed on removing it from the claim.

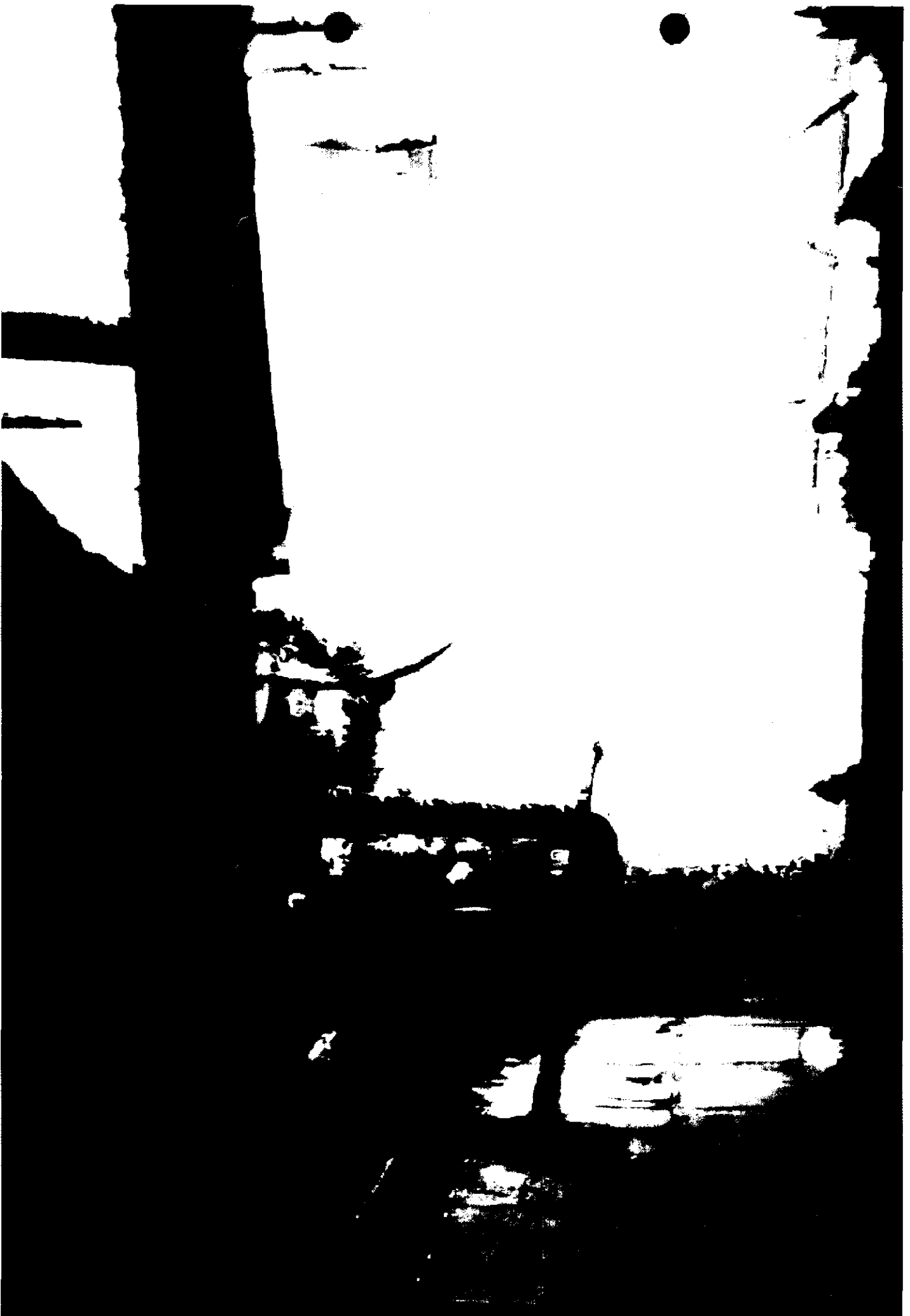
The GW Well is in a dug hole approximately 8' below the ground surface (see picture). It has a 2 HP Pump with 2" inlet & outlet pipes. It was not running at the time so no measurements were taken.

The Waste Water pump is 2 HP with 2" inlet & outlet pipes, it was not running at the time so no measurements were taken. The Waste Water ditch runs underneath some of the apartments and the pump is approximately 20' underneath one of the apartments.

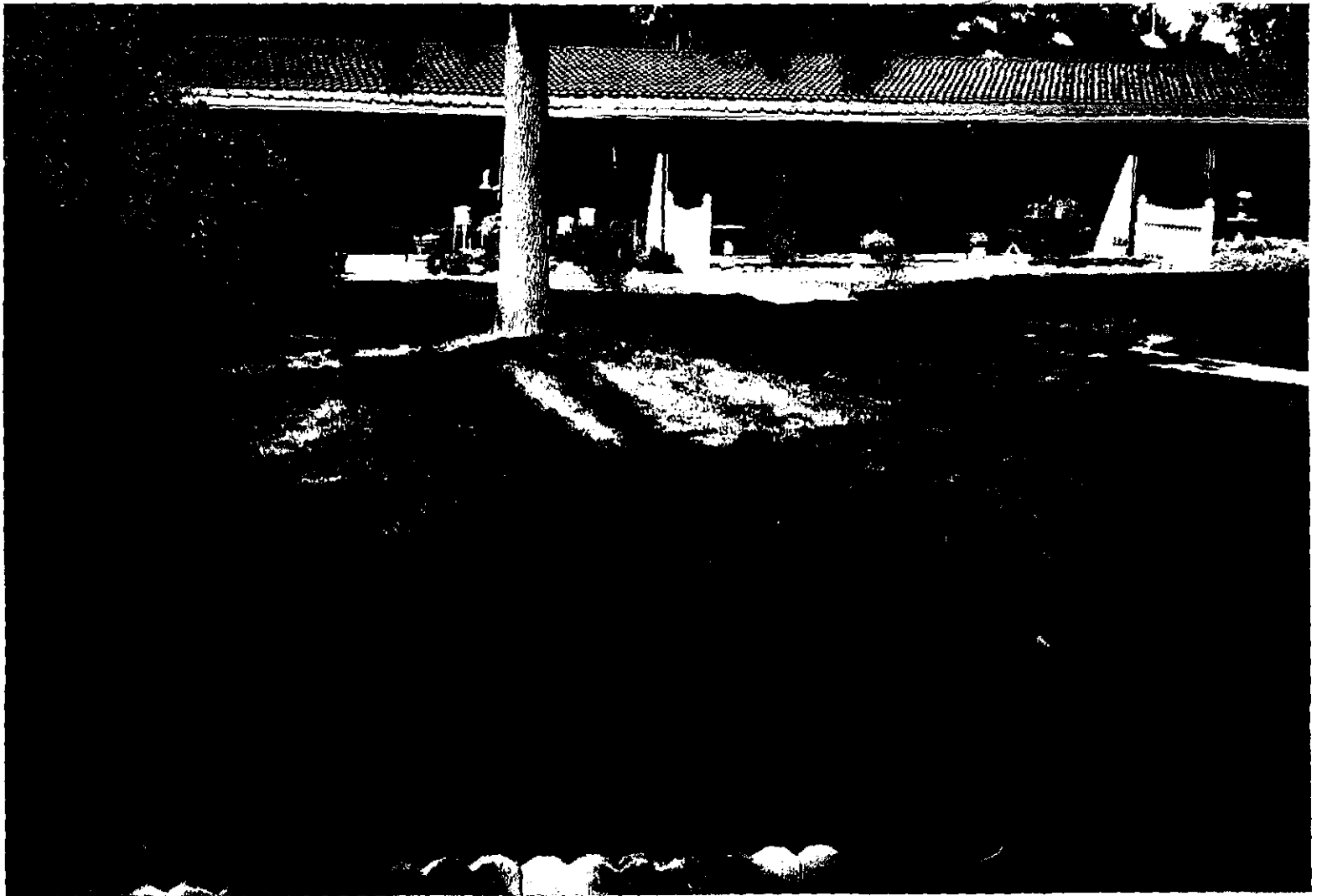
Coordinates Well 322000 & 279868

Waste Water 322006 & 279818

A63-5296 Waste Water 2HP 2" pump and lines









Form No. 243
8/81

Claim No. 6253296

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 confirm 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 Treasura Drive Boise, ID 83715 Telephone No. 3420242
(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) August 1962
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)
Ada Co. Drainage Dist #3 tributary to BOISE RIVER.
- (3) Describe the purpose to which the water is used and the time during the year when you have used the right claimed:
(IRRIGATION)

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	0.08 CFS	Use	Irrigation	Period of Use From	Apr 15 To Oct 15
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) TOTAL QUANTITY USED.

(5) A) Point of diversion (Location of point where water is diverted from its source)
SE 1/4 NW 1/4, Sec. 15 Twp. 3N Rge. 4E B.M., County of Ada
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.
2 HP - 3" Pump 220 Gal. per min.

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	2E	15																	4

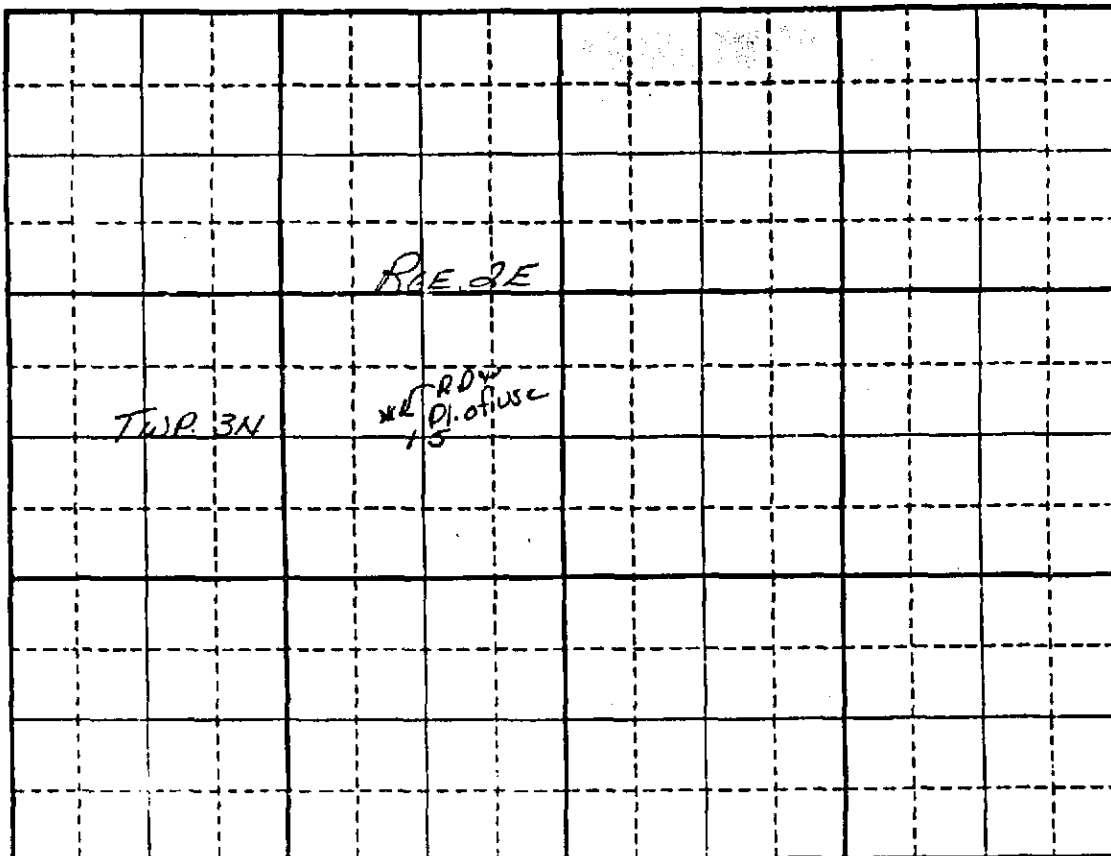
No. of acres 4

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

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

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

(8) Remarks Irrigating Apartment house Grounds
Boise Address 2001 W. Boise Ave.



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)

County of Ada) ss.

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.

Sworn to before me this 25 day of June, 1953.

Leah J. Bracey
(Claimant)

John A. Smith
Notary Public

Residing at Boise, Idaho

My commission expires 8/1/54

FOR DEPARTMENT USE ONLY

Received by SS

Date 6/25/53

Exception filed by:

Forwarded to

Date

Prelim. check by SS

Date

26910

claimant by:

\$30.00 fee received by SS

Date

Published in

Dates