

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: A67-04523F
Date Received: 6/04/1990
Receipt No: W012431
Received By: *lu*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENNIS BRANDT 208-323-8818
Address: 5804 POPLAR
BOISE, ID 83704
OR
Name: RUBY BRANDT 208-323-8818
Address: 5804 POPLAR
BOISE, ID 83704
 2. Date of Priority: MAR 25, 1911
 3. Source: WEISER RIVER Trib. to: SNAKE RIVER
 4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	02W	6	SW	NW			WASHINGTON
 5. Description of diverting works:
HEADGATE AND DITCH
 6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		
 7. Total Quantity Appropriated is:
0.200 C.F.S. (and/or) A.F.A.
 8. Total consumptive use is 30.0 Acre Feet Per Annum.
 9. Non-irrigation uses:
 10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	11	SE	SW		IRR	10.0
- A67-04523F Page 1 Date: 06/07/90

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06/07/90

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-00026, A67-00027 (SPLIT)

14. Remarks:
THIS WATER RIGHT IS A SPLIT OFF OF 67-04523.

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576
Ident. Number AG7-04523F
Date Received _____
Receipt Number WD12431

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 04 1990

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Roger C. Finnell et al Phone (805) 984-0871

Mailing Address 133 W. Calle Crespis #4 Santa Barbara, CA Zip 93105

2. Date of Priority (Only one (1) per claim) March 25, 1911

3. Source of water supply (a) Welser River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 14N Range 2W Section 6,
SW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Washington

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.

Head gate and ditch

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount .20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 30.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	3W	11												10					10

Total number of acres irrigated 10

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

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.
AG7-00026, AG7-00027 or None ()

14. Remarks: This water right will be a split off the original. The prefix letter indicating the split is unknown at this time.

Last Name FINNELL

Ident No. A67-04523

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Copies: White - State, Yellow - Claimant

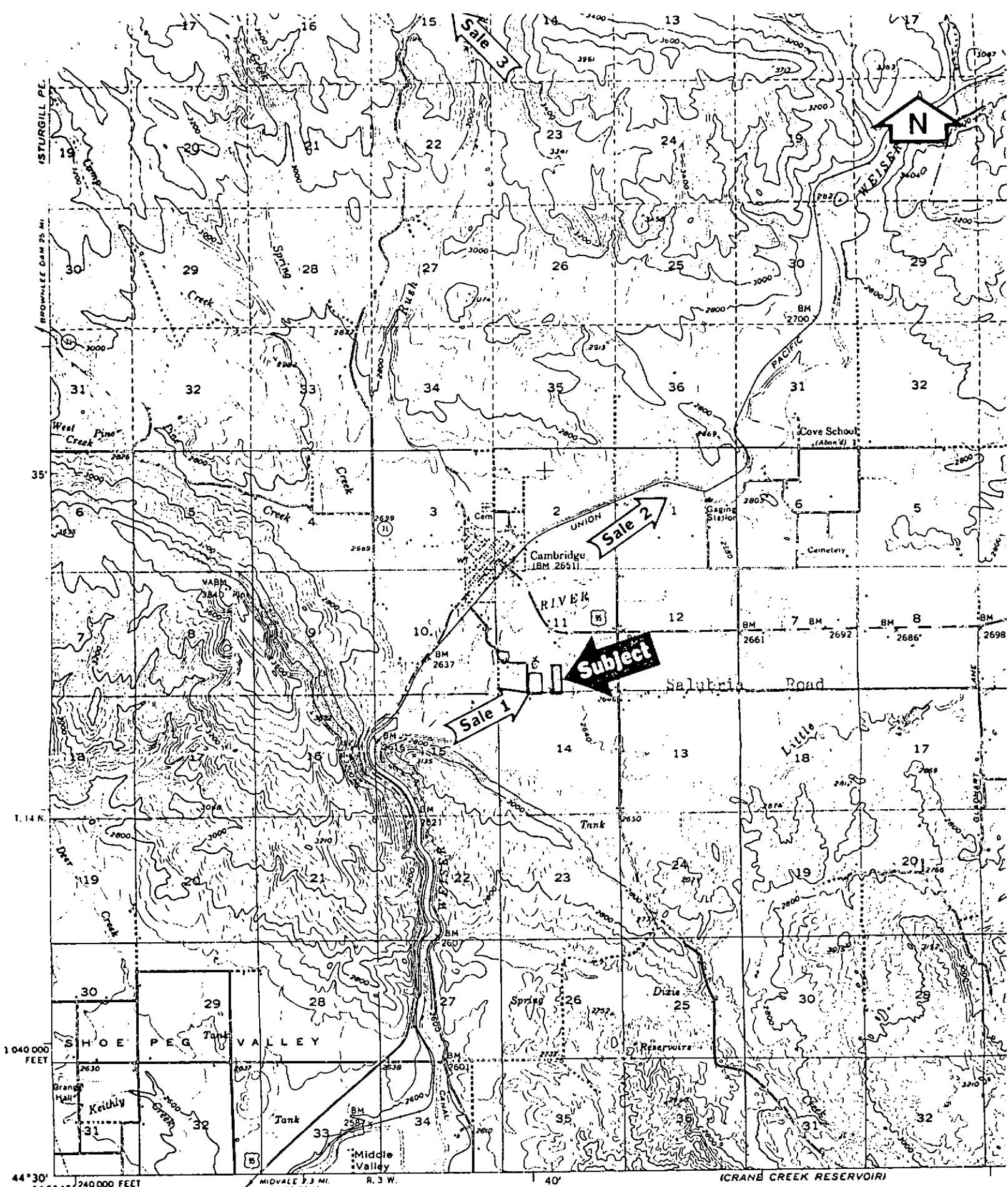
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It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

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.

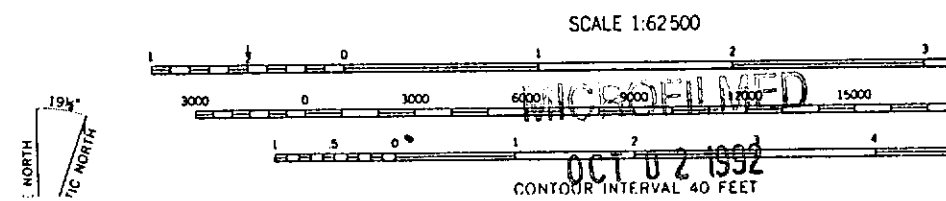
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

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.



44° 30' N
116° 45' W
240 000 FEET
MIDVALE 3.3 MI. WEISER 26 MI.
R. 3 W.

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography from aerial photographs by multiplex methods
Aerial photographs taken 1951. Field check 1957
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
west zone



Scale: 2 inches equals 1 mile

Send photocopy of map.

[illegible]

Ident No. A67-04523

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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 _____

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

Signature of Claimant (s)

Rose C. Finnell

Date 2/6/90

Rose C. Finnell

Date May 18, 1990

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

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

Signature of Authorized Agent _____

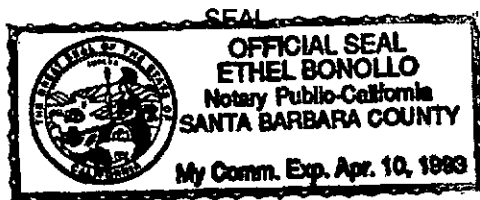
Title and Organization _____

Date _____

State of ~~Idaho~~ / or California)
County of Santa Barbara) SS.

Subscribed and sworn (or affirmed) before me this _____

18th day of May 1990



Notary Public

Ethel Bonollo

Residing at

Santa Barbara, Ca

My Commission Expires

4-10-93

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

FINNELL

Ident. Number

A67-04523

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Copies White State, Yellow Claimant

OCT 02 1992

Old (D) Number -

[illegible]

City- CAMBRIDGE State- ID Zip- 83610
Phone -

+ - - Priority Date	- - +	+ - - - Region	- - +	+ ~ - Stage	- - +	+ - - Status
		14		S - STATUTORY CLAIM		
	03/25/1911					

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+-----+
+-----+ Source -----+
+-----+ WEISER RIVER -----+
+-----+
+-----+ Tributary -----+
+-----+ SNAKE RIVER -----+

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Twn	Rng	Sec	Tract	Lot	Rflq	County	Point of Diversion	Stream Index (Blank if no Index Code)
-----	-----	-----	-------	-----	------	--------	--------------------	---------------------------------------

14N 02W 6 SW NW (87) WASHINGTON

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

01 - IRRIGATION	04/01	11/01	6.220
+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +
6.220			+ - KW Usage - +
			6.220

+	Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
---	-----	-----	-----	-------	-----	-------	--------------	-------------	--------

14N	03W	1	NE SE	27.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	1	SE SE	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	NE NE	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	NW NE	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	SW NE	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	SE NE	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	SW NW	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	SE NW	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	NE SW	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	NW SW	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	SW SW	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	SE SW	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	NE SE	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	NW SE	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	SW SE	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	11	SE SE	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	12	NE SW	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	12	NW SW	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	12	SW SW	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	12	SE SW	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	13	NW NW	40.0	01	IRRIGATION	(87)	WASHINGTON
14N	03W	13	SW NW	40.0	01	IRRIGATION	(87)	WASHINGTON

OCT 02 1992

Total Acres: 1667.0

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LINDA WERNER
STATE OF IDAHO
DEPT OF WATER RESOURCES
WESTERN REGION
735 AIRPORT WAY
BOISE, IDAHO 83705

MAY 31, 1990

RECEIVED
JUN 04 1990

Department of Water Resources
Western Regional Office

ROGER C. FINNELL
133 W. CALLE CRESPIA #A
SANTA BARBARA, CA. 93105

RE: WATER RIGHT CLAIM NUMBERS: A67-04523; A67-00026; A67-00027

DEAR MS. WERNER:

THANK YOU SO MUCH FOR ASSISTING ME WITH THE COMPLETION OF THE WATER RIGHTS APPLICATIONS AND OTHER FORMS. YOU WERE ESPECIALLY GRACIOUS TO BE SO PATIENT WITH MY MISUNDERSTANDING OF THE PROCESS REQUIRED. WHEN WE LAST SPOKE, A SALE WAS PENDING.

THE PROPERTY HAS BEEN SOLD TO THE FOLLOWING:

DENNIS & RUBY BRANDT
5804 POPLAR
BOISE, IDAHO 83704
PHONE (208) 323-8818

THE CLOSING AGENT WAS AS FOLLOWS:

MELISSA ROHM
FIRST AMERICAN TITLE OF PAYETTE COUNTY
31 S. MAIN STREET
PAYETTE, IDAHO 83661
PHONE (208) 642-3351 (CLOSING #90-1877)

ALL YELLOW COPIES OF THE FORMS WERE SENT TO THE BRANDTS. ALL WHITE COPIES ARE ENCLOSED HERewith. PERSONAL CHECK # 758 IN THE AMOUNT OF \$310 FOR FILINGS AND LATE FEES INCLUDED.

REQUEST FOR EXTENSION TO FILE IS INCLUDED, ALSO. SHOULD THE DEPARTMENT EXCUSE THE TARDINESS OF THE FILING, AND CONSIDER A RETURN OF ANY LATE FEES, I WOULD APPRECIATE ANY PROCEEDS BEING SENT TO ME AT THE ADDRESS ON THIS LETTER.

SHOULD YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME.

AGAIN, THANK YOU FOR YOUR ASSISTANCE.

CORDIALLY,


ROGER C. FINNELL

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